

Trial Hearing
WITNESS: CIV-OTP-P-0459

(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 Koudou Gbagbo and Charles Blé
5 Goudé - ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Geoffrey Henderson and
7 Judge Olga Herrera Carbuccion
8 Trial Hearing - Courtroom 1
9 Monday, 8 May 2017
10 (The hearing starts in open session at 10.33 a.m.)
11 THE COURT USHER: [10:33:01] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [10:33:31] Good morning.
15 Good morning, Mr Witness.
16 WITNESS: CIV-OTP-P-0459 (On former oath)
17 (The witness speaks French)
18 (The witness gives evidence via video link)
19 THE WITNESS: [10:33:41](Interpretation) Good morning, your Honours.
20 PRESIDING JUDGE TARFUSSER: [10:33:45] Good morning. Now we are here to
21 continue with the questioning by the Office of the Prosecutor and, in order not to lose time,
22 I give immediately the floor to the Office of the Prosecutor, to Ms Chubin.
23 MS CHUBIN: [10:34:10] Thank you, Mr President. Good morning.
24 QUESTIONED BY MS CHUBIN: (Interpretation)(Continuing)
25 Q. [10:34:14] Good morning, Mr Witness.

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1 A. [10:34:19] Good morning, ma'am.

2 Q. [10:34:26] I'm going to come back on certain issues that we talked about last Friday
3 and I will begin with a question on Doukouré. Last week you told us, and that is in the
4 transcript page 84, line 7, you said Doukouré is a centre where there are a lot of stores or
5 shops. In 2010, 2011, to whom did those stores belong?

6 A. [10:35:03] The stores belonged to Ivorians and nationals of the sub-region.

7 Q. [10:35:12] Which nationalities, for example?

8 A. [10:35:19] Nigériens, that is from Niger, and Nigerians from Nigeria; Malians,
9 Burkinabé and even Guinea, the entire subregions, and then Ivorians of course.

10 Q. [10:35:43] And the Ivorians who had shops in Doukouré, were they from a
11 particular ethnic group?

12 A. [10:35:55] Yes, the vast majority were northerners, that is, from the north of
13 Côte d'Ivoire.

14 Q. [10:36:10] Now, let me go back to the death of Ahmed Niakaté, on 25
15 February 2011, did he have another name or nickname that you knew about?

16 A. [10:36:38] If he had another name or a nickname, I really do not remember. We
17 called him Ahmed. If he had a nickname I do not know.

18 Q. [10:36:57] You have described how he was chased and lynched and you yourself
19 observed that from the grin. And on page 96, line 1, you pointed out that you observed
20 that scene when you heard the crowd chasing and shouting "Assailant." At that time the
21 cellphone repairer who was -- where was he?

22 A. [10:37:42] The cellphone repairer had his workshop very close.

23 THE INTERPRETER: [10:37:47] Can the witness repeat the location he mentioned?

24 PRESIDING JUDGE TARFUSSER: [10:37:52] May I ask you, all of you to speak slower,
25 not to overlap. And I then ask the witness to repeat the location he mentioned before

1 because it was not understood by the interpreters.

2 THE WITNESS: [10:38:25](Interpretation) I was saying he was just right next to his
3 workshop.

4 MS CHUBIN: [10:38:42] (Interpretation)

5 Q. [10:38:43] And at that time, when you heard the noises and the shouting and you
6 went to see what was happening, what was he doing, that repairman?

7 A. [10:38:55] He was observing the demonstrators on the other side of the road.
8 There was a lot of chaos, a lot of movement and activity in the area.

9 Q. [10:39:21] And do you know whether Ahmed knew him?

10 A. [10:39:24] Yes, Ahmed knew him. Ahmed knew him.

11 I also know that he knew Ahmed because, as I have said, he is a cellphone repairer, and at
12 the same time he was managing what we refer to here as "telephone booths," so paid calls.
13 So frequently, people needed his services, *and Ahmed often went to his booth to make
14 calls.

15 Q. [10:40:13] On Friday you also told us that at one point a gentleman arrived. And
16 on page 92, line 28, you said he was in a light blue uniform and he was carrying a weapon.
17 What type of weapon was that?

18 A. [10:40:41] He had a Kalashnikov. That is what he was carrying.

19 Q. [10:40:55] And what did he do after firing a shot at Ahmed Niakaté?

20 A. [10:41:01] When he fired his gun, he withdrew. It is as if he came for a specific
21 mission, and then he left. People had withdrawn a little bit, but they started shouting
22 "Assailant, assailant." He shot him and then withdrew, and then people continued
23 beating him on the ground.

24 Q. [10:41:37] And do you know why Ahmed was targeted, why he was referred to as
25 an assailant?

1 A. [10:41:48] I'm thinking that that is because he was coming to our grin because all of
2 us who were in the grin were targeted, I myself particularly, because we were considered
3 as persona non grata. So I think because he was coming to the grin, it means he was in
4 the wrong camp; he was collaborating with us.

5 All those who were in the grin were threatened, they were at risk. It was afterwards that
6 we knew all of those things. We received such information as the days went by.

7 Q. [10:42:42] Why is it that all those in your grin were threatened?

8 A. [10:42:50] They were threatened because the majority of them were militants of the
9 RDR and by extension the RHDP, because there had been an alliance between the RDR
10 and the PDCI. So the majority were members of the RDR, and they -- most of them were
11 young northerners. I was a local officer, as I have told you, and we were working
12 against them in the field in our area, and they did not like that, so we were not considered
13 like friends in their camp.

