

Trial Hearing
WITNESS: CIV-OTP-P-0433

(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
5 Goudé - ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Wednesday, 26 April 2017
10 (The hearing starts in open session at 9.03 a.m.)
11 THE COURT USHER: [9:03:26] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:03:38] Good morning.
15 Good morning, Mr Witness.
16 WITNESS: CIV-OTP-P-0433 (On former oath)
17 (The witness speaks French)
18 THE WITNESS: [9:03:55] (Interpretation) Good morning. Good morning, your
19 Honour.
20 PRESIDING JUDGE TARFUSSER: [9:03:57] I think you remember all the
21 informations and recommendations I gave you yesterday.
22 And therefore I will --
23 THE WITNESS: [9:04:03] (Interpretation) Yes, of course.
24 PRESIDING JUDGE TARFUSSER: [9:04:07] -- give immediately the floor to the
25 Office of the Prosecutor for its questioning. Yours the floor.

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1 THE WITNESS: [9:04:15] (Interpretation) No problem.

2 QUESTIONED BY MS BERDENNIKOVA: (Continuing)

3 Q. Bonjour le témoin.

4 A. Good morning, ma'am.

5 Q. [9:04:36] Bonjour.

6 (Interpretation) Good morning. I'm Maria Berdennikova. I'm one of the lawyers
7 working for the OTP. And we had a brief opportunity to meet very briefly Tuesday
8 during the courtesy meeting. As the Presiding Judge has already explained to you,
9 we will all refer to you as "Mr Witness." We will not actually give your name. Is
10 that all right? It's not a lack of respect. It's just the way that we work here in the
11 courtroom.

12 A. [9:05:11] Very well. Understood.

13 Q. [9:05:13] I'm not going to repeat all the instructions that the Presiding Judge has
14 already given to you. I would just like to remind you that you need to speak slowly
15 so as to make life easier for our interpreters.

16 A. [9:05:33] Okay.

17 Q. [9:05:36] If it is necessary for you to slow down, I will just gesture at you this
18 way, like this (indicating), all right?

19 I'll be putting my questions to you in English because I speak English better than
20 French, but we'll be able to understand one another just fine thanks to our interpreters;
21 is that all right?

22 A. [9:05:58] Okay.

23 Q. [9:05:59] I'm now going switch to English.

24 (Speaks English) So, Mr Witness, just before we start, I'd like you to listen to my
25 questions very carefully and if you do not understand something, please let me know

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1 and I will repeat or rephrase what I've said to you before.

2 A. [9:06:23] Okay.

3 Q. [9:06:24] Now, I'm going to ask you some questions, the answers to which might
4 seem very obvious to you, but I just ask you to please be patient with us and to
5 explain what you know clearly so that the judges and everybody in the courtroom
6 understands how you know things and what you know, okay?

7 A. [9:06:45] Okay.

8 Q. [9:06:46] Finally, if you need a break at any point in time, please also let the
9 judges know; is that all right?

10 A. [9:06:57] Okay.

11 Q. [9:06:59] Mr Witness, are you currently retired?

12 A. [9:07:05] Yes, I am retired. I've been retired since 2002.

13 Q. [9:07:10] And why did you stop working?

14 THE INTERPRETER: [9:07:14] Overlapping speakers.

15 THE WITNESS: [9:07:17] (Interpretation) I took retirement in the normal way of
16 things.

17 MS BERDENNIKOVA: [9:07:25]

18 Q. [9:07:25] What was your occupation before?

19 A. [9:07:27] I was an accountant. I started at I'SCOA, then Uniwax, SATMACI,
20 and then I ended my career at the public service.

21 Q. [9:07:48] And can you just very briefly tell us what your professional
22 qualifications are?

23 A. [9:07:53] I'm an accountant.

24 Q. [9:08:01] Do you have any professional qualifications to be an accountant?

25 A. [9:08:08] Yes. I was trained as an accountant. I started at a technical school, a

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1 college that was part of a technical institution. And I received further training when
2 I worked and I also did night courses when I was working. So there you have it.

3 Q. [9:08:39] Thank you. Mr Witness, without going into too many details, can you
4 tell us which district of Abidjan you lived in during the post-electoral crisis?

5 A. [9:08:50] I lived in Yopougon.

6 Q. [9:08:56] And how long did you live in Yopougon?

7 A. [9:09:02] From 1972 up until now and I still live there. I live at home. That is
8 my home.

9 Q. [9:09:19] And do you have any particular role in Yopougon in the community?

10 A. [9:09:28] Yes. I am the president of the management committee of the mosque
11 and I'm the president of the --

12 THE INTERPRETER: [9:09:39] Inaudible.

13 THE WITNESS: [9:09:41] (Interpretation) -- as well. I'm also the president of a
14 school group, the president of basically a parent association.

15 Q. [9:09:53] Can you tell us since when were you the president of the management
16 for the mosque?

17 A. [9:10:02] Ever since 2004, and officially there was an actual official decision in
18 2008 to that effect, and at that point I was officially confirmed to be in that position
19 and to run the mosque, 12 December 2008, to make the whole thing official, you see.

20 Q. [9:10:39] And do you still occupy this position?

21 A. [9:10:45] Yes, up until now, yes.

22 Q. [9:10:49] Can you just very briefly explain what does this role entail, what does
23 it involve?

24 A. [9:10:58] The committee that I oversee runs the mosque, the administrative
25 aspects, the financial aspects. And this committee also ensures the right sort of

1 atmosphere within the mosque. And we particularly focus on unity and a spirit of
2 brotherhood amongst the members.

3 Thirdly, we have undertaken a number of projects, projects to help people practise
4 Islam better. We bring in speakers and experts, people who are more
5 knowledgeable about Islam, and these people come and preach at the mosque.
6 That's our third area of endeavour.

7 Q. [9:12:14] I understand that in this role, you also meet a lot of people from the
8 community and speak to people from the community; is that right?

9 A. [9:12:25] Oh, yes, definitely, yes.

10 Q. [9:12:28] Mr Witness, can you just tell us what does the acronym CNI mean,
11 C-E-N-I?

12 A. [9:12:47] It stands for the National Islamic Council.

13 Q. [9:12:54] I would now like to ask you a few questions, general questions about
14 the mosque. Could you tell us what names does it have?

15 A. [9:13:09] Sicogi-Lem is the name of the mosque.

16 Q. [9:13:13] Does it have any other names?

17 A. [9:13:15] Just to find the location easily, we call it the Sicogi-Lem Antenna,
18 l'Antenne, because, you see, *CITELCOM has an antenna not far from the mosque.
19 So that's how you can find the mosque easily. It's also referred to as the antenna
20 mosque.

21 Q. [9:13:44] And where is the mosque located?

22 (Redacted)

23 (Redacted)

24 Q. [9:14:02] Mr Witness, are you a member of any political organisations?

25 A. [9:14:13] No, practically. But, you know, you have to vote. I do vote. But for

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1 a few years now I haven't been part of or seen myself as part of -- well, not active in
2 politics. I'm an RDR supporter.

3 Q. [9:14:38] You mentioned that since a few years you have not been an active
4 member. Have you been an active member before then?

5 A. [9:14:48] Yes. I was president of the grassroots committee of the Sicogi-Lem.

6 Q. [9:15:02] And when did you stop being an active member?

7 A. [9:15:04] One year after. That was back in the -- I no longer recall. It was a
8 long time ago.

9 Q. [9:15:15] Was it before the post-electoral crisis or after?

10 A. [9:15:24] It was before the crisis.

11 Q. [9:15:28] Mr Witness, do you know anything about the ethnic composition of the
12 main neighbourhoods in Yopougon?

13 A. [9:15:35] Well, that's a tough one. It's complicated. I really don't want to get
14 into all of that. I can't tell you.

15 Q. [9:15:55] Let me just clarify my question maybe a little bit. Can you give us the
16 predominant ethnicities of, let's start with Doukouré?

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 *For the most part, you have people from
23 the west of the country as well as a few Malinké people and some Sénoufés as well.

24 Q. [9:17:03] And what about the Sideci neighbourhood?

25 A. [9:17:11] Yes, the Sideci neighbourhood, that's a real mixture. But for the most

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1 part, there are many people from the west of the country who live there.

2 Q. [9:17:25] Thank you, Mr Witness. Now, can you tell us anything about political
3 affiliations of these ethnicities?

4 A. [9:17:38] Well, in the Doukouré neighbourhood, for instance, there are a lot of
5 Malinké people, Senoufo people and others. For the most part, they support the RDR.

6 Q. [9:18:07] Can you tell us the same for the other neighbourhoods we just spoke
7 about, so Sideci, Yao Séhi, Lem?

8 A. [9:18:16] Yes, yes, yes. I was telling you, yes, CÉDÉAO, there's a lot of people
9 from the western part of the country at Yao Séhi, Yao Séhi.

10 Q. [9:18:30] And do you know anything about the political affiliations they may
11 have?

12 THE INTERPRETER: [9:18:32] Message from the interpreter: If the five-second rule
13 could be complied with.

14 THE WITNESS: [9:18:40] (Interpretation) Yes, Doukouré is RDR and then Yao Séhi,
15 FPI, Yao Séhi, FPI party.

16 MS BERDENNIKOVA: [9:18:59]

17 Q. [9:19:00] Thank you.

18 Your Honours, I'm conscious of the instructions that you gave to us yesterday
19 pursuant to the request of the Defence, so I would like to go into a brief private
20 session just on a very specific topic.

21 PRESIDING JUDGE TARFUSSER: [9:19:15] Let's go into private session, please.

22 (Private session at 9.19 a.m.)

23 (Redacted)

24 (Redacted)

25 (Redacted).

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9 (Open session at 9.23 a.m.)

10 THE COURT OFFICER: [9:23:14] We are in open session.

11 PRESIDING JUDGE TARFUSSER: [9:23:19] The floor is yours.

12 MS BERDENNIKOVA: [9:23:22] Thank you.

13 Q. [9:23:23] Now, Mr Witness, I would like to bring you now to the electoral

14 campaign of 2010 and shortly, shortly after. And as I've just mentioned, let's

15 concentrate on things that you yourself have seen and that you yourself know when

16 giving answers to my questions, all right?

17 A. [9:23:45] All right.

18 Q. [9:23:51] Are you aware of any political meetings held in Yopougon during this

19 time?

20 A. [9:24:01] Yes. There were rallies, but I didn't go to them, because I decided to

21 take some distance to run the mosque and not get involved in politics. I had

22 withdrawn from that area. *In fact, even when there were meetings, permission

23 would be requested from me to hold them either in the CNI office or in the mosque.

24 Well, you see, we have an office which was built by the CNI. So there is a large

25 meeting room and often the RDR would have meetings and also the other group.

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1 THE INTERPRETER: [9:24:46] Inaudible.

2 THE WITNESS: [9:24:48] (Interpretation) So I would let them have the meeting
3 room but I did not take part in the meetings.

4 MS BERDENNIKOVA: [9:24:54]

5 Q. [9:24:54] You just mentioned some RDR meetings. Were you aware of political
6 meetings of any other political organisations in Yopougon?

7 A. [9:25:00] Even if there had been meetings and I was aware of them, I didn't
8 know exactly what was being discussed. I didn't go to those meetings.

9 Q. [9:25:17] Without necessarily knowing the content of these meetings, do you
10 know of the existence of such meetings?

11 A. [9:25:29] *I know there were a great many rallies in Yopougon organised either
12 by the RDR or the FPI. There were often -- always rallies.

13 THE INTERPRETER: [9:25:42] Overlapping speakers.

14 MS BERDENNIKOVA: [9:25:44]

15 Q. And again, without necessarily knowing about the content, do you know the
16 locations of the meetings of the FPI party?

17 A. [9:25:58] Well, since these events were announced on the radio and the
18 television, *sometimes for the young people or for other persons the RPR would have
19 these public rallies at the CP1, which I'm quite familiar with. It's not too far from my
20 neighbourhood as well. So they were at the CP1 and -- well, I've forgotten the name
21 of the bar. There is another bar.

22 Q. [9:26:36] Could you just clarify the acronym of the political party that you are
23 talking about? It appears as RPR or -- can you clarify that?

24 A. [9:26:48] I said RDR, not RPR. Rassemblement des Républicains in French.

25 Q. [9:26:58] And the meetings held at CP1, which political party held meetings

1 there?

2 A. [9:27:08] The FPI.

3 Q. [9:27:12] Do you know of any other locations where the FPI would hold
4 meetings in Yopougon?

5 PRESIDING JUDGE TARFUSSER: [9:27:22] Maître Gbougnon.

6 MR GBOUGNON: [9:27:23] (Interpretation) Yes, your Honour. I certainly would
7 like to allow my learned friend to continue, but in reference to your instructions
8 yesterday regarding the first response provided by the witness, page 11 of the
9 transcripts, when he said that he did not attend the rallies himself because he had
10 withdrawn from political activities, I thought -- well, you see, he did not attend the
11 meetings, the rallies. And I believe you said that we needed to remain within the
12 framework of what the witness experienced personally. So as soon as the witness
13 said that he did not actually attend these rallies, everything that follows is only
14 suppositions.

15 So I don't see why we are continuing along this particular line of questioning.

16 PRESIDING JUDGE TARFUSSER: [9:28:26] I thought something similar, but I
17 would like to see where the OTP is going. If we go to what he knows and he has
18 seen and he has experienced personally, we have to focus on this, because all what he
19 knew from people who told him, especially from the two people mentioned, is out of
20 the questioning. So just be aware of this. Please continue.

21 MS BERDENNIKOVA: [9:29:03] Understood, your Honour.

22 Q. [9:29:08] Mr Witness, did you yourself see any FPI meetings in Yopougon?

23 A. [9:29:28] I never attended any *FPI rally. I could have learnt that there might have
24 been RDR or FPI rallies at a particular place at a particular time, but I never attended
25 any of those rallies.

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1 Q. [9:29:40] Now, I understand and you made it very clear that you didn't actually
2 attend one of the meetings. Did you ever see one of the meetings, even from afar?

3 MS KADJI: [9:30:00] (Interpretation) Your Honour, I think we are going around in
4 circles, your Honour.

5 PRESIDING JUDGE TARFUSSER: [9:30:09] I do know, I know we are going around
6 in circles, but if you stand up all the time just to say that we are going around in
7 circles, we will not finish today this questioning and I would like really very much to
8 finish it today. We will do every effort to do so.

9 So please, go ahead, Madam Prosecutor.

10 MS BERDENNIKOVA: [9:30:32] Yes, your Honours. Would you like me to repeat
11 my question?

12 PRESIDING JUDGE TARFUSSER: [9:30:45] Yes, please.

13 MS BERDENNIKOVA: [9:30:46] Yes.

14 Q. [9:30:47] So without necessarily attending these meetings, did you see any of
15 these meetings?

16 A. [9:30:51] Passing by perhaps.

17 Q. [9:31:06] Can you tell us the location where you saw these meetings?

18 A. [9:31:14] As I said, CP1 was a location in Yopougon where the FPA -- FPI, rather,
19 regularly held meetings, notably for young people.

20 Q. [9:31:40] And does the word "agora" mean anything to you?

21 A. [9:31:47] Yes. Those are places where young people would congregate, FPI
22 young people, and they would meet there regularly to have meetings.

23 Q. [9:32:03] Do you know of the locations of such agoras within Yopougon?

24 A. [9:32:25] Yes. One place was near the Mairie Technique, technical town hall,
25 and another place was near the Doukouré pharmacy.

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1 Q. [9:32:48] Mr Witness, did any ministers from the government hold meetings in
2 Yopougon during this time?

3 A. [9:32:56] In which period?

4 Q. [9:33:04] So we're still talking about the electoral periods and shortly after.

5 A. [9:33:19] Now, the electoral period, as I said, to be quite honest, I kept some
6 distance from political matters. But now that you put the question to me, during the
7 campaigns ministers or mayors asked to be able to speak in front of our mosque
8 because it was right on the roadside, and we would allow them to do so, be they from
9 the RDR or another party. We didn't refuse anyone that opportunity. So I can
10 report that situation for instance.

11 Q. [9:34:10] Were there any FPI ministers that held meetings in Yopougon?

12 A. [9:34:29] Well, what I can say on this topic is that during a campaign, FPI
13 personalities held a meeting in the CNI rooms and then the RDR also held a meeting
14 in the same building. That's all I can say.