14 Q. [10:43:52] And who were you threatened by?

15 A. [10:44:02] Well, I can say that we were threatened by the pro-Gbagbo supporters
16 because the Young Patriots were pro-Gbagbo. The people of the parliament, they were
17 pro-Gbagbo. All those people would come and spy on us. They had information about
18 us in relation to our neighbours. So I knew that I was threatened because it was someone
19 from their camp who knew me who called Soro, a friend of mine, and told him that on the
20 day that Ahmed was killed that they were actually looking out for me, and that some of
21 them had even thought that I was the one who had been killed because I am actually -- I
22 physically resemble Ahmed. He was more sturdy than me; we were approximately the
23 same height, about 1 meter 80. So when Ahmed was killed in the evening, Soro called
24 me and told me that information, and he told me that it was someone from their camp
25 who had called to warn me to be very careful because they were trying to kill me.

1 Q. [10:46:05] And did Soro tell you who in their camp had called him?

2 A. [10:46:13] Yes, it was a young leader of the FESCI in our sector. I do not know his
3 actual name, but he was known as Le Blanc, the white man. He was the leader of FESCI
4 in our area. He was an acquaintance of Soro because Soro is what we refer to as a seer,
5 this is someone who can forecast the future. So people used to need his services. We
6 called them marabouts. So Le Blanc used to come and seek his services. That is how
7 come they became friends. I knew that because he used to come and see Soro. And at
8 one point he wanted to collaborate with us. *He asked me to introduce him to our
9 political *commissioners. I found that this was suspicious because he was a member of
10 FESCI, and we could not really trust anyone from FESCI. We thought it might be a
11 strategy to spy on us, so I did not agree to that request. But we knew each other, we
12 greeted each other, and even to this date, we greet each other. So he is the one who
13 called Soro to tell him, "Look, warn Fadiga; they're really looking for him." And some
14 people had even already thought that he was the one who had been killed.

15 Q. [10:48:11] When did Soro give you that information?

16 A. [10:48:18] It was in the night of 25 February. That is, after the events, I went
17 home -- I live a little bit further. And when Soro had that information, he called me on
18 my cellphone and he told me to be very careful because this is the information that
19 Le Blanc has just given me.

20 Q. [10:48:45] And how did you know that Le Blanc was a leader of FESCI?

21 A. [10:48:54] This was known to everyone in the neighbourhood. FESCI members
22 came to his house. He himself was a student at that time. So he was a leader of FESCI.
23 He was wearing their T-shirt. They would do jogging with T-shirts with FESCI-COS on
24 those T-shirts. So it was known that he was a leader of FESCI.

25 Q. [10:49:32] You have said that at one point he tried to collaborate with you. What

1 type of collaboration would that be?

2 A. [10:49:43] He wanted to collaborate with us at the political level, that is, to join our
3 party and work with us for elections and everything that was political. So he wanted to
4 be involved in RDR activities.

5 Q. [10:50:18] And apart from being of the same height, do you have any other
6 information about whether you -- why you were targeted instead of Niakaté?

7 A. [10:50:40] I am an officer of the RDR, and I worked a lot in the field, in the area. And they
8 were saying that I was the intellectual of the grin. When they sent out false information, they tried
9 to destabilise our militants. I was always there to boost our people's morale and refute all the lies
10 that they were telling. I did all that and they did not like it. People told me that. Otherwise,
11 when I was moving about in the alleys of the neighbourhood, people were saying that "We will kill
12 these people, *those Mossis, those assailants, those Russians, those brutes." They called us all sorts
13 of names. So when I passed in the corridors and alleys of the neighbourhood, people recognised
14 me. They did not say it directly to me, but I knew that *what they said was directed at me. I am
15 not stupid you see. So they said things like "We will kill those ones, they will get it here..." But I did
16 not take it seriously. I thought they simply wanted to intimidate me and dampen my zeal at work.

17 THE INTERPRETER: [10:52:13] Inaudible, that last bit.

18 MS CHUBIN: [10:52:17] (Interpretation)

19 Q. [10:52:17] And was it easy to confuse between you and Ahmed Niakaté?

20 A. [10:52:29] It is possible because I am dark in complexion and he is dark in comp
21 lection. We are approximately the same height. We even have the same name. I'm
22 Fadiga Mamadou, but in our country Mamadou is a derivative of the first name Ahmed,
23 so Mohammed, Ahmed, Mamadou, Mahamoud, all of those are the same name. It's
24 actually the same name, because his name was Ahmed, and I was also called Ahmed.
25 Some people call me Mamadou. It's the same name. So we had the same complexion,

1 we went to the same grin, the same height, although he was sturdier than me.

2 Q. [10:53:43] You also told us about Tetchi Claude.

3 A. [10:53:48] Yes.

4 Q. [10:53:48] How did you know him?

5 A. [10:53:56] I have told you that we have lived in that neighbourhood from
6 generation to generation. We have been living in that neighbourhood together for a very
7 long time. We knew each other.

8 It was politics that really came and created disorder. I do not know how it happened.

9 We were friends, we played football together, we did a lot of things together. For some
10 of them, we have been living in the neighbourhood 20, 30 years together. We were
11 childhood friends.

12 Q. [10:54:44] And did he have any particular role during the post-election crisis?

13 A. [10:54:53] I really was not aware that *Claude was playing any particular role,
14 except that he was pro-Gbagbo. But whether he had any particular position or role within
15 his party, I do not know, but he was pro-Gbagbo and I knew that, I was aware of that.