15 Q. [9:35:04] Mr Witness, the bureau de CNI, is that your office?

16 A. [9:35:11] *Well, this is an office where there is sufficient space for meetings to take
17 place, important meetings. So if an organisation or somebody asks us for that space, we
18 could provide it. But I, as a member of the CNI, I was the standing secretary, and I'm still
19 its standing secretary. Anything that was requested from CNI-COCY, the CNI...in fact
20 CNI-COCY is part and parcel of CNI, and our office was in the mosque, (Redacted)
21 (Redacted)
22 (Redacted)

23 Q. [9:36:12] Mr Witness, did any of the candidates to the presidential election visit
24 Yopougon during the campaign?

25 A. [9:36:23] Visit or campaign? Do you mean just come visiting or campaign?

1 Q. [9:36:36] In the context of the electoral campaign.

2 A. [9:36:43] Yes, because as I said at the outset, our mosque is located right on the
3 main road of Yopougon and we therefore have a big space in front of the mosque.
4 And when we are asked to provide that space, we would provide it and then people
5 would hold meetings there.

6 Q. [9:37:09] Let me be a little bit more specific. Did you ever see Mr Alassane
7 Ouattara in Yopougon?

8 A. [9:37:21] Yes. During his campaign he came, and he spent a few minutes on
9 the roadside. We had set up tarpaulins and chairs. It was quite noisy. He greeted
10 the crowd and then he left, continued on his way.

11 Q. [9:37:50] Can you be a little bit more specific about why Mr Ouattara left?

12 A. [9:37:58] Well, it was, as I said, given that there was a lot of movement in the crowd
13 in that area, he preferred to move on because he didn't have security and so he left.

14 Q. [9:38:16] Can you describe this movement in the crowd, what was happening?

15 A. [9:38:22] Well, there wasn't really pushing and shoving. But of course people
16 wanted to touch him or wanted to say something to him. But when one saw that
17 those around him were a bit overwhelmed with what was happening, he moved on.
18 He continued.

19 Q. [9:38:53] And let's just situate this in time a little bit. Do you remember when
20 this would have been during the campaign?

21 A. [9:39:02] I'm sorry, but I can't give you an answer to that question. I don't
22 recall. I actually don't remember if it was the first campaign or the second.

23 Q. [9:39:16] That's all right. And what happened after Mr Ouattara's departure?

24 A. [9:39:23] Well, everybody went their own way. Everyone went home.

25 However, a young girl who was beaten, her hair was pulled from the back and then

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1 she started to cry. Well, that's what happened. And she went and told her family.

2 There was a lot of tumult in the area, but I just went home.

3 Q. [9:40:08] Mr Witness, do you recall what this young woman was wearing at the
4 time?

5 A. [9:40:17] Yes. She was wearing a T-shirt with a picture of President Alassane
6 on it.

7 Q. [9:40:26] And do you know who it was that beat her?

8 A. [9:40:33] No. Who beat her? No. I don't know the person personally, but it
9 was a member of the FPI youth who was there and who was just opposite under a
10 canvas at *CITELCOM.

11 Q. [9:40:58] How do you know that it was a young person from the FPI?

12 A. [9:41:04] Because we saw them and we saw that it was them who were under
13 the canvas. When you are there, you know who was who. You have a canvas over
14 here for certain people and a canvas there for others. Of course, there is no name
15 written on it, but the canvas belongs to somebody.

16 Q. [9:41:26] And where were you when this incident happened with the young
17 woman?

18 A. [9:41:40] Yes, because I was in the immediate vicinity of the mosque. I was
19 outside, but as you know, my office is there and I was observing the scene.

20 Q. [9:41:49] And did you hear these young men saying anything?

21 A. [9:41:55] Well, well, could you be more explicit? I'm not sure what you mean.

22 Q. [9:42:18] Well, I don't, I don't want to, to put any answers --

23 PRESIDING JUDGE TARFUSSER: [9:42:22] Did they shout, scream? Did they
24 shout, did they scream? Did they say something?

25 THE WITNESS: [9:42:36] (Interpretation) Yes. Well, there was certainly a degree

1 of animosity and the FPI youth were not happy. They didn't agree. They weren't
2 happy that Alassane had visited, had passed through, and so they were shouting.
3 *But he could not stop him. He feared that he could be a Mossi, and a Mossi should
4 not become the President of our country. But that's the kind of thing they would chant
5 every day. Basically, they were not happy that the president had passed through.
6 I was standing on the other side of the road.

7 MS BERDENNIKOVA: [9:43:24]

8 Q. [9:43:25] Mr Witness, you mentioned the word "Mossi." Can you explain what
9 that means?

10 A. [9:43:40] Mossi? Well, the word "Mossi" is used to refer to an ethnic group
11 from Burkina Faso.

12 Q. [9:43:56] Just one last question on this. Do you know the name of the woman
13 that was beaten that day?

14 A. [9:44:02] No. But I know it's a Maoka woman or a Maoka woman. And her
15 mother came to visit me afterwards to explain the situation to me, but I have to say
16 that I couldn't do anything. I was president of the mosque, but I wasn't involved in
17 politics.

18 Q. [9:44:33] So, Mr Witness, I would now like to direct your attention to 25
19 February 2011 and just as until now I'll ask you to focus your attention on what you
20 yourself saw that day. So 25 February in 2011 was a Friday. What time was the
21 first call to prayer?

22 A. [9:45:04] Midday.

23 Q. [9:45:10] So I'd like you to think, to take yourself back to just before the prayer
24 call of 12. Where were you at this time?

25 A. [9:45:23] Well, it was 9 o'clock. I was inside the mosque and I went to sit down

1 in front of the CNI office, which is just opposite the main road.

2 Q. [9:45:43] Did you see anything unusual happening?

3 A. [9:45:50] I did. I was shocked to see young people in the middle of the road

4 that day, stopping vehicles, and they would search those vehicles and they would

5 grab mobile phones from those people. And I remember thinking: What's going on?

6 It didn't last long, just a few minutes, but that's how things started.

7 MS KADJI: [9:46:19] Monsieur le Président, s'il vous plaît.

8 PRESIDING JUDGE TARFUSSER: [9:46:27] Please.

9 MS KADJI: [9:46:27] (Interpretation) I'm sorry to have to refer back, but the way in
10 which this question has been framed is not correct. I think that the Prosecutor
11 should have asked, "Did something happen in February somewhere?" Whereas here
12 she has provided a date to the witness, whereas we all know that that date is
13 problematic. I know it's a little bit late for me to raise the issue, but I did want to
14 have it noted.

15 PRESIDING JUDGE TARFUSSER: [9:46:55] Okay. Please continue. It's on the
16 record.

17 MS BERDENNIKOVA: [9:46:59] Thank you, your Honours.

18 PRESIDING JUDGE TARFUSSER: [9:47:01] I didn't find anything strange in this.
19 But please go ahead.

20 MS BERDENNIKOVA: [9:47:09]

21 Q. [9:47:10] So, Mr Witness, you referred to some youth. Do you know who these
22 youth were?

23 A. [9:47:18] Yes. At the beginning it was young people from Yao Séhi.

24 Q. And how do you know this?

25 A. Because, as I said earlier, we know each other. I could give you more details

1 subsequently if you like.

2 Q. [9:47:47] Can you describe this group with a little bit more detail? How many
3 people were in this group approximately?

4 A. [9:47:56] Well, in order to demonstrate that it was young people from Yao Séhi,
5 when vehicles came they stopped the vehicles, they would search the vehicles and
6 then take mobile phones, and I didn't think that was normal at all.

7 And a few minutes later stones were thrown, but they were thrown between young
8 people from the Yao Séhi and Doukouré, and that's how I ascertained that the young
9 people were from Yao Séhi. And that continued on until about 10 o'clock. The
10 police had to intervene to separate them.

11 Q. [9:48:51] How far away were you from where this was happening?

12 A. [9:48:58] Right. I was just opposite the CNI office when it started, and I had to
13 go home. It was a Friday. So that meant that the Friday was lost. So I went home.
14 When they started throwing stones, I had to leave because there were stones hitting
15 the roof and hitting the paving stones at the office. So I left.

16 Q. [9:49:31] Mr Witness, you mentioned that some police intervened. Did you see
17 the police yourself?

18 A. [9:49:40] I did. I saw the police myself.

19 Q. [9:49:52] And you mentioned that you at some point left to go home. Was this
20 before or after the prayer call?

21 A. [9:50:04] Before the prayer call, I went home. It was around 9 o'clock or so that
22 I left, when the stone throwing began.

23 Q. [9:50:22] Can you specify how long you sat outside before you left?

24 A. [9:50:58] I was sitting with friends, colleagues. There is one name that I've
25 previously mentioned, and that is Bobby. So Mr Bobby was with me, with Mr Diallo,

1 who is somewhat older. And they were sitting with me when the stone throwing
2 began and *we went home.

3 Q. [9:51:16] Can you be more specific about the location where the youth were
4 stopping cars and taking the mobile phones?

5 A. [9:51:33] That was right in the middle of the road, and that road, how do you
6 say? It's the biggest road in Yopougon. It comes from quite some distance away.
7 At that time it was the largest road. It starts at Kenya and goes to Saguidiba. And
8 it was that part that was occupied by the young people just beyond the bridge. After
9 the 16th there is the bridge and then the mosque. You have the two neighbourhoods
10 in Doukouré and Yao Séhi, one opposite the other.

11 Q. [9:52:20] And how long did you witness this for?

12 A. [9:52:26] Well, I didn't stay for long, maybe five minutes. Once there was stone
13 throwing, we didn't wait long, maybe not even five minutes, because stone throwing,
14 well, *that's not easy.

15 Q. [9:52:50] Mr Witness, you mentioned that you left before the first prayer call. I
16 would just like to quote something from your statement that you gave to the
17 Prosecution previously, which was mentioned earlier today. So I would like to turn
18 your attention to paragraph 48 of your prior statement.

19 Would your Honours like that I read the entire paragraph or just the relevant part? I
20 know your previous instructions.

21 PRESIDING JUDGE TARFUSSER: [9:53:38] It depends. If it's needed to read the
22 entire paragraph in order to put him in the right position, you read the whole.

23 Otherwise, you read the portion. But he must not be misled. Thank you.

24 MS BERDENNIKOVA: [9:53:53] I'll just read the entire paragraph for clarity. And
25 I'm going to quote in French:

1 (Interpretation) "Some stones flew close to me. That's the moment that it started."

2 PRESIDING JUDGE TARFUSSER: [9:54:12] 48, you said?

3 MS BERDENNIKOVA: [9:54:13] Yes, paragraph 48.

4 THE COURT OFFICER: [9:54:21] Can we have the ERN number, please?

5 MS BERDENNIKOVA: [9:54:24] Of course. So this is the first document in our list
6 of material; it's CIV-OTP-0057-1345. The page is 1355, and the relevant paragraph as
7 I said is 48.

8 So I will just quote this in French now:

9 (Interpretation) "Some stones flew close to me. That's the moment that it started.

10 It was around 11 a.m. The clashes between the young people from Yao Séhi and
11 Doukouré lasted a little. At 12 o'clock we sounded the first call for Friday prayers.
12 I ordered that the great gate of the mosque be closed and my office, and I left for
13 home passing by the back door of the mosque."

14 (Speaks English) Mr Witness, does this help you remember the relevant time of that
15 day?

16 A. [9:55:51] Yes, yes, indeed. The times that you've cited --

17 MS NAOURI: [9:56:00] (No interpretation)

18 PRESIDING JUDGE TARFUSSER: [9:56:09] The witness was speaking and I wanted
19 to let him finish to speak. This was the only thing that I --

20 MS NAOURI: [9:56:15] (Interpretation) Yes, I just don't want the witness's answer
21 to be influenced because my learned friend colleague referred to "refreshing
22 memory," whereas in the transcript of today, the witness clearly said 9 o'clock. If my
23 learned colleague wants to confront him with another time, I would suggest that she
24 puts it to the witness that he told the investigators that it was 11 o'clock and midday,
25 whereas today you said 9 o'clock rather than saying "to refresh your memory."

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1 I just wanted to get that on the record of the case.

2 PRESIDING JUDGE TARFUSSER: [9:56:53] This is the never-ending story about the
3 difference between the refreshing of the memory and the confrontation with
4 something. So if there is a discrepancy, you confront the witness. If the witness
5 doesn't recall, you refresh the memory. This is -- no.

6 Please go ahead.

7 MS BERDENNIKOVA: [9:57:20] Your Honours, in fact, I would like to go into very
8 brief private session just on two very specific questions.

9 PRESIDING JUDGE TARFUSSER: [9:57:35] Let's please go into private session.

10 (Private session at 9.57 a.m.)

11 (Redacted)

12 (Redacted)

13 (Redacted)

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15 (Redacted)

16 (Redacted)

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- 1 (Redacted)
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- 14 (Redacted)
- 15 (Open session at 10 a.m.)
- 16 THE COURT OFFICER: [10:00:40] We are in open session, Mr President.
- 17 PRESIDING JUDGE TARFUSSER: [10:00:44] Madam Prosecutor.
- 18 MS BERDENNIKOVA: [10:00:46]
- 19 Q. [10:00:47] Mr Witness, when you returned to your house, did you receive any
- 20 phone calls?
- 21 A. [10:01:00] Yes, I did get some phone calls.
- 22 Q. [10:01:02] From who?
- 23 A. [10:01:06] From Cissé Moustapha the watchman, and also he was guarding the
- 24 office.
- 25 Q. [10:01:16] And how long after you returned home did you receive this phone

1 call?

2 A. [10:01:25] Around 11, I would say. I said in the transcript that it was at 11 that
3 everything began and I was already back at home. He called me, you see, and he
4 told me what was going on at the mosque.

5 Q. [10:01:40] What exactly, what exactly did he say to you?

6 A. [10:01:49] He said to me, "Mr President, they've got into the mosque, and they
7 are torching the mosque and the office." And I said to him, "You must get out of
8 there. Don't stay there."

9 And I said to him, "In Islam, you are not to remain in the mosque and defend it when
10 it is attacked. You run, you get out of there. You have to leave."

11 Q. [10:02:22] You referred to "them, they attacked the mosque." Did he explain
12 who "they" are?

13 A. [10:02:30] Of course.

14 Q. [10:02:34] And who were they?

15 A. [10:02:39] We most often called them "the militiamen" or "the pro-Gbagbo
16 people."

17 Q. [10:02:48] You said he mentioned the mosque was on fire. Did you see this
18 yourself?

19 A. [10:02:59] Indeed. He called me and he said to me, and he said to me, "Do you
20 see?" and I said, "No."

21 And I left my house. I went out the door and I looked and I saw smoke. And I said
22 to him, "You have to get out of there. You have to leave." That's what happened.

23 Q. [10:03:19] Now, Mr Witness, we'll turn back to the garden a little bit later, but
24 for now I'd like to ask you, when you were returning home after going outside to see
25 the smoke, did you see or hear anything?

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1 A. [10:03:42] Yes, indeed. After, after the call, I told him to leave, and I went back
2 home, and a young fellow who just -- I just turned and he called out "Help." And
3 when he called out "Help," he followed me into the external courtyard. He fell down.
4 The blood drained out of him. And I went back in, into the inner courtyard. He
5 was underneath the window.

6 Everyone was looking at him. *From my house, you can see outside, but from
7 outside you cannot see inside. So the whole family went to the window to see this
8 young fellow. We saw him in his death throes and then he died.

9 THE INTERPRETER: [10:04:37] Overlapping speakers.

10 MS BERDENNIKOVA: [10:04:44]

11 A. Just for clarity, did you see who killed this person?

12 Q. I did not see the actual -- I didn't see the shooting. I don't know where that
13 happened, but it was just behind me. That is where the young man was to be found.
14 And we went into the courtyard.

15 THE INTERPRETER: [10:05:01] Correction: Into the courtyard together.

16 MS BERDENNIKOVA: [10:05:05]

17 Q. [10:05:06] Do you know the name of this person?

18 A. [10:05:07] The following day *his elder sisters came to get him and they came,
19 they saw my wife and they asked -- they said, "One of our brothers was with us
20 yesterday. We are from Abobo. We fled the situation and we came here." And
21 once they got there -- well, we didn't see the brother go by. He went by. We didn't
22 see him again.

23 Q. [10:05:44] And did they tell you what his name was?

24 A. [10:05:50] I do know that his name was Traoré, but the rest of his name, they
25 didn't tell me the rest of his name.