16 Q. [10:55:22] And you told us that Adama Soumahoro told him he was the one who
17 recognised Ahmed on that day. Do you know why he had something against Ahmed or
18 what he had against Ahmed?

19 A. [10:55:44] I cannot say whether he particularly wanted Ahmed to be attacked. I
20 do not know. I'm simply relaying what the person who was with Ahmed at the time of
21 the incident told us. The two of them left. We did not see them leave. It is only when
22 he was caught, Ahmed was caught, that we realised whatever happened between the time
23 they left and when Ahmed was caught I cannot know.

24 But I'm a local officer, and when there are things such as those, I try to gather information
25 for my hierarchy. So we met at my friend Soro's house, and that is where I asked "How

1 did this happen?" And he said "It was Tetchi. He drew the attention of people towards
2 them." And he was saved because Ahmed fled. And I think that if Ahmed had not fled,
3 then most probably the two of them would have been killed. It was because Ahmed fled
4 that everybody's attention was drawn towards Ahmed and this other person was able to
5 escape. He is the one who came and told us the story.

6 Q. [10:57:36] Can you give us Soro's other name?

7 A. [10:57:41] Soro Souleymane, Soro Souleymane, that's the full name.

8 Q. [10:57:59] Do you remember giving a statement to the investigators of the OTP in
9 June 2014 and that you also prepared two sketches along with that statement?

10 A. [10:58:13] Yes. I was asked to prepare a sketch of the location of the events.

11 Q. [10:58:23] Very well. I will show you the first of those two sketches and I will ask
12 you some questions on it.

13 I will move to English for a while.

14 (Speaks English) It is annex 1 to his declaration, CIV-OTP-0058-0611, item 2 on our list of
15 material, and it's confidential.

16 MR O'SHEA: [10:59:11] I would imagine there's no reason, your Honour, why it
17 should be confidential.

18 PRESIDING JUDGE TARFUSSER: [10:59:18] I was going to ask this, why it is
19 confidential.

20 MS CHUBIN: [10:59:24] We can reclassify it as public.

21 PRESIDING JUDGE TARFUSSER: [10:59:28] Good.

22 THE COURT OFFICER: [10:59:38] (Via video link) Your Honours, the printed version of
23 the document has been presented to the witness.

24 PRESIDING JUDGE TARFUSSER: [10:59:42] Thank you.

25 MS CHUBIN: [10:59:47] (Interpretation)

1 Q. [10:59:49] Mr Witness, do you recognise that sketch?

2 A. [10:59:54] Yes, I recognise it.

3 Q. [10:59:58] Is that the sketch you prepared during your interview?

4 A. [11:00:03] Yes, that is correct. Yes, that is the sketch.

5 Q. [11:00:13] Could you look at the key to the right at the top and please confirm the
6 four parts.

7 A. [11:00:22] Yes. A stands for the grin. B stands for the place where Ahmed was
8 killed, yes. C, that's the parliament, yes. And then the dot is the place where Ahmed
9 was torched. I can confirm that.

10 Q. [11:00:45] I see some red arrows and some black arrows.

11 A. [11:00:53] The red arrows show the way that Ahmed and Adama took when
12 Ahmed and Adama were leaving. And then the blue arrows, that shows Ahmed turning
13 around and going back the other way when they started going after him.

14 Q. [11:01:22] And in the middle of the page I see "16th arrondissement."

15 A. [11:01:28] Yes, that's the police station of the 16th arrondissement of Yopougon.

16 Q. [11:01:35] Very well. Thank you, Mr Witness.

17 I've finished with this document.

18 Now, Mr Witness, last week you told us that after you left the grin you went to Soro's
19 home?

20 A. [11:01:58] Yes, that's right. When we left the grin, *they had finished killing Ahmed
21 and we were all broken hearted. We went back to Soro's home. His was the closest to us.

22 Q. [11:02:16] How long did you stay there for?

23 A. [11:02:24] Um, maybe -- maybe about an hour I would say. I think about an hour.
24 We were not going to leave that place all at once. Each person left individually. He had
25 been shot. We were taking refuge. We were asking ourselves what was happening.

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1 Adama Soumahoro told what had happened between the departure and the people
2 chasing Ahmed. That was at Soro's house. So he told us what had happened.

3 Q. [11:03:24] And after you went to Soro's house, what did you then do?

4 A. [11:03:29] From Soro's house I went back home. I went back home. I went back
5 home. I still was in shock, and so at one point I went back home.

6 Q. [11:03:55] And what did you do for the rest of the day?

7 A. [11:03:58] I stayed at home and took some time to recover, then after that I went
8 back out because --

9 THE INTERPRETER: [11:04:11] Inaudible.

10 THE WITNESS: [11:04:14] (Interpretation) -- *because Blé Goudé's rally was over at the Le Baron bar at
11 CP1 square. I was informed that they were heading towards our neighbourhood. They were proceeding
12 in a group, a procession towards our neighbourhood. So I went back out and I stayed for a while. *Well,
13 you do not know the neighbourhood, but I came to a photographer friend's place and sat down a bit --

14 THE INTERPRETER: [11:04:48] Inaudible.

15 THE WITNESS: *[11:04:49] (Interpretation) -- *waiting for them to come towards the neighbourhood.

16 THE INTERPRETER: [11:04:52] Message from the interpreter: The sound quality is
17 poor. We will do the best we can, but we ask for your indulgence.

18 PRESIDING JUDGE TARFUSSER: [11:05:02] Can the witness go closer to the
19 microphone, because the sound quality is poor, so at least we might be facilitated by a
20 close -- okay, thank you. Please go ahead.