1 Q. [10:05:59] While you were outside when this happened, did you hear anything
2 else?

3 A. [10:06:13] No. When he went back in and then he fell, we went back in to our
4 house and when he died, well, we went out and we touched him and we saw that he
5 was dead, that he was indeed definitely dead.

6 Q. [10:06:32] Now, Mr Witness, without giving any names at this point, can you
7 explain if anything happened when you returned home?

8 A. [10:06:47] Yes. As I was saying, the stones were being thrown. That was still
9 going on even when I was in the house. My children even, the stones actually were
10 reaching my house and some of my children went out. Two of my children and one
11 of my nephews went out to throw the stones back, to throw back.
12 So they were involved, they were in the midst of that.

13 Q. [10:07:23] Mr Witness, did anything happen to your neighbour on that day?

14 A. [10:07:35] Yes, of course. After, after we saw that the other fellow had died, the
15 fellow who ended up in my home, we heard yelling and noise from the neighbour's
16 house and we learned that he had died that same day, he too.

17 Q. [10:08:00] How did you learn that he died?

18 A. [10:08:05] Well, once the people attacked and they moved off, we were able to
19 go outside and see what was going on outside. Everyone was surprised at the
20 situation, just how brutal it was. But we couldn't stay in the house. We went out to
21 find out what was going on, to get some information.

22 Q. [10:08:33] Where was this neighbour from?

23 A. [10:08:41] He was from Burkina Faso, and he had a place right beside, actually, a
24 brothel.

25 MS BERDENNIKOVA: [10:08:51] Your Honours, I would like to just ask a little bit

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1 more details about the identity of the person, and preferably in private session.

2 PRESIDING JUDGE TARFUSSER: [10:09:04] Let's go into private session, please.

3 (Private session at 10.09 a.m.)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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19 (Redacted)

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24 (Redacted)

25 (Redacted)

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2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Open session at 10.11 a.m.)

6 THE COURT OFFICER: [10:11:16] We are in open session.

7 PRESIDING JUDGE TARFUSSER: [10:11:19] Thank you.

8 MS BERDENNIKOVA: [10:11:22]

9 Q. [10:11:26] Mr Witness, do you know how your neighbour, how your neighbour
10 was killed?

11 A. [10:11:34] I learned that he was shot. He was shot by a firearm. That's all I
12 know.

13 Q. [10:11:52] And did you learn who was it that killed him?

14 A. [10:12:03] The same people who killed the young fellow who was shot close to
15 my home. It was the militiamen. They were the ones who were in control that day.

16 Q. [10:12:20] And how do you know this?

17 A. [10:12:24] Well, how could I not know? They were there. They were running
18 the show. After the stone throwing -- well, you've asked me in such a way I can't
19 say everything, but after, after the stones had been thrown, they came back with
20 firearms, and so that's what happened.

21 Q. [10:12:53] All right. So what happens after this, after the death of your
22 neighbour?

23 A. [10:13:05] After my neighbour died, well -- well, I don't know where to begin,
24 because after the young fellow died, I went back in, and then a few minutes later the
25 militiamen came. There were many of them. And the one, you see, who had died,

1 they searched his body and we saw that from the window. They knocked on my
2 door and when they knocked, several times, *I said that everyone was lying down --
3 well, there were a lot of us at home, some 16 people or so. My children were there.
4 Everyone was down on the ground, everyone was afraid, because the young man had
5 been killed, the neighbour had been killed. So we were afraid.
6 They knocked on the door and I was afraid, but I did go and I opened the door. We
7 looked at each other for a few moments, and thank God, they did not kill me. I
8 closed my door and away they went. So that's what happened. That is what I can
9 tell you.

10 Q. [10:14:24] How many people were in the group that came to your house?

11 A. [10:14:31] Huh, a great many. You couldn't count all of them one, two, three.
12 I thought maybe they would shoot me. I didn't count them. Maybe 15, maybe 20.

13 Q. [10:14:48] And approximately how old were these people?

14 A. [10:14:53] They were young, young fellows, 17 to 20 years of age maybe,
15 perhaps older than that, but they were young.

16 Q. [10:15:07] Do you know what language they were speaking?

17 A. [10:15:12] They spoke French.

18 Q. [10:15:20] And how were they dressed?

19 A. [10:15:26] They were wearing civilian clothing.

20 Q. [10:15:30] Were they carrying anything?

21 A. [10:15:35] They all had guns. I don't know the names of all the different guns,
22 but people talk about Kalashnikovs. But I saw that they had guns. They were
23 armed, I can tell you that.

24 MS BERDENNIKOVA: [10:16:08] Your Honour, I'd like to request again a private
25 session, just for a very brief two or three questions.

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- 1 PRESIDING JUDGE TARFUSSER: [10:16:18] Let's go into private session, please.
- 2 (Private session at 10.16 a.m.)
- 3 (Redacted)
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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Open session at 10.19 a.m.)

5 (The witness enters the courtroom)

6 PRESIDING JUDGE TARFUSSER: [10:21:03] So Mr Witness, welcome back. And
7 the floor is again to the Office of the Prosecutor.

8 MS BERDENNIKOVA: [10:21:10]

9 Q. [10:21:11] Mr Witness, let's go back briefly on the group of people that came to
10 your house. Do you know what ethnicity they were from?

11 A. [10:21:40] I'm not in a position to know that.

12 Q. [10:21:46] You mentioned a little bit earlier militia. Was this group of people --

13 A. [10:21:53] Militia.

14 Q. [10:21:54] Was this group of people also part of this militia that you referred to?

15 A. [10:22:02] Well, as I said initially, all the people who were Gbagbo supporters,
16 especially the young people who were doing those kinds of things, we referred to
17 them as the militia, militiamen. So there might be more appropriate names, but we
18 referred to them as the militia, those young people. We would say, "Oh, the militia
19 is heading over here. They're on their way." I can't really explain it any better than
20 that.

21 Q. [10:22:40] So these were Gbagbo supporters?

22 A. [10:22:45] That's right.

23 Q. [10:22:50] Can you just clarify how do you know that?

24 A. [10:22:56] This is what I'm telling you. During that period of time there were
25 two groups. There were the young people of the RDR and the young people who

1 belonged to the FPI. Those were the two groups who -- there were those two groups
2 who were waging war against one another, at least that day.

3 Q. [10:23:31] Do you know what this group of people did after they left your
4 house?

5 A. [10:23:39] I'm sorry, I haven't understood your question.

6 Q. [10:23:49] Did you see what this group of people did just after they left your
7 house?

8 A. [10:23:56] Yes. You see, I face a parking lot. There is a large -- there was a big
9 10 tonne truck actually who was parked there in that lot, and they put -- they set fire
10 to it. There was a great deal of smoke. After that, they continued. There is -- also
11 opposite my house, there is a shop and they ransacked the shop and took absolutely
12 everything out of it. And the vehicle as well, this large truck as well --

13 Q. Did you see --

14 A. -- was torched. Yes.

15 Q. Where were you when you saw this?

16 A. I was at home. I was at home.

17 THE INTERPRETER: [10:25:04] Interpreter correction, line 18: Witness made
18 mention of a person from Mauritania.

19 MS BERDENNIKOVA: [10:25:12]

20 Q. [10:25:12] Mr Witness, did you go out of your house later that day?

21 A. [10:25:18] Yes, yes, in the evening, when the militiamen went away, because,
22 you see, they would do that kind of thing and then disappear. They weren't staying
23 at one particular spot. So the evening I went out and I saw the damage that had
24 been done to the mosque, and also I wanted to go see what had happened to the
25 watchman because I had been told that he too had been killed.

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1 Q. [10:25:57] Mr Witness, are you now talking about the same day or another day?

2 A. [10:26:07] The same day. The 25th of February, the same day.

3 Q. [10:26:20] So you mentioned you went to the mosque. Can you be more
4 precise about the time?

5 A. [10:26:43] It was in the evening. It was evening, *between 5 and 6 p.m.,
6 because quite frankly, when these things go on, you lose all sense of time, so it's hard
7 to say. It was in the evening.

8 Q. [10:27:08] And who else was with you when you went to the mosque?

9 A. [10:27:15] Oh, no, I went on my own. I went to see what had happened for
10 myself. I was alone.

11 Q. [10:27:25] What did you see when you arrived at the mosque?

12 A. [10:27:31] First of all, part of the mosque had been burnt down and the young
13 people from the neighbourhood had come to put out the fire, because at the mosque,
14 you see, they had put some tyres, they burnt the tyres. They put some in the ceiling
15 and those tyres had burnt.

16 Young people from the neighbourhood came and put out the fire. As for the
17 CNI-COCY office, everything that was there had been taken away.

18 Q. [10:28:16] Can you give us some examples of the items that were taken?

19 A. [10:28:25] They weren't taken away just once. That was on the 25th of
20 February -- 26th of February. So all the furniture, the refrigerators. I'm talking
21 about those two days. I'm giving you the information about those two days. The
22 computers, all of those things in the office, that is the computers; we had five split in
23 the courtyard of the mosque, we had tarpaulins and chairs. The chairs were taken
24 away. The tarpaulins were taken away. The tents were burned.

25 PRESIDING JUDGE TARFUSSER: [10:29:35] Is it necessary to know what was taken

1 away?

2 MS BERDENNIKOVA: [10:29:37] I just wanted to give a brief overview.

3 Q. [10:29:41] Mr Witness, you just specified that things were taken from the
4 mosque on two days, 25th and 26th. Did you visit on both days or just on the 25th?

5 A. [10:29:57] *I'm not far away from the mosque and I was taking all the people who
6 came visiting there after the 25th. And then on the 25th precisely, I saw that everything had
7 been stolen, and someone also told me that my watchman had died, that my
8 watchman had been killed. That's when I found out; since I couldn't go out while I
9 stayed *at home. Then I went and I was shown the remains, the remains there. He had
10 been killed. I was told he had been decapitated. I didn't see that myself. But, you see,
11 they put him on a table, placed tyres on top of him and they burnt him. All I saw were
12 some remains, a few fingers that were just there. That's all that I saw.

13 Q. [10:30:55] So staying on what you saw yourself, where did you see these
14 remains, where precisely?

15 A. [10:31:04] Between the road and the office. He was taken out of the mosque
16 and it was just opposite the office that he was burnt.

17 Q. [10:31:19] And you're referring to the CNI bureau, I understand.

18 A. [10:31:25] Yes. It was the *only office there.

19 Q. [10:31:29] Now, you saw these remains on the 25th or the 26th?

20 A. [10:31:36] On the *25th, in the evening, when I left my home.

21 Q. [10:31:41] You mentioned that you were told that this is the remains of the
22 gardien. Who told you this?

23 A. [10:31:53] Well, neighbours were there. *Not everybody was from that neighbourhood
24 or from the RDR and not everybody was of the FPI. There are other people, people who
25 saw everything. Those people did nothing. They saw what had happened and they were

1 able to explain what had happened. But the muezzin had already told me that same
2 evening, he told me, "They killed your watchman." He informed me.

3 Q. [10:32:37] Thank you, Mr Witness. Do you remember specific people who told
4 you, aside from the person you just mentioned, the people who saw the gardien being
5 killed that you mentioned, do you remember their names?

6 A. [10:32:58] No, not at all. I can't remember.

7 Q. [10:33:09] And do you know who killed the gardien?

8 A. [10:33:15] The same group that killed the young fellow near my home, the same
9 group who had killed my neighbour, it was the same group. They hadn't moved off.
10 They would have had to leave for us to be able to leave our homes. It's the same
11 people who looted the shop and burnt the lorry. *They hadn't left the area and
12 nobody had intervened or bothered them.

13 Q. [10:34:00] Mr Witness, did you receive any phone calls in relation to the
14 mosque?

15 A. [10:34:11] Phone calls? Why or when?

16 Q. [10:34:25] Did you receive calls the next day, the 26th?

17 A. [10:34:35] Well, I don't recall, unless you remind me, but that doesn't mean
18 anything to me.

19 THE INTERPRETER: [10:34:45] Interpreter corrects, at line 40.17, "It was the 25th."

20 MS BERDENNIKOVA: [10:34:51]

21 Q. [10:34:52] How do you know that the mosque, that there were things taken from
22 the mosque on the second day, on the 26th?

23 A. [10:34:59] Well, because there were witnesses. There were neighbours who
24 were there, young people who are also part of the mosque congregation, the same
25 ones who had wanted to or tried to put out the fire.

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1 In the evening when the militiamen had left, they live locally and they saw it.

2 They're still there, they're still there.

3 MS BERDENNIKOVA: [10:35:59] Your Honours, we'd like to briefly go into the 360
4 presentation to show a few slides to the witness. It's public exhibit

5 CIV-OTP-0078-0085. It's tab 20 on our list. We can show it from our computers.

6 THE COURT OFFICER: [10:36:29] Evidence channel 2, you have the floor.

7 MS BERDENNIKOVA: [10:36:32] Thank you.

8 Q. [10:36:37] Mr Witness, we're going to show you some images of the mosque.

9 Now, just for clarity, these images were taken in December 2014. Mr Witness, can
10 you see the image okay?

11 A. [10:37:18] Yes, indeed, I see a photo. But it doesn't mean anything to me.

12 MR GBOUGNON: [10:37:23] (Interpretation) Monsieur le Président. Excuse me,
13 my learned friend.

14 Your Honour, we try not to take the floor in order not to disrupt the
15 examination-in-chief, but this way of proceeding is not the correct way. A photo is
16 shown and it is said, "This is the mosque." I think it would have been more correct
17 to ask the witness, "Do you recognise this place? Is it the mosque?" et cetera.

18 PRESIDING JUDGE TARFUSSER: [10:38:02] Of course.

19 Please, I think we should make a step back, put a question before saying what it is.

20 In other words, ask the witness what he recognises, if he recognises something.

21 Thank you.

22 MS BERDENNIKOVA: [10:38:20] Understood.

23 Q. [10:38:22] Mr Witness, would it help perhaps if you had your glasses on?

24 A. [10:38:31] Without my glasses, I don't know if this is the same photo, but this is
25 not related to my mosque.

1 Q. [10:39:01] Mr Witness, we're just going to move the image slowly around a little
2 bit and you let us know if you recognise anything.

3 A. [10:39:23] Yes. This is the entrance to the mosque. There are shops.

4 Q. [10:39:34] Just for the record, we're showing pano 1, with the focus on the main
5 gate, the main green gate. Can you tell us, the building just on the right of the gate
6 in the image, what is it, the white building?

7 A. [10:39:56] The white building, those are shops. Those are shops.

8 Q. [10:40:15] Mr Witness, we're now going to go inside.
9 For the record, it's pano 9, and we'll just go around a little bit to get you situated.
10 The green gate that you see right now, is that -- what is that?

11 A. [10:40:41] Yes, that is the main gate, the main entrance gate.

12 Q. [10:40:45] So we're going a little bit more to the left now. There is a white
13 building with a corrugated iron roof. Do you know what this building is?

14 A. [10:41:00] Yes. That is the office. I can't see very well.

15 Q. [10:41:15] We'll just zoom in to it a little bit.

16 A. [10:41:24] Yes. That is the CNI-COCY office.

17 Q. [10:41:30] I'd like to draw your attention to the little brick wall that is just next to
18 the bureau. We've zoomed in to it now. There is a little arrow on it, so it's just a
19 little part, brick part of the wall. Did this wall exist during the post-electoral crisis?

20 A. [10:42:00] No, because we changed the front of the mosque after the crisis.
21 And also, we changed the frontage of the office, because the iron grating that was
22 used to stop people getting in had been stolen. So we rebuilt, but using bricks.

23 Q. [10:42:40] We'll now go into pano 18, and again we'll just move a little bit to
24 situate you. So this is a view on to the street from the roof, with a big tree on the
25 right. Do you recognise this area?

1 A. [10:43:13] Yes. That is also the CNI office as well, and that is the courtyard, the
2 inner courtyard, where the toilets on this side, there are the toilets and where you can
3 carry out your ablutions.

4 Q. [10:43:34] So I have a similar question for you in relation to the wall around the
5 yards, this white wall with a green door, just under the big tree. Was this wall there
6 during the relevant time, during the crisis?

7 A. [10:43:57] No, that wall was not there. As I said, we rebuilt. There used to be
8 iron work, which would mean that you could sit there and see out on to the road.
9 Now with that, you can no longer see outside.

10 Q. [10:44:19] Mr Witness, is the place where you were sitting outside on the 25th in
11 the morning, is it visible in this image?

12 A. [10:44:38] Yes. It's just, you can't see it. It's near the wall. But if you move
13 on a bit, you'll see there's a door that's there. No, that is the paving. But just below
14 there is an office and there's a door. We took the chairs outside and we're seated
15 there. We were by the wall which is just on the other side. And there you can see
16 the main road. That's it. As I said, there was no wall at the time. The wall was
17 put up later for security reasons.

18 Q. [10:45:31] Mr Witness --

19 Your Honours, I think we're done with the 360.

20 Mr Witness, did you contact any authorities in relation to the damage to the mosque?

21 A. [10:46:12] Yes. First of all, after the war, sometime afterwards, the minister for
22 war victims, I think that was his title, that minister sent out a notice to ask those who
23 wanted to apply for reparations to come forward. And we did so. *And then the
24 second time, the government set up a project, the CDVR, and the pilot project in fact
25 was set up and operated from the CNI office. We operated it ourselves.

- 1 Q. [10:47:00] And was there, was the damage to the mosque recorded in any way?
- 2 A. [10:47:08] Yes, yes. I produced a number of documents which I sent to various
3 addresses. We also had quotations made. But nobody assisted.
- 4 Q. [10:47:26] Was there a report by a huissier done on the damage?
- 5 A. [10:47:33] Yes. There was a bailiff's report done. A bailiff's report was done
6 for the mosque and for CNI.
- 7 Q. [10:47:42] Do you know when this report was drafted?
- 8 A. [10:47:47] Well, that was when I came back from Bouaké, so probably in May.
9 In any case, I have a copy of it in my hotel there, because I asked here if I could send
10 documents and I was told it wasn't possible. So all of my documents are at the hotel.
- 11 Q. [10:48:14] We have it so we can show it to you later.
- 12 A. [10:48:20] Ah, okay.
- 13 Q. [10:48:21] Were you present during the visit of the huissier?
- 14 A. [10:48:33] I am the one who called for the bailiff to come, and my name is on the
15 documents.
- 16 Q. [10:48:38] And how long was this visit?
- 17 A. [10:48:49] We finished the job within a few hours. He was able to also take
18 testimony on site as well. That was it.
- 19 Q. [10:48:57] And the report that you mentioned, who physically compiled it?
20 Who actually wrote the information down in it?
- 21 A. [10:49:07] That was the bailiff, the bailiff.
- 22 MS BERDENNIKOVA: [10:49:18] Your Honours, we'd like to show confidential
23 document 0057-1371 to the witness. We have a hard copy also which might be easier
24 for the witness to follow.
- 25 PRESIDING JUDGE TARFUSSER: [10:49:38] I think we have reading assistance for

1 the witness. I don't know how this can be arranged.

2 THE WITNESS: [10:50:00] (Interpretation) Yes, I can read.

3 MS BERDENNIKOVA: [10:50:01] Perhaps we can display it for the parties and the
4 witness can choose whether he prefers the hard copy or the image.

5 Q. [10:50:13] Mr Witness, could you just have a look on the cover page, so on the
6 first page --

7 PRESIDING JUDGE TARFUSSER: [10:50:17] We don't have it yet.

8 MS BERDENNIKOVA: [10:50:19]

9 Q. [10:50:20] -- of this document.

10 THE COURT OFFICER: [10:50:36] Evidence channel 1.

11 MS BERDENNIKOVA: [10:51:27]

12 Q. [10:51:27] Mr Witness, did you have a moment to look at the document? Is this
13 the report that was drafted by the huissier?

14 A. [10:51:40] Yes, that's it.

15 Q. [10:51:44] Now, I will not go through this report to save time, but we see that
16 there is what is written "constatations materielles" from outside and inside the
17 mosque that were noted down. Then we have three short statements.

18 Just in relation to those statements, and I'm not going to take you through their
19 content, but were you present when these interviews were taken?

20 A. [10:52:37] Yes. I'm the person who called Youssouf Binate, because the bailiff
21 asked me if there was a witness. So I stated his name.

22 Q. [10:52:52] Who took the statements?

23 A. [10:52:57] It was the bailiff himself.

24 Q. [10:53:03] Mr Witness, I'd like to now turn to page 1376. It's the first page with
25 photographs. So it's the second to last page of the hard copy you have. Can you

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1 tell us what these are photos of?

2 A. [10:53:37] Yes. The first picture is the mosque, the front of the mosque, as we
3 see. The second view --

4 Q. [10:53:51] Just for clarity, I'm sorry to interrupt you, the second, are you
5 referring to the one, the second one on top? So we're talking about the top row, yes?

6 A. [10:54:06] Yes, yes. It's the mosque after it was set on fire.

7 Q. [10:54:22] And the rest of the pictures are of?

8 A. [10:54:31] The other photos or the next two photos below are the same, and then
9 further down you have the storeroom and the toilets that's beside the storeroom, and
10 you have the boiler. You see tarpaulins also, yeah, boilers. There were chairs but
11 the chairs are gone.

12 Q. [10:55:11] And just for clarity, are we now talking about the -- which row of
13 pictures is it? The third row or --

14 A. [10:55:18] The third row, that's the toilets, in front of the toilets, and then there's
15 a storeroom where we kept the boilers and the mats.

16 Q. [10:55:33] So the bathrooms are on the left and the shop is on the right in the
17 third row? And do you recognise the last row?

18 A. [10:55:50] Yes. Yeah, but it's, it's practically at the same spot where the fire
19 raged; that is to say, in front of the storeroom and the toilets, because the storeroom is
20 adjacent to the toilets.

21 Q. [10:56:22] Mr Witness, do you know when these pictures were taken?

22 A. [10:56:33] When the -- what do you call it? When the bailiff came to produce
23 his report.

24 Q. [10:56:48] Is the state that the mosque is pictured in in these photographs similar
25 to what you saw on 25 February when you went to visit?

1 A. [10:57:04] Yes. That whole situation there, that's the 25th, the 25th and the 26th,
2 because I returned on the 26th. But a lot of it was on the 25th, as regards the fire and
3 all of that, was the 25th. And on the 26th, they came back to complete the job.

4 Q. [10:57:45] But I understand that the photos themselves were taken later than the
5 25th, the 26th?

6 A. [10:57:52] Yes, that's right, afterwards, by the bailiff. The photos we see here
7 are the photos taken by the bailiff.

8 Q. [10:58:05] Do they still accurately show the state that you saw the mosque in
9 before, so on the 25th, 25, 26 February, even though they were taken later?

10 A. [10:58:27] I'm afraid I don't understand. What do you mean to say?

11 PRESIDING JUDGE TARFUSSER: [10:58:35] I think he's right in not understanding.
12 How can they accurately reflect what status before the burning, although they were
13 burnt? I mean, it is the mosque. He said it is the mosque. He recognised the
14 photos, and that should be enough.

15 MS BERDENNIKOVA: [10:59:05] Your Honours, I'm conscious of the time.

16 PRESIDING JUDGE TARFUSSER: [10:59:18] Yes. I'm also conscious of the time.
17 The question is, how long will you continue?

18 MS BERDENNIKOVA: [10:59:31] We'll need about 30 minutes more.

19 PRESIDING JUDGE TARFUSSER: [10:59:41] And maybe less?

20 MS BERDENNIKOVA: [10:59:42] We'll try.

21 PRESIDING JUDGE TARFUSSER: [10:59:47] Okay. So now we break. We come
22 back at 11.30. Thank you very much. The hearing is adjourned.

23 THE COURT USHER: [10:59:53] All rise.

24 (Recess taken at 10.59 a.m.)

25 (Upon resuming in open session at 11.32 a.m.)

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1 THE COURT USHER: [11:33:01] All rise.

2 Please be seated.

3 PRESIDING JUDGE TARFUSSER: [11:33:15] Good morning once again. The floor
4 is to the Office of the Prosecutor.

5 MS BERDENNIKOVA: [11:33:21] Thank you, Mr President.

6 Q. [11:33:26] Mr Witness, I would like to turn your attention now back to 25
7 February, so to where we left off. Now, on the 25th, did you inform any authorities
8 of what had happened on that day?

9 A. [11:33:51] The authorities, do you mean the religious authorities or -- well, I
10 don't know, or do you mean the authorities -- do you mean the government or what?
11 Because when you use that word, in my part of the world it --

12 Q. [11:34:10] Did you make any phone calls to authorities about what happened?

13 A. [11:34:24] No, but there was -- well, some authorities did visit.

14 Q. Which authorities were these?

15 THE INTERPRETER: [11:34:31] Overlapping speakers.

16 THE WITNESS: [11:34:34] (Interpretation) The mayor of the Yopougon commune,
17 the mayor, he came by.

18 MS BERDENNIKOVA:

19 Q. [11:34:39] Anyone else come to visit?

20 A. [11:34:44] *Yes, the forum of religious leaders headed by the Apostolic Nuncio,
21 may his soul rest in peace. The one who died in Man.

22 THE INTERPRETER: [11:35:00] Message from the interpreters: Could the
23 five-second rule be respected.

24 PRESIDING JUDGE TARFUSSER: [11:35:05] This goes in particular to the Office of
25 the Prosecutor. Could the five-second rule be respected? This was the message I

1 received from the booth. Thank you.

2 THE WITNESS: [11:35:28] (Interpretation) I said the mayor came by two days after.

3 We're talking about the 25th. So the 27th. Well, the specific dates I have amongst

4 my documents. So after, after the mayor, the forum of religious leaders came and

5 other groups came, some NGOs.

6 Q. [11:35:58] Mr Witness, do you know what is the UNOCI?

7 A. [11:36:09] I didn't even know what that was.

8 Q. [11:36:13] ONUCI?

9 A. [11:36:18] Oh, yes. Right. I know their headquarters, that is, well,

10 beside -- well, it's in Attécoubé. That is what I can tell you. It's a large building, a

11 large building located around Attécoubé.

12 Q. [11:36:45] Did you ever contact them?

13 A. [11:36:49] Yes. During when the militiamen came on the 25th and everything

14 broke out here, there, and everywhere, we did call. I myself called the UNOCI. I

15 had the number. I don't remember the actual number, but we did call. We called

16 and that call was heard because when, when the aircraft flew over the mosque, the

17 watchman --

18 Q. [11:37:35] Let's just focus on what you saw again. I don't want to interrupt you,

19 but I just want to remind you to give answers about what you saw especially because

20 we're a little bit limited in the time that we have, unfortunately.

21 A. [11:37:52] Ah, okay.

22 Q. [11:37:55] Can you just specify around what time did you make the phone call to

23 the ONUCI?

24 A. [11:38:04] Well, truth be told, my problems with times and dates, that's

25 complicated. It was difficult to -- it was difficult to focus on the actual times. I do

1 know it was in the afternoon.

2 Q. [11:38:21] Did you provide them with personal information?

3 A. [11:38:26] No.

4 Q. [11:38:33] Did you provide them with your name?

5 A. [11:38:43] No, no, no, no.

6 Q. [11:38:48] I would now like to move on to the next day, so 26 February. What
7 happened to the bodies of the two people that you mentioned that were killed, so one
8 outside of your house and your neighbour?

9 A. [11:39:13] In the morning of the 26th, a uniformed man arrived.

10 THE INTERPRETER: Correction: *A hearse arrived. There was a young man in
11 front who knew what had happened. May be they told him where the bodies of those
12 who had been killed were located, so they came and parked in front of my house.

13 MS BERDENNIKOVA:

14 Q. [11:39:40] Do you know who this young man was?

15 A. [11:39:47] Yes, yes, he was from the neighbourhood.

16 Q. [11:39:53] Do you know his ethnicity?

17 A. [11:39:57] Yes.

18 Q. [11:40:00] What was it?

19 A. [11:40:08] He was a young Abé person.

20 Q. [11:40:12] Do you know his political affiliation?

21 A. [11:40:15] No.

22 Q. [11:40:29] You mentioned a uniform. What type of uniform was this?

23 A. [11:40:40] When?

24 Q. [11:40:45] I believe you mentioned that the man that was in the car that was
25 picking up the bodies had a uniform on. That's how it came out in the English.

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1 THE INTERPRETER: [11:40:57] Message from the interpreters: There was an error.

2 It was a hearse.

3 THE WITNESS: [11:41:04] (Interpretation) Yes, his work uniform.

4 MS BERDENNIKOVA: [11:41:13]

5 Q. [11:41:13] I understand there was an error in the transcript.

6 Your Honours, I would, again keeping in mind your instructions from yesterday,

7 request a short private session to cover some documents.

8 PRESIDING JUDGE TARFUSSER: [11:41:45] Let's go in private session.

9 (Private session at 11.41 a.m.)

10 (Redacted)

11 (Redacted)

12 (Redacted)

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14 (Redacted)

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17 (Redacted)

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23 (Open session at 11.56 a.m.)

24 THE COURT OFFICER: [11:56:53] We are in open session, Mr President.

25 PRESIDING JUDGE TARFUSSER: [11:56:57] Yes, please.

1 MS BERDENNIKOVA: [11:56:59]

2 Q. [11:57:00] Mr Witness, I now would like to ask you just a few questions on a
3 different topic. Were you aware of the presence of any roadblocks in Yopougon
4 during the post-electoral crisis?

5 A. [11:57:21] Yes, of course. There were roadblocks. We called them "barrage" in
6 French, if that's what you mean. There were small roadblocks on the various roads.
7 I know that that happened.

8 Q. [11:57:48] When did you become aware of these roadblocks?

9 A. [11:58:03] After, after the 26th, there were small roadblocks in Yopougon.
10 (Redacted). It was the
11 young people from my neighbourhood who set up a roadblock by the mosque.
12 There is a road that leads into Doukouré, and that -- it was blocked off there. And
13 then on the other side, the mosque, that was blocked off as well. That was our
14 neighbourhood.

15 What is more, well, it was the militiamen who had *locked the place.

16 Q. [11:58:44] You mentioned that the militia put some roadblocks outside of your
17 neighbourhoods. How do you know that it was the militia?

18 A. [11:58:59] They were the only ones who were putting up roadblocks in the
19 neighbourhood, except in our neighbourhood, where the young people wanted to
20 keep the militia people from coming in so they put up roadblocks. But they were
21 removed a short time thereafter. It was just -- they were the only ones setting up
22 roadblocks.

23 Q. [11:59:20] So let's, so let's concentrate on the roadblocks that were outside of
24 your immediate neighbourhood in Yopougon. Who, who else -- was anybody else
25 manning these roadblocks aside from the militia?

- 1 MS NAOURI: [11:59:46] (Interpretation) Your Honour, we oppose, we object.
2 This is a very general question. Perhaps a foundation should have been laid, namely,
3 perhaps the witness should have been asked whether he had seen a roadblock
4 elsewhere, because asking about other neighbourhoods and whether he knew -- but
5 perhaps it would have been better to ask whether he had seen. Perhaps a question
6 should have been put about what he actually saw. And I thank you.
- 7 MS BERDENNIKOVA: [12:00:17] I can accept that, your Honour.
- 8 PRESIDING JUDGE TARFUSSER: [12:00:19] Pardon?
- 9 MS BERDENNIKOVA: [12:00:20] I can accept that, your Honour.
- 10 PRESIDING JUDGE TARFUSSER: Yes.
- 11 MS BERDENNIKOVA: And I'll ask the question.
- 12 PRESIDING JUDGE TARFUSSER: [12:00:22] I would ask him if he ever went into a
13 roadblock, first of all.
- 14 MS BERDENNIKOVA: [12:00:29]
- 15 Q. [12:00:30] So, Mr Witness, did you yourself see any of these roadblocks?
- 16 A. [12:00:33] No, I did not see them. Since I didn't go out, I did not see the
17 roadblocks. But my friends and my children informed me that there were
18 roadblocks on the roads. That's all. But I didn't see because I didn't go out.
- 19 Q. [12:01:06] And why did you not go outside? Why did you not go out?
- 20 A. [12:01:13] It was a matter of security. Those who went out knew what they
21 were looking for. Someone had warned us, "You and the imam, do not go out,
22 because you are on a certain list." I did not see the list, but I took my precautions.
23 That is all.
- 24 Q. [12:01:44] Who told you about this list?
- 25 A. [12:01:48] I cannot mention that name here. These are friends in the

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1 neighbourhood.

2 PRESIDING JUDGE TARFUSSER: [12:02:03] Let's go into private session, please.

3 (Private session at 12.02 p.m.)