21 MS CHUBIN: [11:05:29] (Interpretation)

22 Q. [11:05:30] Who told you that Blé Goudé was coming to your neighbourhood?

23 A. [11:05:33] Well, already we knew, from the day before we knew that there was
24 going to be a meeting of his supporters at the Le Baron bar. We knew that already. We
25 knew that the day before. We knew that he would be coming. And we had some

1 friends in the area where the meeting was being held. We had friends there, and they
2 told us that after the meeting he held a rally at CP1, and after that they were moving in a
3 group, like a procession, towards our neighbourhood, towards *Terminus 40 --

4 THE INTERPRETER: [11:06:26] Inaudible.

5 THE WITNESS: [11:06:28] (Interpretation) -- *And the young people were talking about
6 this, the Young Patriots were talking about this *in the neighbourhood. So they were
7 talking about this, and I learned that they would be going that way in that spot. So that's
8 how I got that information.

9 MS CHUBIN: [11:06:44] (Interpretation)

10 Q. [11:06:44] So you received that information and you went to see your friend who
11 was a photographer. And then what did you do?

12 A. [11:06:53] I stayed there waiting for the group to arrive, this procession or convoy
13 you could call it. I wanted to know what was going on. I was curious. I wanted to
14 know what was what. I was trying to get information because people were saying "Is
15 Blé Goudé coming around your area?" And, you see, you have to go towards the
16 information to better understand what's going on. So that was my purpose.

17 Q. [11:07:45] And what did you learn?

18 A. [11:07:52] *When he got to the pharmacy Kouté intersection, which is a
19 neighbourhood pharmacy... Once he got there, he stopped for a while. He had a bit of
20 a break at the intersection, and he got out of the car and started to speak to his supporters,
21 to energise them, to work them up, to get a message across.

22 Q. [11:08:49] And where were you at that time exactly?

23 A. [11:08:52] Well, as I've been telling you, I am somewhat known within the
24 neighbourhood, so I couldn't be too visible. So I went back; I went to my friend the
25 photographer, to his house. There is an entire area where you find a number of maquis,

1 little cafés, restaurants, and then you could go from there towards the demonstration.

2 But I went through some other little alleys. I took short cuts through the various maquis
3 and I came out by the OBV (phon) restaurant. And that restaurant still exists in actual
4 fact. So I came out on that side. You see, if I'd gone on to the main street, well, I would
5 have been easily seen, easily recognised, so I went via these side streets, these back streets.

6 Q. [11:10:26] Now, you said that Blé Goudé got out. He actually climbed on top of the car?

7 A. [11:10:34] Yes.

8 Q. [11:10:34] And he was giving a speech, a message, to energise the crowd?

9 A. [11:10:40] Yes.

10 Q. [11:10:41] Do you remember what he said?

11 A. [11:10:43] Well, I can't quote the exact words, but he was asking the young people
12 to be ready to defend the constitution and defend the republic and the institutions of the
13 republic. He was asking them if they were ready and willing to do this. That was his
14 message. He was saying that you couldn't abandon the republic to the hands of an
15 adventurer. He was talking about liberating Côte d'Ivoire. That was his message.

16 Q. [11:11:23] And how many people were listening to him that day?

17 THE INTERPRETER: [11:11:33] Inaudible. The witness goes on to say:

18 THE WITNESS: [11:11:38] (Interpretation) *There were many people. In fact, he came
19 with people, some were following running with him. People were following him, and
20 some people from other neighbourhoods *he had gone through joined so it was kind of a
21 procession. Some local residents in the neighbourhood as well, they were there as well.
22 Lots of people, all kinds of people.

23 MS CHUBIN: [11:12:07] (Interpretation)

24 Q. [11:12:07] And how did people respond to his message?

25 A. [11:12:11] They were very enthusiastic. They were happy, pleased; they were

1 saying "Yes." They liked his message, they liked what he was saying.

2 Q. [11:12:31] And this procession or convoy, how many cars did it include?

3 A. [11:12:35] The number of cars, I can remember at least three cars. I remember at least three cars.

4 There was the car that he was in; it was a four-by-four, and the windows were filmed, tinted, and then

5 there was, sort of, a bâchée, as we call it, a pickup truck with a tarpaulin cover at the back, and the

6 bodyguards were in there. They had weapons, Kalashnikovs. *They were certainly his bodyguards.

7 They were in balklavas and some of them were armed – kalachnikovs. It must have been his bodyguards.

8 THE INTERPRETER: [11:13:22] Inaudible.

9 THE WITNESS: [11:13:24] (Interpretation) – *Some people were on foot and they too had kalachnikovs.

10 There you have it. Some were hooded while others were bare faced. And then in front of the Blé Goudé's 4

11 X4 vehicle was another 4 X4 or a tarpaulined vehicle and though I no longer remember clearly but there was

12 another vehicle in front I think. So I remember at least three vehicles.

13 Q. [11:13:48] And these armed men who were with him, how many of them were there?

14 A. [11:13:55] I didn't count how many, but there were many of them. There were

15 many of them, maybe -- well, I can't give you an exact number, but there were many of

16 them. Some were on foot and some were in the pickup truck. Some were walking, and

17 they were providing additional support, you see.

18 Q. [11:14:17] And did Blé Goudé get out of the car?

19 A. [11:14:22] No, I didn't see him get out at that time. I didn't see him get out. He

20 may have gotten out elsewhere, but I didn't see that, so I can't say.