4 (Redacted)

5 (Redacted)

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11 (Redacted)

12 (Redacted)

13 (Open session at 12.03 p..m)

14 THE COURT OFFICER: [12:03:09] We are in open session.

15 PRESIDING JUDGE TARFUSSER: [12:03:16] Thank you.

16 Madam Prosecutor.

17 MS BERDENNIKOVA: [12:03:20]

18 Q. [12:03:23] So, Mr Witness, you mentioned that you received information, your

19 name was on a list. Can you give a little bit more specific information on what is this

20 list?

21 PRESIDING JUDGE TARFUSSER: [12:03:40] Can we ask the person who spoke

22 about this directly, not the second step.

23 MS BERDENNIKOVA: [12:03:55] I would just like to understand the impact that

24 this would have had on this witness.

25 PRESIDING JUDGE TARFUSSER: [12:04:01] That he doesn't go out. The impact is

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1 that he didn't go out, so he didn't see.

2 MS BERDENNIKOVA: [12:04:06] I can leave it at that, your Honour.

3 PRESIDING JUDGE TARFUSSER: [12:04:08] Okay. Thank you.

4 MS BERDENNIKOVA: [12:04:19]

5 Q. [12:04:20] Mr Witness, just a few last questions to wrap up. You just told us
6 that you didn't leave the house because of security concerns. What about others in
7 your community, did they have similar concerns?

8 A. [12:04:41] Yes. I must say that everyone was afraid, everyone was afraid of
9 weapons. And on our side we did not have weapons. The inhabitants of Doukouré
10 and Lem did not have weapons. And there was gunfire every day over our heads.
11 So going out, well, people no longer even went to the mosque. No one went to pray.
12 Everyone was praying at home.
13 We would wait for times when we were not hearing any noise or we didn't see the
14 militiamen. *One could go out on a brief errand and then return. But I did not.
15 All I did was to go and see the imam who was in the same neighbourhood, but a bit
16 further. We would go and see him to also provide him with the information that we
17 had on the situation.

18 MS BERDENNIKOVA: [12:05:57] Thank you, Mr Witness. Those will be all my
19 questions for you today.
20 Thank you, your Honours.

21 PRESIDING JUDGE TARFUSSER: [12:06:04] Thank you very much.

22 Mr Witness, it's now time for the Legal Representative of Victims to question, to put
23 some questions to you, and therefore I give the floor to the legal representative.

24 THE WITNESS: [12:06:24] (Interpretation) Can I have one minute, please?

25 PRESIDING JUDGE TARFUSSER: [12:06:26] Of course you can. Of course you can.

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1 THE WITNESS: [12:06:31] (Interpretation) Thank you.

2 PRESIDING JUDGE TARFUSSER: [12:06:33] You had forgotten during the break
3 probably.

4 (The witness stands down)

5 (The witness enters the courtroom)

6 THE WITNESS: [12:08:49] Thank you very much, Mr President.

7 PRESIDING JUDGE TARFUSSER: [12:08:51] Here we are again. I give now, as I
8 said, the floor to the Legal Representative of Victims.

9 MS MASSIDDA: [12:08:57] Thank you, Mr President.

10 QUESTIONED BY MS MASSIDDA: (Interpretation)

11 Q. [12:09:05] Good morning, Mr Witness. My name is Paolina Massidda, and in
12 this case I represent the interests of the victims authorised to take part in this case.

13 Mr Witness, after the events of the 25th and 26th of February 2011, did you stay in
14 Yopougon?

15 A. [12:09:27] Up till the 19th of March.

16 Q. [12:09:40] You stayed in Yopougon till the 19th of March and then you left the
17 neighbourhood?

18 A. [12:09:46] No. The town, I went to Bouaké.

19 Q. [12:09:53] Why did you leave the town?

20 A. [12:10:01] For security reasons. As I have said, the imam and myself were
21 warned that we were on a list, so we became afraid and we left.

22 Q. [12:10:19] And when did you return to Yopougon?

23 A. [12:10:25] On the 9th of May. I'm confusing the two dates. I know that I left
24 in March and I returned in May. But the precise dates I think is the 19th and the 9th.

25 But I did come back in May, in early May.

1 Q. [12:10:54] Do I understand correctly that the report on the damages on the
2 mosque and the CNI office were requested by you after you returned to Yopougon?

3 A. [12:11:09] Yes, upon my return.

4 Q. [12:11:14] When you returned to Yopougon and you saw the location of the
5 damages at the mosque and in the office, in relation to the time when you had left in
6 February, was the location similar or different?

7 A. [12:11:34] It was the same. It was the same thing.

8 Q. [12:11:43] With regard to the damage to the mosque that you talked about this
9 morning, has the mosque been renovated?

10 A. [12:12:05] Partially. Most of it has been renovated so as to be able to pray.

11 Q. [12:12:13] So if I understand you correctly, you have repaired a minimum part
12 of the mosque so that you can pray?

13 A. [12:12:25] Yes. But we have repaired the main part, most of the mosque. We
14 have put in carpets and so on.

15 Q. [12:12:42] Who paid for that renovation?

16 A. [12:12:45] That is the major problem. We were waiting for assistance for many
17 people, the state and so on. But we did the work ourselves. People of goodwill,
18 they assisted us. Others gave us some money, others helped us in kind.

19 Q. [12:13:03] When you say "ourselves," are you referring to the Yopougon Muslim
20 community?

21 A. [12:13:10] That is correct, the Yopougon Muslim community, and people of
22 goodwill.

23 PRESIDING JUDGE TARFUSSER: [12:13:17] Excuse me. Could you just wait until
24 the translation is finished? Otherwise, we are struggling here. Thank you.

25 MS MASSIDDA: [12:13:25] Sure, your Honour. I was looking at the transcript and

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1 it was following. That's the reason why I forgot the five seconds. Thank you.

2 PRESIDING JUDGE TARFUSSER: [12:13:31] Yes, but you're only reading the
3 French.

4 MS MASSIDDA: [12:13:36] Both.

5 PRESIDING JUDGE TARFUSSER: [12:13:37] Both? You're the lucky one who is the
6 only one who has both transcripts.

7 MS MASSIDDA: [12:13:50] (Interpretation)

8 Q. [12:13:52] Mr Witness, with regard to the CNI office, was the office repaired
9 after the events?

10 A. [12:14:02] What we were able to do is that we rebuilt the parts that had been
11 damaged, and we repaired the appatam and the wall separating the mosque from the
12 road was built. It was no longer a wire mesh, so there is a wall now. So if you are
13 seated inside, you no longer can see the main road. But most of it has not been done
14 because we have not received the material. We appealed to everyone but nothing
15 has been done.

16 Q. [12:14:53] And who funded the repairs of the CNI office?

17 A. [12:14:56] Ourselves, the members of the community, because the CNI is a
18 forum for all the associations of Yopougon and the mosques. So we asked for
19 contributions from all those communities. They sent us some money. We did the
20 essential so we can go there, keep some things there, but the materials that were there
21 have not been restored.

22 Q. [12:15:34] Mr Witness, during the events in February, did you see people injured
23 in Yopougon, that is yourself personally?

24 A. [12:15:50] Yes, because after the 25th and the 26th, I myself, I took a lot of risks.

25 *I called the president of CNI, who came and took note of what was happening. We

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1 brought a doctor who is also a member of CNI. He came. Then they provided, CNI
2 provided medication and people were treated in the neighbourhood.

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 MS MASSIDDA: [12:16:40] Private session, your Honour.

8 PRESIDING JUDGE TARFUSSER: [12:16:42] Let's go to private session.

9 (Private session at 12.16 p.m.)

10 (Redacted)

11 (Redacted)

12 (Redacted)

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14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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5 (Open session at 12.18 p.m.)

6 THE COURT OFFICER: [12:18:21] We are in open session, Mr President.

7 PRESIDING JUDGE TARFUSSER: [12:18:23] Thank you.

8 MS MASSIDDA: [12:18:29] (Interpretation)

9 Q. [12:18:31] Would you be able to tell us the ethnicity of the injured persons that
10 you saw, that is if you know?

11 A. [12:18:42] For the most part they were Dioulas; exceptionally, there was a girl
12 that we treated and she was Bété. All the others were Dioulas.

13 Q. [12:19:05] At the beginning of your testimony yesterday in answer to the
14 Prosecutor's questions, you said that you were the president of the Muslim
15 community of Sicogi-Lem, known as COMUSI-LEM. What is the role of the
16 president of that association, in other words, what is your role?

17 A. [12:19:38] I said it at the beginning when the question was put to me. In any
18 case, I am responsible for the administrative and financial management. I follow up
19 all the activities. We have a treasury and a general secretary. But I myself, *I follow
20 those activities. And in the neighbourhood, we do everything to ensure that there is
21 unity and fraternity. So if there is a death in the family of one of our members, we
22 participate, we assist the person.

23 Thirdly, we struggle to ensure that everyone in the community knows how to pray.

24 There are people who pray of course, but we organise conferences and someone -- we
25 bring people who know better than us, who comes to provide training. That is what

1 we do. I myself in particular, that is my role.

2 Q. [12:21:00] Do you need a membership card to be a member of COMUSI-LEM?

3 A. [12:21:10] Yes, we tried that, but we couldn't sustain it because people were
4 moving about too much. But after the war, it was no longer possible. Everyone
5 was demobilised, so that ended.

6 Q. [12:21:26] So would it be correct to say that all members of the Muslim
7 community are considered as members of COMUSI-LEM?

8 A. [12:21:41] Yes. It is written in our statute and bylaws.

9 Q. [12:21:53] Mr President, do you remember that in December 2016 you
10 introduced three people to my legal assistant on the ground, Mr Brahima Sako?

11 A. [12:22:17] Mm-mm.

12 Q. [12:22:18] Is that a yes or a no?

13 A. [12:22:20] Yes.

14 Q. [12:22:22] Are those three people members of the Muslim community?

15 A. [12:22:27] Yes, of course, except that one of them is a Christian.

16 Q. [12:22:34] Were these three people living in the neighbourhood during the
17 events?

18 A. [12:22:42] Yes, and they are still there.

19 Q. [12:22:51] Are these people aware, that is if you know as the president of
20 COMUSI-LEM, are these people aware of the events that took place in Yopougon in
21 February 2011?

22 A. [12:23:11] Yes, because those three people, after the 11th, the 12th, the 14th, *it is
23 those groups who buried those who had died in the neighbourhood.

24 Q. [12:23:39] Can we conclude, Mr Witness, that these three people are in a position
25 to give an account on the harm suffered by the Muslim community during the events?

1 A. [12:23:51] Yes. I was not there.

2 Q. [12:24:02] Mr Witness, can you explain to us how the Muslim community was
3 affected by the events? And I'm referring specifically to the destruction and looting
4 of the mosque.

5 A. [12:24:19] Yes. Even up to this day, the community is slightly discouraged.
6 As I said in the beginning, after the pillaging and the rest, many people left the
7 neighbourhood, and in fact even the offertory, what we receive has reduced. On
8 Fridays, we were at around 70,000. Today it is *30, 24, 25. People are discouraged,
9 and everyone was affected.

10 Q. [12:25:02] And according to you as president of COMUSI-LEM, what do you
11 think can repair the harm suffered by the community, the Muslim community after
12 the events?

13 A. [12:25:21] I do not quite understand. What do you mean?

14 Q. [12:25:25] Do you think that any measures can be taken to compensate for the
15 harm suffered by the community during the events?

16 PRESIDING JUDGE TARFUSSER: [12:25:38] "What do you think?" I don't think is
17 the right way to ask questions.

18 MS MASSIDDA: [12:25:45] Taken, your Honour. But I did a premise to my
19 question. Of course, he's the president of COMUSI-LEM. So in this role I was
20 asking.

21 PRESIDING JUDGE TARFUSSER: [12:25:56] I did understand. But still, it's a
22 real -- an opinion and a speculation.

23 MS MASSIDDA: [12:26:20] I have one more question, your Honour, but we need to
24 go in private session.

25 PRESIDING JUDGE TARFUSSER: [12:26:24] Yes, please. So we go into private

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1 session.
2 (Private session at 12.26 p.m.)
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- 1 (Redacted)
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- 12 (Redacted)
- 13 (Redacted)
- 14 (Open session at 12.30 p.m.)
- 15 THE COURT OFFICER: [12:30:35] We are in open session, Mr President.
- 16 PRESIDING JUDGE TARFUSSER: [12:30:41] Thank you very much.
- 17 Just for the public, the Legal Representative of Victims has finished to question the
- 18 witness, the last question being in private session. Now we are in open session again,
- 19 and the floor is to the Defence for Mr Gbagbo.
- 20 Madam Naouri, please, yours the floor.
- 21 MS NAOURI: [12:31:17] (Interpretation) Thank you, your Honour.
- 22 QUESTIONED BY MS NAOURI: (Interpretation)
- 23 Q. [12:31:22] Good morning.
- 24 A. [12:31:23] Good morning.
- 25 Q. [12:31:25] I'm Jennifer Naouri, and I'm the person who will be questioning you

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1 today on behalf of the President Gbagbo Defence team.

2 A. [12:31:35] Okay.

3 Q. [12:31:36] I think you've realised now that I'll be briefly pausing between the
4 questions and answers because we both speak French and the risk of overlapping
5 speakers is quite high.

6 Now, Mr Witness, you told us today that you are the president of the management
7 committee of the Sicogi-Lem mosque. And if we've understood correctly, you were
8 also the person in charge of the Muslim community; is that right?

9 A. [12:32:10] Yes, that's right.

10 Q. [12:32:14] Are these two different positions?

11 A. [12:32:23] They are -- they overlap. I'm the only person responsible.

12 Q. [12:32:31] But they're two separate titles?

13 A. [12:32:33] Yes, yes, that's right.

14 Q. [12:32:37] Very well. Now, Mr Witness, the Prosecution -- rather, in response
15 to a question from the OTP, you mentioned an official decision. Do you remember
16 whether you attached that particular official decision to your application to be a
17 victim and part of this proceedings?

18 A. [12:33:09] Yes.

19 Q. [12:33:10] I'm going to show you this actual document. It's going to come up
20 on the screen. *This is CIV-OTP-0091-0392, and we will be showing you page 0396,
21 CIV-OTP-0091-0392.

22 Can you see the document up on the screen?

23 A. [12:34:39] Yes.

24 Q. [12:34:43] This is an official public document, isn't that so?

25 A. [12:34:47] Mm-mm.

- 1 Q. [12:34:48] Yes or no?
- 2 A. [12:34:49] Yes, yes, it is. I can see it.
- 3 Q. [12:34:54] So you can see it?
- 4 A. [12:34:55] Yes.
- 5 Q. [12:34:56] Is this indeed a public and official document?
- 6 A. [12:35:01] Yes. It is a document signed by the minister of the interior.
- 7 Q. [12:35:11] Very well. Do you have the original?
- 8 A. [12:35:13] At home, I do have it, yes.
- 9 Q. [12:35:23] And the number of this official decision is available to the public, isn't
- 10 it?
- 11 A. [12:35:28] Yes.
- 12 Q. [12:35:32] Could you tell us who are the members of the executive office or
- 13 bureau; for example, who is the vice-president, since, well, you are the president?
- 14 A. [12:35:54] Okou Traoré is the president. Vice-president is Bamba Séouni
- 15 (phon). And the general secretary is Koné Salifou; the treasurer, Mr Cissé Mamadou.
- 16 And then the last person, I believe there is a counsellor, and then there is a secretary, a
- 17 *social secretary, what, good, Mr Touré Yasilaki (phon). And I believe the fifth
- 18 person is a counsellor. So there you have it. I've kind of forgotten the names.
- 19 Q. [12:36:45] Very well. And do you remember who actually filed the bylaws of
- 20 this association? So it could be officially registered.
- 21 A. [12:36:57] I believe I was the one who did that.
- 22 Q. [12:37:01] Very well. That's all for this particular document.
- 23 [12:37:12] Now, as the president of the management committee of the association, on a
- 24 day-to-day basis, were you often in touch with the imam?
- 25 A. [12:37:22] Regularly.

1 Q. [12:37:27] Are you in regular contact with the Superior Council of Imams? The
2 COSIM, I believe, is the acronym.

3 A. [12:37:38] No, we are not in the same register. They are higher up. They are
4 our bosses, so to speak.

5 Q. [12:37:48] So they are your higher-up. You receive instructions from them?

6 A. [12:37:55] Yes, but not always directly, because, you see, we are in one particular
7 mosque and we have an imam. The imam himself is part of COSIM. And when he
8 receives information he -- well, they meet every Tuesday. He comes back and he
9 gives us a briefing about what happened.

10 Q. [12:38:19] Very well. I'd like us to go back to the CNI, because you're a
11 member.

12 A. [12:38:31] Of Yopougon, the CNI of Yopougon, CNI-COCY.

13 Q. [12:38:41] Very well. And the office of the CNI is within the mosque?

14 A. [12:38:47] Yes, yes.

15 Q. [12:38:50] Now, you told us earlier, a few moments ago, that in reference to the
16 CNI, and I quote, line 6 and onwards of the transcript, "That truly all the same, when
17 there are meetings, I was asked for permission to be in the CNI office or within the
18 mosque. We have an office that was built for the CNI and there was a large meeting
19 room there. Especially during the campaigns, the times of campaigning, the RDR
20 would come and I would let them use the room. But I would not attend the
21 meetings." So my first question to you is this: You were aware of the RDR
22 meetings as a result of that?

23 A. [12:40:09] Of course. They asked me permission to hold their meeting there.

24 Q. [12:40:17] Were you informed of local politics in a more general way of
25 speaking?

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1 A. [12:40:27] Yes, yes, because my wife is part of a particular office, an office of
2 RDR women association, so I'm not part of that, but I was informed.

3 Q. [12:40:41] Mr Witness, you said that you weren't actually within the RDR?

4 A. [12:40:48] Mm-mm.

5 Q. [12:40:49] Now, a few moments ago when you were answering questions from
6 the OTP, you said, page 6, line 13. Well, I'll start with the question put to you by the
7 OTP:

8 Question: You said that for a number of years now you have not been an active
9 member. But does that mean that before that you were an active member?

10 And you answered saying that you were the president of a grassroots committee of --

11 Question: And when did you stop being an active member?

12 And I see that the five-second rule was not respected and something fell by the
13 wayside.

14 And then you, Mr Witness, you said that you didn't remember. It had been a long
15 time ago. Was that before or after the crisis.

16 Answer: No, after the crisis.

17 Because I'm having a hard time understanding, how long were you an active member
18 of the RDR for?

19 A. [12:42:10] Well, a member of the office or generally speaking in ordinary life?

20 Q. [12:42:16] In ordinary life.

21 A. [12:42:20] I've always supported the RDR, as I've said earlier. As I got older, at
22 the age of 50, I wanted to withdraw and do other things, and that's what I decided to
23 do. I decided that I would be a member of the Muslim community and just do that
24 particular work. I'm the president of the community. I've done that work. And
25 I'm handling other things. And 2004, I was chosen by the other Muslims to become

1 the president of this particular mosque. Thank the Lord. And as of that point in
2 time, I put an end to politics, so I was not active. That's what I'm saying.

3 Q. [12:43:22] But you were an active part of the RDR as of when? Ever since it
4 was created? Would that be fair to say?

5 A. [12:43:33] I was a supporter. I think we need to be specific. I was a supporter
6 of the RDR.

7 Q. [12:43:39] Now, Mr Witness, in the statement you gave to the OTP investigators,
8 you said, paragraph 17, you said, I quote, "I'm a non-active member of the RDR. I
9 was a member ever since it was created in 1995. In the past I was an active member
10 of the RDR. I would take part in party meetings. I would distribute posters, put up
11 posters."

12 Is that correct, what you told the OTP investigators?

13 A. [12:44:17] Well, putting up posters, that's an exaggeration. I never actually put
14 up posters.

15 Q. [12:44:24] But you were an active member of the RDR?

16 PRESIDING JUDGE TARFUSSER: [12:44:32] It's you who are not observing the
17 five-second pause, so.

18 MS NAOURI: [12:44:33] (Interpretation) You are correct, your Honour. I shall try
19 to do better.

20 Q. [12:44:43] Please go ahead.

21 A. [12:44:47] When I say an "active member," it means being part of the office, a
22 grassroots person. I would organise meetings. That's what I meant by being an
23 active member. So I was no longer -- well, when I left that grassroots committee, it
24 wasn't working, and I said to myself, this is a waste of my time. I'm going to do
25 something else. And so I left. Other than that, I'm a supporter of the party, but I'm

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1 no longer active.

2 Q. [12:45:18] Very well. Thank you, Mr Witness.

3 Your Honour, could we go into private session for the next few questions for the witness.

4 PRESIDING JUDGE TARFUSSER: [12:45:30] Let's go please into private session.

5 (Private session at 12.45 p.m.)

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8 (Redacted)

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24 (Open session at 12.50 p.m.)

25 THE COURT OFFICER: [12:50:26] We're in open session, Mr President.

1 PRESIDING JUDGE TARFUSSER: [12:50:29] Thank you.

2 MS NAOURI: [12:50:35] (Interpretation) Thank you, your Honour.

3 Q. [12:50:40] Now, these meetings you went to, were members of the mosque
4 management committee, did they also attend?

5 A. [12:50:50] Not all of them. Some of them, the ones who were interested in
6 politics, they would come, but not all members of the mosque are members -- are
7 supporters of *the RDR or the FPI. They all have their various preferences.

8 Q. [12:51:11] But my question was a bit more specific. The members of the management
9 committee, did they attend the meetings, the committee that you presided over?

10 A. [12:51:21] I was the only one.

11 Q. [12:51:26] Very well. Now, did members of the CNI attend the meetings?

12 A. [12:51:38] The members of the CNI, that's a different level within the community.
13 They do not interest themselves in political meetings like that.

14 Q. [12:52:01] Mr Witness, Aboubacar Fofana, does that name ring a bell?

15 A. [12:52:17] *I don't know if the *cheick* you are talking about is another Aboubacar. The
16 *cheikh* is an Imam, Aboubacar, who's that? I don't know if we're talking about the same
17 person. I don't know any other Aboubacar you're talking about, or I don't remember.

18 Q. [12:52:39] I'm talking about the spokesman of the Superior Council of Imams.

19 A. [12:52:49] Oh, the president of the Superior Council of Imams, the one whose
20 name you mentioned.

21 Q. Yes. The spokes ... president.

22 A. He is not the spokesperson. He is the president.

23 Q. You are right.

24 A. There you have it!

25 THE INTERPRETER: [12:52:52] Overlapping speakers once again.

1 PRESIDING JUDGE TARFUSSER: [12:52:56] We have continuously overlapping
2 speakers. But the funny thing is that you are the one who addressed the "please be
3 careful, don't overlap," and you are the first one to do it.

4 MS NAOURI: [12:53:10] (Interpretation) I do realise what the risks are, your Honour, yes.

5 Q. [12:53:17] Now, do you remember Aboubacar Fofana would -- he called upon
6 the faithful to vote for Ouattara, didn't he, in 2009?

7 A. [12:53:31] I never heard anything about that.

8 Q. [12:53:33] Very well. In the Doukouré mosque, were announcements made or
9 distributed about RDR meetings?

10 A. [12:53:53] I didn't see any of that. Perhaps that was after my time.

11 Q. [12:54:07] And you as the president of the management committee of the
12 mosque, would you pass on messages from the Superior Imam Council?

13 A. [12:54:19] Yes.

14 Q. [12:54:19] What sort of messages?

15 A. [12:54:24] Messages relating to the community, messages having to do with
16 Islam, not political messages.

17 Q. [12:54:37] Very well. Who was the president of CNI for the coordination of Yopougon?

18 A. [12:54:50] Mr Diabi Sékou, Diabi Sékou.

19 Q. [12:54:56] And before him, who was the president of CNI for the coordination?

20 A. [12:55:02] Abdul Latif. He's here in The Hague. He's here in The Hague.

21 Q. [12:55:12] And what is he doing here?

22 A. [12:55:16] He's working at the Côte d'Ivoire embassy here in The Hague.

23 Q. [12:55:21]] *Very well. Did he tell you that?

24 A. [12:55:26] I, well, we see one another when he comes to Abidjan. But in this
25 particular set of circumstances I would certainly like to visit him, but I can't.

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1 Q. [12:55:37] Very well. And do you know what his political affiliation is?

2 A. [12:55:45] No, no.

3 Q. [12:55:45] And did the CNI organise rallies?

4 A. [12:56:03] Well, there were training workshops for members, seminars, members
5 of the mosque, yes, I grant you that.

6 Q. [12:56:29] Mr Witness, just to return to one point, did you say to Abdul Latif that
7 you had come to The Hague, that you were coming here to give testimony?

8 A. [12:56:39] Perhaps not directly.

9 Q. [12:56:51] Very well. I'd like us to return very briefly to your duties as the head of
10 the school association. How long have you been the president of this school association?

11 A. [12:57:06] *I'm on my second mandate now, which ends at the beginning of the
12 next term. I think it's four or three years -- this is my second term in any event.

13 Q. [12:57:18] Very well. And this school was used for voting in 2010?

14 A. [12:57:30] Yes, yes, all the voting.

15 Q. [12:57:35] How many polling stations were there at the Sicogi 10?

16 A. [12:57:43] The entire school. All the classrooms were open for the voting, and
17 there were six and six, total of twelve classrooms.

18 Q. [12:57:58] Very well. Did you yourself supervise?

19 A. [12:58:01] Never.

20 MS NAOURI: [12:58:19] (Interpretation) Could we please go into private session, your Honour.

21 PRESIDING JUDGE TARFUSSER: [12:58:23] Let's go into private session, please.

22 (Private session at 12.58 p.m.)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

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12 (Redacted)

13 (Redacted)

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15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Open session at 1 p.m.)

22 THE COURT OFFICER: [13:00:34] We are in open session, Mr President.

23 PRESIDING JUDGE TARFUSSER: [13:00:37] Thank you very much.

24 Madam Naouri.

25 MS NAOURI: [13:00:39] (Interpretation) Thank you, Mr President.

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1 Q. [13:00:49] Mr Witness, I would like to come back to the clashes amongst the
2 young people which took place before the incidents at the mosque. This happened
3 on the road separating the two neighbourhoods, Doukouré and Yao Séhi; is that
4 correct?

5 A. [13:01:15] Yes.

6 Q. [13:01:18] And since the paved road separated the two neighbourhoods, the
7 young people were by the roadside in order to watch the neighbourhoods; is that
8 correct?

9 A. [13:01:34] To watch over? I don't know. I don't understand what you mean.
10 What time frame are you referring to?

11 Q. [13:01:49] Let me be more specific. On the paved road there are two groups
12 opposing each other; is that correct?

13 A. [13:01:59] Yes.

14 Q. [13:02:00] Which two groups were there?

15 A. [13:02:04] I have already said there was the Doukouré group and the Yao Séhi
16 group. And if you want to be more specific, the Doukouré group supported the
17 RDR and the other one supported the FPI.

18 Q. [13:02:22] Very well. You told us about the group of the Yao Séhi
19 neighbourhood. But what I'm interested in now is the second group, the one
20 supporting the RDR.

21 A. [13:02:38] That's correct.

22 Q. [13:02:39] Who were these young people in that group?

23 A. [13:02:43] These were the young people of Doukouré, the young RDR people.

24 Q. [13:02:57] Did these young people have any leaders?

25 A. [13:03:07] In any case I do not know them.

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1 MS NAOURI: [13:03:14] (Interpretation) Mr President, I would like us to go into
2 private session.

3 PRESIDING JUDGE TARFUSSER: [13:03:21] Let's go into private session, please.

4 (Private session at 1.03 p.m.)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

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1 (Redacted)

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18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Open session at 1.07 p.m.)

23 THE COURT OFFICER: [13:08:05] We are in open session, Mr President.

24 PRESIDING JUDGE TARFUSSER: [13:08:08] Thank you.

25 Madam Naouri.

1 MS NAOURI: [13:08:10] (Interpretation) Thank you, Mr President.

2 Q. [13:08:21] Before 25 February, had there already been clashes between the young
3 people of the two neighbourhoods?

4 A. [13:08:40] Frankly, I know there were clashes, but I cannot give you details. I
5 was not present, but I know that there were clashes between the two neighbourhoods.
6 Things were not good between the two neighbourhoods.

7 Q. [13:08:59] Very well. Did you personally know any young people amongst that
8 youth group from Doukouré?

9 A. [13:09:20] No.

10 Q. [13:09:27] If I put it to you the name Daouda Koné?

11 A. [13:09:34] Daouda Koné is not a young man. I think he's even probably
12 deceased.

13 Q. [13:09:39] Very well. Did you know whether these young people from
14 Doukouré infiltrated the Yao Séhi neighbourhood?

15 A. [13:10:05] Infiltrated, well, since it is a neighbourhood, they could go through
16 Yao Séhi neighbourhood and go elsewhere. But I do not know what precisely you
17 would mean by infiltrating the neighbourhood. It was not fighting every day.

18 Q. [13:10:28] Did the young people use weapons to protect their neighbourhood?

19 A. [13:10:35] Which neighbourhood?

20 Q. [13:10:37] Doukouré.

21 A. [13:10:41] When there were weapons, if the militias had come, it would have
22 been war. There were no weapons in Doukouré, in Lem. *The arms came from
23 Yao Séhi.

24 Q. [13:10:53] There were no clubs, machetes?

25 A. [13:10:56] There were clubs everywhere, but I do not know whether they used

1 those to attack.

2 PRESIDING JUDGE TARFUSSER: [13:11:05] (Microphone not activated)

3 MS NAOURI: [13:11:11] (Interpretation) I was waiting.

4 Q. [13:11:25] Mr Witness, regarding *25 February, where were you personally
5 when you saw the young people chasing each other?

6 A. [13:11:39] *Initially I was at my home, then I left the mosque and I went home.
7 Then they continued throwing stones.

8 Q. [13:11:51] Wait, Mr Witness. I will interrupt you. My question is this:
9 Today you told us that you saw young people chasing each other. When you were
10 at the mosque before, it is page 20, lines 13 and 14 of the transcript, my question is:
11 Where were you specifically when you saw that?

12 A. [13:12:26] Initially at the mosque. I was at the headquarters of CNI-COCY.
13 They were throwing stones. And when I realised that the situation was difficult, I
14 went home, and there is a parking lot there.

15 Q. [13:12:47] Before returning home, when you saw those young people, did you
16 recognise them?

17 A. [13:12:54] At that time there were no guns yet. When I was returning home,
18 there were no guns yet.

19 Q. [13:13:05] And you did not know who these people were at that time, who those
20 young people were?

21 A. [13:13:15] Who were throwing stones?

22 Q. [13:13:20] The people you were seeing chasing each other.

23 A. [13:13:25] No. Let me clarify. I said that on the road the young people were
24 stopping vehicles on both sides. They would search them and take mobile phones
25 and go away. I did not say they were chasing each other. Chasing each other took

1 place later, when the weapons emerged.

2 Q. [13:13:50] Mr Witness, I would refer to paragraph 47 of the statement that you
3 gave to the OTP, and you say:

4 "The Sicogi-Lem mosque was attacked on 25 February 2011. It was on a Friday, the
5 day of the main prayer. I was seated with a few friends and I was looking at the
6 main road known as the Boulevard Principal while we were waiting for the Friday
7 prayer. Suddenly I saw young people in the middle of the road chasing after other
8 young people and grabbing their mobile phones. My comrades and myself, we saw
9 those who were chasing passersby, stopping and searching vehicles. And then they
10 started throwing stones. It was afterwards that I learnt that these were young
11 people from Yao Séhi and Doukouré who were throwing stones against each other."
12 Do you understand what I have just read?

13 A. [13:15:14] Yes. That is what I said, but there was a nuance. On the paved
14 road in any case, they weren't chasing each other. They stopped vehicles and
15 searched the vehicles. There were students passing by and they would grab their
16 mobile phones.

17 Q. [13:15:43] Very well. Mr Witness, once you saw that, what did you do?

18 A. [13:16:21] When they were doing that?

19 Q. [13:16:28] Yes.

20 A. [13:16:29] What could I have done? There were no weapons, nothing. I could
21 not call someone to stop them.

22 Q. [13:16:37] Very well. You went home or you went to the mosque?

23 A. [13:16:42] I went back home to my house.

24 Q. [13:16:48] At that time which of the groups had the upper hand, the young
25 people of Doukouré or Yao Séhi?

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1 A. [13:17:09] At the beginning it was the young people from Doukouré who had
2 the upper hand.

3 Q. [13:17:16] Very well. And so that we understand correctly, these were clashes
4 between young people? The populations of the two neighbourhoods had nothing to
5 do with those clashes?