21 Q. [11:14:42] And when you say "Blé Goudé," who are you talking about exactly?

22 A. [11:14:48] Well, Blé Goudé. Blé Goudé, who's right there, right in front of you.

23 PRESIDING JUDGE TARFUSSER: [11:14:57] What question was this.

24 MS CHUBIN: [11:15:01] I just wanted him to identify who he saw exactly.

25 PRESIDING JUDGE TARFUSSER: [11:15:07] Or who he did not see, as he said. Did

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1 he not say that he didn't see him.

2 MS CHUBIN: [11:15:15] I think he said that he didn't see him get out of the car, but he's
3 stated that he's seen him.

4 PRESIDING JUDGE TARFUSSER: [11:15:25] Yes. Okay.

5 MS CHUBIN: [11:15:29] (Interpretation)

6 Q. [11:15:32] Do you know how long he stayed there, Mr Blé Goudé?

7 A. [11:15:34] No. Once he had finished giving his speech, the convoy continued
8 along its way. The convoy continued along its way heading towards Terminus 40 --

9 THE INTERPRETER: [11:15:50] Inaudible.

10 THE WITNESS: [11:15:52] (Interpretation) -- *Toits rouges. That's a neighbourhood in
11 Yopougon.

12 MS CHUBIN: [11:16:07] (Interpretation)

13 Q. [11:16:07] And what did you do?

14 A. [11:16:09] Well, I went about my way, but I was taking side streets, other ways
15 to -- side streets to get to where I wanted to go.

16 Q. [11:16:21] Before you went back home, how long did you stay there watching this
17 procession and listening to the message?

18 A. [11:16:31] Maybe 10 or 15 minutes, 10 or 15 minutes.

19 Q. [11:16:39] Mr Witness, I'd now like to show you the second sketch that you made
20 when you were interviewed.

21 (Speaks English) It is item number 3 on our LOM, 0058-0612, and this one can be showed
22 publicly as well.

23 THE COURT OFFICER: [11:17:06] (Via video link) Your Honours, the item is currently
24 displayed to the witness, the printed version of the item.

25 PRESIDING JUDGE TARFUSSER: [11:17:13] Thank you.

1 MS CHUBIN: [11:17:22] (Interpretation)

2 Q. [11:17:22] Now, this sketch you see, is that the sketch you drew during your
3 interview? Can you hear me?

4 A. [11:17:38] Yes, I can.

5 Q. [11:17:39] This sketch that you have in front of you, is that the sketch you drew
6 during your interview?

7 A. [11:17:47] Yes. Yes, it is.

8 Q. [11:17:55] Can you confirm this caption at the top?

9 A. [11:18:03] X, that is the spot where Blé Goudé spoke; then there's a dot that
10 indicates where I was observing from; and then the arrows are the route that the convoy
11 took.

12 Q. [11:18:17] Thank you very much, Mr Witness.

13 I've finished with this sketch.

14 (Speaks English) Mr President, I have a few small topics left and I expect to be able to
15 finish in the next 15 minutes.

16 PRESIDING JUDGE TARFUSSER: [11:18:51] Okay. Please. Thank you.

17 MS CHUBIN: [11:18:59] (Interpretation)

18 Q. [11:19:01] Mr Witness, during the crisis was there any time when roadblocks were
19 set up in your neighbourhood?

20 A. [11:19:12] Yes, yes, yes, as early as 25 February, with the message that had been
21 sent out to defend the republic, the constitution, and so on and so forth, to keeping
22 an -- well, the message was also to keep an eye on things. Everyone was supposed to
23 keep an eye on his neighbourhood and be the -- like, a guardian, the watchman, keep an
24 eye on neighbours, and if you saw foreigners in the neighbourhood, they were suspects,
25 suspicious, and you had to be vigilant. That was Blé Goudé's message. Blé Goudé was

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1 the one who was giving this message. He was saying to keep an eye out, to keep an eye
2 on the neighbourhood, and to be the watchman, so to speak, of the neighbourhood, to
3 keep an eye out for suspicious people and so on and so forth. So as of that point, as of
4 the 25th, the roadblocks started to go up. There were some in my neighbourhood. Yes,
5 there were some in my neighbourhood.

6 Q. [11:20:36] And how did you know that Blé Goudé had given this message, namely,
7 to keep an eye on the neighbours?

8 A. [11:20:45] Well, he gave that message on the television; it was in the media. That's
9 how he got this message across. He got that message across. I don't know exactly what
10 the circumstances were, but I'm -- I'm convinced of this. That was his message. You
11 know, it was a while ago, it's been ...

12 Q. [11:21:20] And once the roadblocks appeared in your neighbourhood after 25
13 February, did you go through any of these roadblocks?

14 A. [11:21:29] Yes, yes. As of 25 February, there were roadblocks, there were
15 roadblocks. I went through roadblocks, but not in my neighbourhood. I wasn't going
16 to make that mistake. I couldn't make that mistake, to go through roadblocks in my
17 neighbourhood. It would have been as if *I were stepping into the lion's den.

18 THE INTERPRETER: [11:22:03] Inaudible.

19 THE WITNESS: [11:22:04] (Interpretation) *Especially since I'd already been told that people
20 were out to get me. So I didn't go through those roadblocks. I'm from that neighbourhood, I
21 know the neighbourhood very well so I used other side streets, other ways to get around the
22 roadblocks, and end up towards the back of the neighbourhood, in the places where people
23 didn't know me, in the back. I would go by way of Kouté, for example. Kouté is a village --

24 THE INTERPRETER: [11:22:39] Inaudible.

25 THE WITNESS: [11:22:42] (Interpretation) -- an Ébrié village, just *behind the neighbourhood

1 toward the lagoon -- so, you see when I left the neighbourhood, I didn't leave by way of the
2 main road on that side. -- I would avoid the side towards the grin. I went via the back.

3 MS CHUBIN: [11:23:00] (Interpretation)

4 Q. [11:23:01] Why did you have to avoid that area, that side?

5 A. [11:23:06] Well, I had to avoid those roadblocks because once -- well, once someone
6 is killed right in front of you for nothing, for no reason, and people say, "Oh, he's an
7 assailant" and it could have been you, so you have to be careful. Someone calls and says,
8 "People are looking out for you, they want to kill you." And some people even thought
9 that it was me who had been killed. So you had to be careful, you had to be very careful.
10 It was dangerous.

11 Q. [11:23:48] Can you describe what happened when you would go through these
12 other roadblocks?

13 A. [11:23:55] Yes. I remember that once I went out with an elder, and we were going
14 to get some food supplies. And as I was saying, we went out via the back of the
15 neighbourhood, *where we are not known. That's how we got out of the neighbourhood.
16 And we went by way of some side streets. And we got to the military camp first. And
17 actually, we were trying to buy *some attiéké.

18 THE INTERPRETER: [11:24:44] Inaudible.

19 THE WITNESS: [11:24:48](Interpretation) We were trying to get --

20 THE INTERPRETER: [11:24:50] Inaudible.

21 THE WITNESS: [11:24:53] (Interpretation) *The crisis was already raging you know and we wanted to
22 get some attiéké. And we got to the military camp without too many problems. We didn't see any
23 roadblocks. We were told we could get some attiéké at Abobo Doumé which is another
24 sub-neighbourhood, in the Attécoubé territory. It is in fact part of the Attécoubé commune. We
25 continued along our way and the first roadblock we got to was at Koweït, Koweït neighbourhood.

1 That is where we saw the first roadblock. And when we saw the roadblocks we had to be very, very
2 careful. As soon as you saw *a roadblock from a distance, you would stop and watch what was going
3 on there. Each one had ... there were civilians and people would watch their neighbourhoods in
4 different ways as they had been asked to. At some roadblocks people were very – some people were
5 very worked up, for example, and we realised – in some other cases they were more organised. At the
6 roadblocks the behaviour varied from one to another. So you would stop at a distance, take a discreet
7 position and you would just watch what was going on at the roadblock first. And as you were
8 watching the roadblock, you see, at some roadblocks people were being asked for ID cards or ID
9 documents before they could go through. And those roadblocks were very dangerous. *And if you
10 came across such roadblocks, you had to avoid them, otherwise. I am from the North and I knew that it
11 was the Northerners they were looking for. So when you saw such a roadblock, you would have to find
12 some side street or some other way to get around it, or better still it would be better to turn back. That's
13 it. As for the Koweit roadblock, when we got there, we watched from afar. And, you see, there they
14 were not very strict. They were simply asking people just to show or hold up their ID briefly, but they
15 didn't actually read the ID documents. We saw people presenting their IDs and once they saw that it
16 was a national, an Ivorian national card, the people could go through. People holding any other ID
17 would be sent off to the side. So we observed and said to ourselves "It looks ok over there. We have
18 Ivorian identity cards, we will brandish them and since they are not reading the cards, we may just be
19 able to get through that roadblock. So we held up our IDs and we went through that roadblock and
20 were on our way to Abobo-Doumé.

21 Q. [11:28:15] And generally speaking, you saw these roadblocks, you saw the people
22 asking for things being strict or less strict. Who was actually controlling the roadblocks?

23 A. [11:28:26] The Young Patriots, the militia members. They were the ones who had
24 control of the roadblocks. They had weapons. They would check militia members,
25 civilians. So they were the ones who controlled the roadblocks.

1 Q. [11:28:57] Now, during the post-election crisis -- well, during the campaign, the
2 two rounds of voting, did you know Faustin Zohouri, someone by that name?

3 A. [11:29:13] No. Sokouri, Sokouri is the name, Faustin. And there was another
4 part to the name I think. That gentleman, I don't know him. I don't know him to see
5 him. But as I've said, as part of our political work, when you get information you have to
6 go towards the source of information.

7 So I did learn *when I came out, that there was a training camp for militia members at
8 Timotel, Timotel. That was a hotel at Niangon South, Niangon South. There was a
9 large open area there, and people would do their training there, just as they did behind
10 the 16th arrondissement. So when I visited the 16th arrondissement, one day I was there
11 at the Timotel. I was there, I saw. And I pretended that I wasn't interested in any of the
12 work or their activities, what they were doing, for my younger brother. And once they
13 had finished doing their exercises, I brought a young man, who was one of the recruits, I
14 brought him. I asked him how to get involved. I said I was interested, not myself, but
15 for one of my brothers about, you know, Bouaké, getting into the army. And I said to him,
16 "Well, how do you go about enlisting?"

17 And he told me, well, he said to go see the chief, the leader. I asked who that was and
18 the answer was Zohouri Faustin. Now, there was another person -- correction, there was
19 another nickname, but I don't remember it.

20 Q. [11:32:13] Witness, we have been told that there is some confusion in the transcript
21 and I want to return to the point of 25 February, when you saw Blé Goudé. Can you
22 describe to me exactly what you saw when he was outside of the vehicle?

23 A. Well, what I said was that he got out of the car from the roof and spoke to the crowd.
24 He spoke to the crowd to those who were present. He spoke to them and gave his
25 message.