6 A. [13:17:30] Yes, that is how the situation was at first.

7 Q. [13:17:33] Very well. And when you went back home, did you hear the call to
8 prayer later?

9 A. [13:17:56] In any case, I know that there was a call to prayer at noon, at noon
10 there was a call to prayer. It was the first call.

11 Q. [13:18:11] When you say "they," what do you mean?

12 A. [13:18:16] I said "them." When there is a call, everyone hears.

13 Q. [13:18:22] But you do not know who made the call to prayer?

14 A. [13:18:26] The person who made the call to prayer? Well, it is the same person,
15 the muezzin. He was still at the mosque.

16 Q. [13:18:36] Very well. And when you returned home, you did not see any more
17 young people; is that correct?

18 A. [13:18:46] Well, in any case, I was in my yard. It is possible to see outside.
19 When they were chased, when the stones were thrown, *they came to my parking and
20 at that time Yao Séhi was dominating. They chased off the Doukouré people.

21 Q. [13:19:07] Very well. And you no longer left your home?

22 A. [13:19:14] *I went out only when the militia left. I could not have gone out
23 when they were throwing stones at each other.

24 Q. [13:19:29] I'm sorry, Mr Witness, I just want to restructure my notes in order to
25 save time.

1 Now, Mr Witness, when you received a phone call from the watchman of the mosque,
2 what time was it?

3 A. [13:20:47] I did not look at my watch.

4 Q. [13:20:52] Very well. And you did not witness what happened to the
5 watchman of the mosque after that phone call; is that correct?

6 A. [13:21:07] I could not go out.

7 Q. [13:21:11] And you saw the smoke?

8 A. [13:21:15] He called me. He said the mosque was on fire. Can I see the smoke?
9 I said, "No." And he said, "You should come." I said I could not come. So I went
10 out in front of my door and I did in fact see the smoke.

11 Q. [13:21:31] Very well. Mr Witness --

12 A. [13:21:45] Mm-mm.

13 Q. [13:21:47] -- when those people in civilian came to your compound and knocked
14 on the door, where were you while observing them?

15 A. [13:21:58] Through the window, through the window.

16 Q. [13:22:04] But the window was locked?

17 A. [13:22:07] But there was glass. When I am in my sitting room, I can see outside.
18 But those who are outside cannot see into my sitting room.

19 Q. [13:22:18] Very well. So you were able to observe without anyone seeing you;
20 is that what you are telling us?

21 A. [13:22:27] Yes.

22 Q. [13:22:31] And after that attack, Mr Witness, did you personally witness any
23 other incidents on 25 February?

24 A. [13:22:51] I do not understand you.

25 Q. [13:22:52] On 25 February, you have told us that you were informed the mosque

1 had been attacked. Following that, you did not witness any other incidents, you
2 personally?

3 A. [13:23:07] Yes. That is what I said. I said that when the young man died in
4 my outside court.

5 Q. [13:23:16] And you were backing him, so you did not see him?

6 A. [13:23:21] When he was shot, he was just behind me. * He shouted, "Help."
7 We went into the courtyard together and he fell at the window. I drew a sketch for
8 that.

9 Q. [13:23:46] And you told us that you went to the mosque on 25 February on that
10 same day?

11 A. [13:24:00] Yes, in the evening. After the shooting had stopped, I went to the
12 mosque.

13 Q. [13:24:16] Mr Witness, in your statement to the OTP, you say, and I quote
14 paragraph 87 -- I'm sorry, paragraph 86 and then 87:

15 "On 26 February 2011, the young pro-Gbagbo people still had control in the Lem and
16 Doukouré neighbourhoods. I know that because in the morning of 26 February 2011,
17 very early, they continued shooting in our neighbourhood. It was only the
18 pro-Gbagbo people that had weapons at that time.

19 At about 10 o'clock a faithful of the mosque called me and told me, 'President, they
20 are taking everything.' I immediately called the president of the CNI coordination of
21 Yopougon, who sent people to find out what was happening." End of quote.

22 Now, here you tell us that it was on 26 February that you went to the mosque, but
23 during your testimony now you are saying 25 February?

24 A. [13:25:54] I've said clearly that on 25 February I went to the mosque to see what
25 had happened. And it was there that I was told that my watchman had been killed.

1 I went there and I saw that there were his fingers there. This was in the evening of
2 25 February when I went out to see what had happened. And on the 26th, they came
3 to take out the rest of the fittings, the furniture, everything that was there.

4 Q. [13:26:31] Very well. Mr Witness --

5 A. [13:26:43] Mm-mm.

6 Q. [13:26:46] -- when you went to the mosque on 25 February, did you personally
7 take any photographs of the mosque?

8 A. [13:26:58] I didn't even have that desire.

9 Q. [13:27:03] Very well. Now, a short while ago we talked about the bailiff's
10 report. Do you remember?

11 A. [13:27:16] Yes.

12 Q. [13:27:17] And you were the one who contacted the bailiff; is that correct?

13 A. [13:27:22] Yes, of course.

14 Q. [13:27:24] How did you contact the bailiff? Did you know him?

15 A. [13:27:28] It was the president of the CNI-COCY who contacted him directly.

16 Q. [13:27:40] Very well. And afterwards?

17 A. [13:27:44] He came.

18 Q. [13:27:48] Did you know that the bailiff was going to come, because you were
19 not the one who had contacted him?

20 A. [13:27:58] *Well, I was the president of the CNI-COCY. The office next door
21 belonged to him and the mosque was under my responsibility. So the two of us were
22 there and we did the work for the mosque and we had to do the work -- He was asked to
23 do the work for the office and for CNI-COCY. So that's how we worked, both of us.

24 Q. [13:28:28] Were you the one who personally received the bailiff when he came to
25 the mosque?

1 A. [13:28:33] Yes.

2 Q. [13:28:34] Were you alone?

3 A. [13:28:35] I no longer remember, but I know that I was there when he was doing
4 his work. And when he needed a witness, I would call the witness. He would
5 come. Then he would be questioned by the bailiff. Then the bailiff will take his
6 notes.

7 Q. [13:28:57] And did he come alone?

8 A. [13:29:00] Yes, he came alone.

9 Q. [13:29:01] Did he have a camera with him?

10 A. [13:29:06] Yes. He had a camera. He's the one who took all the photographs
11 that are there.

12 Q. [13:29:16] Did he have any measuring instruments with him, a tape for
13 example?

14 A. [13:29:24] Yes.

15 Q. [13:29:27] Was there anyone with him when he took measurements?

16 A. [13:29:33] I was the one.

17 Q. [13:29:37] So you were with him during all his movements; is that correct?

18 A. [13:29:51] Yes, absolutely.

19 Q. [13:29:55] And how long after that date did he come to the location?

20 A. [13:30:08] It is the date that is there on which he arrived. I do not remember
21 the date.

22 Q. [13:30:15] So it was three months after the incidents?

23 A. [13:30:19] Yes.

24 Q. [13:30:21] During those three months, was the mosque guarded to ensure that it
25 remained as it was?

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1 A. [13:30:29] There was really nothing left to watch over. Everything had been taken
2 out of the mosque and from the CNI office. Who was going to watch over what?

3 Q. [13:30:42] But, Mr Witness, you wanted the mosque to be kept in good order, didn't you?

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

5 Q. [13:30:51] So you didn't take any measures to ensure that it would be protected
6 or taken care of?

7 A. [13:30:58] I don't understand. I've told you they took everything, everything
8 had been looted, the doors were wide open.

9 Q. [13:31:09] *Now, Mr Witness, so I'm going to read out something from your
10 statement that was taken that you gave to the OTP investigators.

11 A. Mm Hm

12 Q. On 1 March 2011

13 A. Hm hm

14 Q. There was a visit by the Technical team from the mayor's office. On that day.

15 THE INTERPRETER: [13:31:50] Paragraph number, please?

16 MS NAOURI: [13:31:53] (No interpretation)

17 PRESIDING JUDGE TARFUSSER: [13:32:05] Paragraph?

18 MS NAOURI: [13:32:07] (Interpretation) 88, at the end.

19 Q. [13:32:11] Paragraph 88: "That day I asked them what they had come for and
20 they told me that they had come to see what damage had been done and to begin the
21 work. I refused. And I said, 'No way. People have to see what has happened.'" End of
22 quote. So my question is this: Did you make the necessary arrangements so that the
23 mosque would be kept in that same state between 25 February and that time when
24 the bailiff came three months later?

25 A. [13:32:59] When I got back from Bouaké, as I said, on 9 May, I began this,

1 making arrangements for this work so that we could pray within the mosque. And
2 we were able to find a few mats, because, you see, all the prayer mats had been
3 burned. And we arranged for electricity to be put back in.

4 Q. [13:33:36] But the authorities --

5 PRESIDING JUDGE TARFUSSER: [13:33:44] I think we break now and go for lunch. I
6 think it's the best thing to do. It's half past 1. We come back at 3 o'clock. We go for lunch.
7 We come back at 3 o'clock for another two-hour session. And I will continue until the
8 witness is finished, just for you to know. Thank you very much. The hearing is adjourned.

9 THE COURT USHER: [13:34:14] All rise.

10 (Recess taken at 1.34 p.m.)

11 (Upon resuming in open session at 3.01 p.m.)

12 THE COURT USHER: [15:01:36] All rise.

13 Please be seated.

14 PRESIDING JUDGE TARFUSSER: [15:01:49] Good afternoon.

15 Good afternoon, Mr Witness.

16 Good morning to everybody.

17 THE WITNESS: [15:02:08] (Interpretation) Hello.

18 PRESIDING JUDGE TARFUSSER: [15:02:12] I give immediately the floor back to the
19 office -- to Madam Naouri of the Defence for Mr Gbagbo for her questioning. You
20 have the floor.

21 MS NAOURI: [15:02:23] (Interpretation) Thank you, your Honour.

22 Q. [15:02:39] Good afternoon, Witness.

23 A. [15:02:41] Good afternoon.

24 Q. [15:02:45] So just before the break we were talking about the team at Yopougon
25 town hall, who suggested on 1 March 2011 that observations be made of the damage;

1 is that correct?

2 A. [15:03:11] Yes.

3 Q. [15:03:14] So that means that as of 1 March 2011 you could have made
4 arrangements for the authorities to come and take stock of the damage; is that right?

5 A. [15:03:26] Mm-hm.

6 Q. [15:03:30] So you called upon the services of a bailiff, as you said, to take stock
7 of the damage?

8 A. [15:03:44] Mm-hm.

9 Q. [15:03:46] And that bailiff took information from a number of people; is that
10 right?

11 A. [15:03:55] Yes.

12 Q. [15:03:55] And did you indicate to the bailiff to whom he should speak?

13 A. [15:04:00] Yes. He asked me if there were witnesses, and there were witnesses
14 nearby. So I called them, those who had seen the situation.

15 Q. [15:04:11] Were they at the mosque that day or did you call them in?

16 A. [15:04:15] No, no, no. They were at the mosque, and I called upon those at the
17 mosque, Binate and two others who I called upon and to respond.

18 Q. [15:04:38] Were you present when the bailiff spoke to those persons?

19 A. [15:04:42] Yes. Yes, I was there.

20 Q. [15:04:48] Where did the bailiff question these people?

21 A. [15:04:52] At the mosque.

22 Q. [15:04:54] Where exactly?

23 A. [15:04:56] In the courtyard of the mosque.

24 Q. [15:05:00] As this was taking place in the courtyard, could other people attend
25 that meeting?

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- 1 A. [15:05:09] No, I don't believe so.
- 2 Q. [15:05:12] But you were present, Witness?
- 3 A. [15:05:16] Yes, I was.
- 4 Q. [15:05:18] And when the bailiff --
- 5 PRESIDING JUDGE TARFUSSER: [15:05:20] May I remind you for the -- I don't
- 6 know how many times. Thank you.
- 7 MS NAOURI: [15:05:35] (Interpretation)
- 8 Q. [15:05:38] So let me start again, Witness. You were present when the bailiff
- 9 questioned the witnesses. Were other people present at those meetings?
- 10 A. [15:05:50] I don't recall.
- 11 Q. [15:05:54] All right. Did the bailiff take notes?
- 12 A. [15:05:58] Yes. He also had a recorder with him. He recorded it.
- 13 Q. [15:06:10] Ah, so there are recordings of these, of these sessions; is that right?
- 14 A. [15:06:17] Yes. Yes, I'm answering yes.
- 15 Q. [15:06:23] All right. You told us that Youssouf Binate was there. Was Daouda
- 16 Koné there also?
- 17 A. [15:06:33] Yes. But not together. We called upon them individually.
- 18 Q. [15:06:42] All right. How did you know Daouda Koné?
- 19 A. [15:06:55] He attends the mosque. He's also an ally, if you like. There is an
- 20 alliance between the Traoré and his own family and we would see each other at the
- 21 mosque.
- 22 Q. [15:07:16] Okay. And before he spoke to the bailiff, did Daouda Koné tell you
- 23 what had happened?
- 24 A. [15:07:27] Yes.
- 25 MS NAOURI: (Interpretation) Your Honour, for the next question we need to go

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1 into private session briefly.

2 PRESIDING JUDGE TARFUSSER: [15:07:43] Let's go briefly into private session,
3 please.

4 (Private session at 3.07 p.m.)

5 (Redacted)

6 (Redacted)

7 (Redacted)

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11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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21 (Redacted)

22 (Redacted)

23 (Open session at 3.09 p.m.)

24 THE COURT OFFICER: [15:09:44] We are in open session, Mr President.

25 PRESIDING JUDGE TARFUSSER: [15:09:48] Thank you.

1 Madam Naouri.

2 MS NAOURI: [15:09:50] (Interpretation) Thank you, your Honour.

3 Q. [15:09:56] Witness, do you know Cissé Falikou?

4 A. [15:10:04] Yes. It's a student, or he's a student.

5 Q. [15:10:07] How do you know him?

6 A. [15:10:11] He attends the mosque and he's also a member of the imam's family.

7 Q. [15:10:19] Okay. You said that he was a student. Was he one of the youths of
8 the Doukouré neighbourhood?

9 A. [15:10:31] Yes.

10 Q. [15:10:33] Witness, I'd just like to clarify something we were discussing a
11 moment ago. We've understood well what you have told us. There were clashes
12 between the young people from Doukouré and Yao Séhi. Now, when you were
13 talking to the Office of the Prosecutor, you used the term "militia" or, rather,
14 "militiamen" more specifically. And you were referring to the young people from
15 Yao Séhi in that connection, weren't you?

16 A. [15:11:12] Yes.

17 Q. [15:11:15] Okay. Now, on 29 May 2011, the bailiff visited the mosque site,
18 however, his report was registered by the tax authorities on 26 May 2011. Did the
19 bailiff provide you with a draft of the report before he sent you a final stamped
20 version?

21 A. [15:11:52] I don't know. I'm not sure. When we finished paying him, he said
22 that he would send us a copy, and he did do so. He sent us a copy. I don't know if
23 I read it beforehand or not. I'm not sure.

24 THE INTERPRETER: [15:12:17] Interpreter corrects that the visit to the mosque site
25 was on 19 May.

1 MS NAOURI: [15:12:24] (Interpretation)

2 Q. [15:12:24] Witness, during the crisis you went to Bouaké; is that right?

3 A. [15:12:34] Yes.

4 Q. [15:12:35] Do you recall when that was?

5 A. [15:12:40] If I'm not mistaken, I went there on 19 March and returned on 9 May.

6 PRESIDING JUDGE TARFUSSER: [15:12:51] Mr Witness, could you please put your
7 chair closer to the microphone, closer to the microphone so that the interpreters can
8 hear you better. Thank you.

9 THE WITNESS: [15:13:05] (Interpretation) Yes, thank you.

10 MS NAOURI: [15:13:14] (Interpretation)

11 Q. [15:13:15] How did you travel to Bouaké?

12 A. [15:13:21] When I left the house and I could see that I was in danger, there were
13 NGOs and journalists, et cetera, coming to gather information, and the children felt
14 that it wasn't wise for me to stay there and that I was exposing myself too much.

15 They said, "Dad, we need you. We want you to go to Bouaké."

16 I didn't argue with them. I went to Bouaké.

17 Q. [15:14:10] All right. Before talking about your stay in Bouaké, you've just
18 mentioned your children. On 25 February 2011, your children took part in the stone
19 throwing; is that right?