1 Q. [11:32:56] Do you remember what he was wearing on that day?

2 A. [11:33:08] Well, his exact attire, it would appear to me that he was wearing a cap, a
3 cap I believe, a face cap I think, something like that I believe, yes, a face cap.

4 Q. [11:33:37] Well, a few more last questions for you on this topic, Mr Witness.

5 During the 2010-2011 crisis, did you hear anyone speak English in your neighbourhood?

6 A. [11:33:50] Yes, the Liberians spoke English, Liberians. There were some Liberians
7 in our neighbourhood. And they often came to spy on us at the grin. Yes, we saw them.
8 They often came to spy on us at the grin.

9 Well, now they used to live in two spots in my neighbourhood. We knew that they lived
10 in those areas. They had been provided accommodation in those areas, in two areas.
11 And we, we were aware of that.

12 Q. [11:34:37] How did you know that they were Liberians?

13 A. [11:34:42] Quite simple, their lifestyle, their lifestyle. First of all, they don't speak
14 French. And if they attempted to speak French, it was bad French with a strong English
15 accent. And, you know, they don't have the same lifestyle as the Ivorians. Their hairdo
16 or their haircuts are often quite extravagant, and then they would have braids and what
17 have you. So if you looked at them, by their lifestyle, by their language and their conduct,
18 you would know that they were Liberians.

19 Q. [11:35:29] You said that they were living in two areas in the neighbourhood.
20 Where were those areas?

21 A. [11:35:37] Well, you do not know the neighbourhood, but some of their houses,
22 well, those people were living in houses which we knew because we saw them in those
23 houses. We knew that they used to live in those area, and that is where they were living,
24 we could see them.

25 There was a location right behind -- well, you see, you don't know the neighbourhood, but

1 there is an intersection called carrefour Lycée in our neighbourhood, it is along the
2 Terminus 40 and Toits Rouges road, on that road. If you are on that road, you will get to
3 a point where to your right there is a house and that is where they were, some of them
4 were there.

5 But just before you got the carrefour Lycée, there was also a storey building, a storey
6 building which is quite close to the Sogefiha 6 primary school. And right there there was
7 also a man called Michel, Michel, a man whose name was Michel. He is the one who was
8 housing those militia and I saw that, I saw them, I saw them myself. We could see them.

9 Q. [11:37:16] Did you become aware of what the Liberians were doing in your
10 neighbourhood?

11 A. [11:37:27] We thought that they were mercenaries. We thought that they were
12 mercenaries because, you see, with the onset of the crisis, we saw Liberians mercenaries
13 being involved in the crisis. We saw Liberians in the neighbourhood, not just one, but
14 small groups of Liberians in the neighbourhood. That could not have been anything else.
15 We thought and we said to each other that they must have come in as mercenaries.

16 Q. [11:38:06] From what time did you start seeing them in your neighbourhood?

17 A. [11:38:15] Before the elections, huh. Before the elections. They were already
18 there; we could see them already.

19 Q. [11:38:24] Let me move now to another line of questioning. Do you remember
20 hearing of the arrest of Laurent Gbagbo?

21 A. [11:38:36] Yes. Yes, it was on 11 April, if I'm not mistaken, 11 April 2011. I saw
22 it on France 24; that is where I saw the first images of his arrest. I was with my family at
23 home at the time, and I saw it on TV. I called my parents or my relatives and told them,
24 or -- Gbagbo has been arrested, and so everyone turned on the television to see what was
25 happening.

1 Q. [11:39:18] Do you know what the reaction of the pro-Gbagbo people was in your
2 neighbourhood?

3 A. [11:39:26] When the information dropped, well, it must be said that we were in the
4 midst of the crisis proper and things were extremely tense, and so we were -- we were
5 happy that Gbagbo was arrested because we felt that he was the one behind all the
6 problems, and that if he was arrested, the crisis would come to an end. But we could not
7 display our joy in that regard. So we held our joy within ourselves.
8 Now, at that time, instructions had been given to their supporters to abstain from
9 listening to foreign channels. Those were the instructions they had given to their
10 supporters, to abstain from RFI, France 24, and any foreign media; that they should avoid
11 foreign media. But in any event, some of them continued to watch such media in hiding,
12 and that is how they ended up finding out as well through these foreign media that
13 Gbagbo had been arrested. Now, rumours began to go around that he had been arrested,
14 and their discussion and rallying points being the parlement, what happened then is that
15 they all began to gather at the parlement to receive more information and be clear on the
16 matter. So they went to the parlement the day after the arrest of Laurent Gbagbo.

17 Q. The day after the arrest of Laurent Gbagbo, what did you do on that day?

18 A. [11:41:32] The day after Gbagbo was arrested I was at my home. I did not leave
19 my home because any outing had to be extremely well calculated. I only left my home if
20 it was absolutely necessary because I had to be extremely cautious whenever I went out.
21 And most of the time I went out was to get food, food supplies. That is what I would go
22 out to get, but otherwise I went out very sparingly.
23 So on that day I was at my home, I was at my home. And, you see, they went to the
24 parlement again because on the first day, when they went to the parlement to seek
25 confirmation of the information as to whether or not Gbagbo was arrested, one of the

1 speakers there known as Zasso Patrick, also called Englobal, on that day, he is the one
2 who said -- who denied the information, who said on the 11th when the rumours began to
3 circulate and people went to the parlement, he was the one who told them that it was not
4 true and that the information was erroneous.