20 A. [15:14:28] Yes. Two of my children and one nephew.

21 Q. [15:14:31] What age are your children?

22 I apologise, your Honour.

23 A. [15:14:42] They are over the age of 18.

24 Q. [15:14:47] But your children knew the young people from Doukouré who were
25 throwing stones?

1 (Redacted)

2 (Redacted) If they got involved, it's

3 because the stones were also falling in our courtyard and they just followed the
4 example of the others.

5 Q. [15:15:25] When you say that they just followed the others, do you mean that
6 they also threw stones?

7 A. [15:15:42] Yes, they threw stones.

8 PRESIDING JUDGE TARFUSSER: [15:15:45] He said that already. He said that
9 already.

10 MS NAOURI: [15:15:52] (Interpretation)

11 Q. [15:15:54] Okay. Let's go back to Bouaké. Now, you know that the rebels
12 were positioned in Bouaké; is that not right?

13 A. [15:16:03] Yes, of course.

14 Q. [15:16:05] Did you go to the mosque in Bouaké?

15 A. [15:16:09] Yes. There is a mosque not far from my place.

16 Q. [15:16:13] So you would leave your home?

17 A. [15:16:16] Yes, to go to the mosque, of course.

18 Q. [15:16:23] Did you see rebels in Bouaké during that period?

19 A. [15:16:30] No, as I don't know them personally, but I knew that there were
20 rebels in Bouaké.

21 Q. [15:16:45] Did you know that Chérif Ousmane was the leader of the rebels in
22 Bouaké?

23 A. [15:16:58] That, I don't know. I knew that there were rebel leaders. I knew
24 that there were rebels in Bouaké, but I didn't know who their leader was.

25 Q. [15:17:14] Okay.

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1 PRESIDING JUDGE TARFUSSER: [15:17:19] Do you know Chérif Ousmane? Did
2 you know Chérif Ousmane?

3 THE WITNESS: [15:17:26] (Interpretation) No, no.

4 PRESIDING JUDGE TARFUSSER: [15:17:29] But did you know who he was? Did
5 you know his name?

6 THE WITNESS: [15:17:33] (Interpretation) Yes, yes. Yes, I know his name.

7 MS NAOURI: [15:17:42] (Interpretation)

8 Q. [15:17:53] And the headquarters of the New Forces were in Bouaké; is that right?

9 A. [15:17:59] Yes, that's what I learnt.

10 Q. [15:18:05] Now, you were in Bouaké. Did you see the headquarters? Did you
11 know where it was located?

12 A. [15:18:14] No. No, I didn't know.

13 Q. [15:18:20] In Bouaké in particular, when you would go to the mosque for
14 instance, did you see people wearing military attire?

15 A. [15:18:38] No. That didn't happen.

16 Q. [15:18:44] When you were in Bouaké, did you not see anybody in military attire?

17 A. [15:18:53] Well, I didn't go out. I would stay home, spend time with the family.

18 Q. [15:19:04] Did you see French soldiers in Bouaké?

19 A. [15:19:09] I don't recall.

20 Q. [15:19:13] Did you see blue berets?

21 A. [15:19:21] Returning to Bouaké, yes, I did.

22 Q. [15:19:28] "Returning to Bouaké," what do you mean by that?

23 A. [15:19:33] Well, I was in Abidjan, and I went back to Bouaké. I returned to
24 Bouaké and on that journey I encountered them.

25 Q. [15:19:47] Okay. Witness, you were in Bouaké in March and April 2011?

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1 A. [15:19:56] That's right.

2 Q. [15:20:00] Did you hear about the rebel offensive on Abidjan which was being
3 prepared?

4 A. [15:20:09] An offensive that was being prepared? Well, in any case what I
5 heard, and perhaps this is the same thing, it was that the rebels were to go to Abidjan,
6 yes, that's possible.

7 Q. [15:20:30] Okay. Did you see the rebels leave Bouaké?

8 A. [15:20:35] Leaving Bouaké? No.

9 Q. [15:20:40] Did you warn your wife and children about the arrival of the rebels
10 from Bouaké into Abidjan?

11 A. [15:20:52] No.

12 MS NAOURI: [15:20:55] Okay.

13 Your Honour, I'm afraid we need to go into private session for the next question.

14 PRESIDING JUDGE TARFUSSER: [15:21:12] Let's return into private session, please.

15 (Private session at 3.21 p.m.)

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24 (Open session at 3.35 p.m.)

25 THE COURT OFFICER: [15:35:33] We are in open session, Mr President.

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1 PRESIDING JUDGE TARFUSSER: [15:35:36] Madam Naouri.

2 MS NAOURI: [15:35:39] (Interpretation) Thank you, Mr President.

3 Q. [15:35:42] Now, Mr Witness, you personally, did you talk about what you know
4 about 25 February 2011 to any other persons such as international organisations?

5 A. [15:36:02] Yes.

6 Q. [15:36:04] Which ones?

7 A. [15:36:06] Amnesty International.

8 Q. [15:36:10] Do you remember the name of the person at Amnesty International
9 whom you met?

10 A. [15:36:19] The name was Mr Mutoo, but I forget his other name.

11 Q. [15:36:27] Do you remember the date of that meeting?

12 A. [15:36:36] It was a few days after, after the mosque was burnt, not too long, not
13 too long thereafter.

14 Q. [15:36:51] Very well. How were those people able to contact you?

15 A. [15:37:21] They were aware of who was in charge of the mosque. I don't know
16 how they became aware of it, but they came to the mosque and they were pointed to
17 my house, and I think he came along with a secretary, I believe.

18 PRESIDING JUDGE TARFUSSER: [15:37:42] It shouldn't be too difficult, it shouldn't
19 be too difficult to find out.

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

21 Q. [15:38:00] Very well. Mr Witness, do you remember jotting down any notes
22 about this meeting in your diary?

23 A. [15:38:12] Yes, I think so. But I know that I jotted down notes about other
24 appointments, but I'm not very clear about that one. And this happened before
25 going to Bouaké in any event.

1 Q. [15:38:29] Very well. Did you meet with any other persons other than
2 members of Amnesty International?

3 A. [15:38:43] Unfortunately, I don't remember their names. But other groups
4 came by, groups from Ivory Coast or from elsewhere, they came to see me and we
5 went to the field to see what was happening. There was even a group, I don't know
6 whether -- well, maybe they were Chinese, but I don't know. In any event they came,
7 and *in the meantime the secretary-general of the UN, and there was an ethnic group
8 that came to meet me, and I -- and I sent them.

9 Q. [15:39:23] Are you referring to Koreans?

10 A. [15:39:27] Well, they might have been Koreans. Then they must be Koreans.
11 They came, they came with cameras and they did what they had to do. And as I
12 talked, they recorded and filmed the discussions. They took everything with them.

13 Q. [15:39:48] So what you are telling us is that you gave a filmed interview. Was
14 it for TV?

15 A. [15:39:56] No. It was for those who came.

16 Q. [15:40:01] Mr Witness, do you remember having been interviewed by a
17 Cameroonian professor in the company of a French lady?

18 A. [15:40:15] Yes, at my home.

19 Q. [15:40:20] When was that?

20 A. [15:40:22] I don't remember the date. In any event, when it comes to dates, I
21 really can't keep all the dates. I do not remember all the dates.

22 Q. [15:40:31] Very well. Maybe I'll jog your memory, because at paragraph 20 in
23 your attestation to the Office of the Prosecutor, you say the following, "Finally, in 2013
24 I was interviewed by a French lady in the company of a Cameroonian professor, I
25 believe. That lady was working on a thesis on the post-election crisis in Côte d'Ivoire.

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1 I do not remember her name, and I don't remember the name of the professor." End
2 of quote.

3 For the record it's page 1349.

4 Can you confirm that?

5 A. [15:41:21] Yes.

6 PRESIDING JUDGE TARFUSSER: [15:41:31] At least the number is 1350.

7 MS NAOURI: [15:41:37] (Interpretation) Very well. Next page, yes, correct.

8 Q. [15:41:47] Now, Mr Witness, did those people not introduce themselves?

9 A. [15:41:51] Yes, they did, but I don't -- I didn't -- I don't remember their names.

10 Q. [15:41:56] Very well. Do you know which universities they were working for?

11 PRESIDING JUDGE TARFUSSER: [15:42:00] Excuse me, but what -- I don't think it's
12 a big crime to give an interview to a university or to speak to somebody about this.

13 So I don't understand the questioning. Can one not speak freely with somebody
14 who is coming to ask something, whether it be a journalist or somebody from
15 university?

16 MS NAOURI: [15:42:22] (Interpretation) Mr President, to answer your question,
17 and as you have said several times, these are prior statements and he has narrated his
18 story to several people, and we want to establish how many times he has narrated his
19 version of the facts, and we're doing this as quickly as possible. But I think for the
20 Defence, this might be important, and we want to establish how many times and to
21 whom he made prior statements before testifying in the Court today.

22 PRESIDING JUDGE TARFUSSER: [15:42:51] I didn't say you should not. But I
23 mean, when you -- in the statement, he didn't talk about names. Now he should
24 remember names many years later. He didn't remember then, why should he
25 remember now?

1 MS NAOURI: [15:43:07] (Interpretation) Very well, Mr President. We are trying
2 to obtain a few more pieces of information for our purposes. But in any event, we'll
3 move on to something else.

4 Q. [15:43:19] Now, Mr Witness.

5 A. [15:43:21] Yes.

6 Q. [15:43:24] As president of the Muslim community in Sicogi-Lem, were you
7 informed that the mosque had been contacted by an organisation known as Ivoire
8 Qatar?

9 A. [15:43:53] Yes.

10 Q. [15:43:54] Did that organisation visit the mosque?

11 A. [15:43:59] Yes.

12 Q. [15:43:59] Did you talk with representatives of that organisation?

13 A. [15:44:08] Ivoire Qatar, yes. I got to know them through the president of
14 CNI-COCY. And we wanted them to help us, to help our mosque, in relation to the
15 offices that had been completely looted. We were looking for people to help us.
16 And that person gave us to believe that they could help us. The person came to the
17 mosque.

18 Q. [15:44:55] That person, did that person meet with other faithful of the mosque?

19 A. [15:45:03] Yes, yes, many people. He met with many people and collected
20 some money and indicated that they would do something for the community, but
21 then ended up doing nothing and then disappearing.

22 Q. [15:45:19] Very well. Now, Mr Witness, this morning we talked about you as
23 president of the Muslim community in Sicogi and you filled out an application to
24 participate in these proceedings as a victim at the ICC.

25 A. [15:45:44] Yes, that is correct.

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- 1 MS NAOURI: [15:45:53] (Interpretation) Mr President, I think we need to go
- 2 quickly into private session for me to put my question in this connection.
- 3 PRESIDING JUDGE TARFUSSER: [15:45:59] Let's go into private session, please.
- 4 (Private session at 3.46 p.m.)
- 5 (Redacted)
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- 19 (Open session at 3.47 p.m.)
- 20 THE COURT OFFICER: [15:47:25] We are in open session, Mr President.
- 21 PRESIDING JUDGE TARFUSSER: [15:47:32] Madam Naouri.
- 22 MS NAOURI: [15:47:34] (Interpretation) Thank you, Mr President.
- 23 Q. [15:47:39] Now, Mr Witness, so you were granted the status of victim in the
- 24 proceedings. Did you meet the counsel for victims in Abidjan?
- 25 A. [15:47:56] Yes.

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1 Q. [15:47:57] How many times?

2 A. [15:47:57] Two or three times.

3 Q. [15:48:02] Who notified you of his visits and made the appointments?

4 A. [15:48:11] That counsel had my phone number and would call me and then I
5 would go to the appointment.

6 Q. [15:48:23] Were there any other victims present?

7 A. [15:48:27] Whenever I was received, I was always alone.

8 Q. [15:48:39] This morning you told us that you recalled that Mr Sako contacted
9 you to organise appointments for victims. Can you confirm that?

10 A. [15:49:01] Yes.

11 Q. [15:49:04] Did you participate in meetings with the three persons you
12 mentioned?

13 A. [15:49:23] Yes.

14 Q. [15:49:24] Can you tell us a little more?

15 A. [15:49:28] On the content?

16 THE INTERPRETER: [15:49:32] Counsel nods.

17 THE WITNESS: [15:49:35] (Interpretation) Maître Sako asked me to invite those
18 three people with a view to obtaining more information on the victims regarding, for
19 example, their ethnicity and any other information. So I went with those people
20 because they were the ones who had buried the dead. They were the ones who drew
21 up the first list. So they were more informed than anyone else. That is why I sent
22 them.

23 MS NAOURI: [15:50:09] (Interpretation)

24 Q. [15:50:14] Where did that meeting take place?

25 A. [15:50:17] At my house.

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1 Q. [15:50:21] Did those people speak one after the other in front of the others?

2 A. [15:50:29] Yes, because they were dealing with the same topic and the same
3 issue.

4 Q. [15:50:36] Very well. Did you meet the counsel for victims or a member of that
5 team recently before coming to testify here today?

6 A. [15:50:49] I'm not able to provide an exact date, but we met some time ago
7 before I came here. I met with Maître Sako and Maître Paolina in Abidjan.

8 Q. [15:51:10] After that visit, you didn't meet with them again; is that correct?

9 *A. [15:51:17] Yes, that is correct.

10 Q. Ok?

11 A. We met again here.

12 Q. [15:51:18] Mr Witness, did any services of the Court provide you with eyeglasses in 2016?

13 A. [15:51:36] Yes.

14 Q. [15:51:40] Do you remember the context in which that happened?

15 A. [15:51:43] Yes. In fact, at that time I had virtually lost my sight. When I was called, I
16 said that I had trouble with my vision. I could not read. So I was asked to do some tests.
17 The tests were conducted and I wasn't given the pair of glasses automatically. Then when
18 they called me a second time, I told them that I had problems with my vision and so how
19 do you expect me to come? So I was told that the services in Abidjan -- well, the services
20 in Abidjan contacted me again and asked me to go and collect the pair of glasses. I went
21 and I picked them up, but they were not the right glasses for me.

22 Q. [15:52:33] Very well. Now, Mr Witness, I want to thank you.

23 MR ALTIT: [15:52:43] (Interpretation) Mr President, that puts an end to the
24 questioning of this witness by Laurent Gbagbo's Defence team.

25 PRESIDING JUDGE TARFUSSER: [15:52:53] Thank you very much.

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1 Now it's for the Defence for Mr Gbagbo to question the witness -- the Defence for
2 Mr Gbagbo has terminated its questioning, and as I said, it's for the Defence for
3 Mr Gbagbo. I see Maître Gbougnon. I don't know who is -- the Defence for
4 Mr Blé Goudé, sorry. I see sitting in front of Mr Gbougnon, but I don't know who is
5 taking the floor. Maître N'Dry.

6 MR N'DRY: [15:53:28] (Interpretation) Mr President, Mr Charles Blé Goudé's team
7 has no questions for this witness.

8 PRESIDING JUDGE TARFUSSER: [15:53:36] Thank you very much.

9 Now I turn to the Office of the Prosecutor, asking if the Office of the Prosecutor
10 wishes to re-question the witness on some topics.

11 MS BERDENNIKOVA: [15:53:53] No, your Honours, we have no questions.

12 PRESIDING JUDGE TARFUSSER: [15:53:55] Thank you very much.

13 So Mr Witness, this concludes your testimony. I think this was the most rapid
14 testimony of the whole trial, only one day, which is good.

15 I thank you for having been here, for having answered the questions which were put
16 to you by all parties. The Chamber has no questions to you, so I wish you a good
17 and a safe trip home.

18 THE WITNESS: [15:54:33] (Interpretation) Thank you, Mr President.

19 PRESIDING JUDGE TARFUSSER: [15:54:36] And I ask the court usher to
20 accompany the witness out of the courtroom.

21 (The witness is excused)

22 PRESIDING JUDGE TARFUSSER: [15:55:03] I wish to thank all the teams here,
23 because we reached what we wanted to reach, having the two witnesses within the
24 three days of this hearing week. And so we have now a long weekend and we see
25 each other again on Monday, 1 May. The hearing is suspended and we resume on

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- 1 Monday at 9.30, this time again. Also because I think the witness, next witness, is a
- 2 video-link witness, and we will ask for an effort to start at 8.30 for them and 9.30 for
- 3 us. But we have already agreed on this. I see Madam Massidda. She was a little
- 4 bit worried about it, but we have already made arrangements in that sense.
- 5 Thank you very much. Have a good weekend. See you on Monday.
- 6 THE COURT OFFICER: [15:56:08] All rise.
- 7 (The hearing ends in open session at 3.56 p.m.)