5 So they then went home with that in mind since they had been told that the information
6 was incorrect and that the president was at the palace and that they had been discouraged
7 from listening to foreign media. So when they went home on that first day, that is the
8 information they had. But they continued to watch France 24 in hiding, so the rumours
9 persisted, so they were talking more and more about it. That is why, again, on the 12th,
10 that is the next day, they went once again to the parlement. And on that day, the leaders
11 of the parlement were bound or forced to tell them the truth and to confirm to them that
12 Gbagbo had, indeed, been arrested.

13 PRESIDING JUDGE TARFUSSER: [11:43:47] I just remind that you're over the timing,
14 beyond the timing you've envisaged for this witness.

15 MS CHUBIN: [11:43:57] One or two questions to wrap up, Mr President.

16 PRESIDING JUDGE TARFUSSER: [11:44:01] Okay.

17 MS CHUBIN: [11:44:02] (Interpretation)

18 Q. [11:44:06] Once they found out the truth, do you know what happened?

19 A. [11:44:12] When they left the parlement, it is on that day, on the 12th, that they
20 organised themselves to attack Doukouré neighbourhood. It was on that day, on the
21 12th, when they received information at the parlement, that they went on to attack the
22 Doukouré neighbourhood. And they went on and killed. Well, that's we learnt; they
23 went from door to door looking for pro-Ouattara supporters in order to kill them. That's
24 the information we received.

25 And after the crisis it was noted that, yes, indeed, there had been a massacre in the

1 Doukouré neighbourhood. And from my house, from our area, we could hear the
2 gunshots. It's clear. But as at that time, we -- there were no fugitives fleeing Doukouré
3 to seek refuge in our neighbourhood yet. You see, because when things started, people
4 were fleeing and then the roadblocks came up. People from Doukouré fled to our
5 neighbourhood much later, much later. So it is the survivors who fled and came to our
6 area who told us that they were going from door to door and shooting at anyone who
7 appeared to be a pro-Ouattara.

8 Q. [11:45:54] The attack on Doukouré neighbourhood, when did you find out that it
9 had taken place? When did you find out for the first time that it had taken place?

10 A. [11:46:02] The Doukouré neighbourhood attack, the first time was on the 25th.
11 That's when it started, on the 25th.

12 Q. [11:46:12] Now, in terms of 12 April, when did you find out for the first time there
13 had been an attack on the Doukouré neighbourhood?

14 A. [11:46:21] It was in the afternoon. It was in the afternoon, I think, in the
15 afternoon.

16 Q. [11:46:25] How did you find out about it?

17 A. [11:46:28] Well, we heard the gunshots, to begin with, a lot of gunshots. And
18 initially, we were thinking that there must have been some clashes since we were right in
19 the middle of the crisis, and so we thought that there were some clashes between a
20 number of groups. But when the first people to flee from the Doukouré neighbourhood
21 came to our neighbourhood, they started telling us about what had happened. The
22 fugitives from Doukouré who had come towards us, because we had relatives and people
23 whom we knew in Doukouré, as well as some pro-Gbagbo people, they fled and they
24 came to our neighbourhood where they seem to be -- where there was some calm. So
25 they were the very ones who told us they were going door to door, the militia, and

1 attacking the inhabitants of Doukouré. And we had also heard the gunshots. That's
2 how we learnt about it.

3 Q. [11:47:32] Thank you, Mr Witness. That will be all from me by way of questions
4 for you today. And the other teams will be putting questions to you after this.

5 PRESIDING JUDGE TARFUSSER: [11:47:42] Thank you very much.

6 The floor is now to the legal representative which, I think, will finish within 12 o'clock.
7 Thank you.

8 MS MASSIDDA: [11:47:55] Yes, your Honour indeed. It will take no more than 10
9 minutes. Thank you.

10 PRESIDING JUDGE TARFUSSER: [11:47:59] Thank you.

11 QUESTIONED BY MS MASSIDDA: (Interpretation)

12 Q. [11:48:11] Good morning, Mr Witness. Good morning, Mr Witness. My name is
13 Paolina Massidda. I am counsel for victims participating in these proceedings.
14 This morning a question was put to you by the Office of the Prosecutor to which you
15 answered, stating the nationality of owners of various shops in Doukouré. And my
16 reference is English transcript, page 2, lines 11 to 20. Now, Mr Witness, what was the
17 dominant ethnicity of those who owned shops in Doukouré?

18 A. [11:48:56] The dominant ethnic group. Well, the various communities were
19 represented. Many Nigerians, many people from Mali, many people from the north,
20 Côte d'Ivoire, and several groups were well represented.

21 THE INTERPRETER: Nigérien, the interpreter corrects; not Nigerians.

22 MS MASSIDDA: [11:49:26] (Interpretation)

23 Q. [11:49:27] Mr Witness, in your statement given to the Office of the Prosecutor,
24 reference CIV-OTP-0058-0586, at paragraph 59, I will read it, the last but one sentence of
25 paragraph 59, and I quote:

1 "Most of the shops in Doukouré belonged to Dioula people and to people of other
2 nationalities, such as Nigériens from Niger, Nigerians from Nigeria, and Malians."

3 Is it correct that this is what you stated in relation to the Dioula ethnicity?

4 A. [11:50:25] Yes, that is correct. That is correct.

5 Q. [11:50:33] This morning you also answered the Prosecutor stating that people at
6 the grin were targeted, and I'm referring here to the English transcript page 5, lines 5 to 12.

7 Mr Witness, what was the ethnicity of those who attended the grin?

8 A. [11:51:04] I mentioned it a short while ago. The ethnicity of those who attended
9 the grin were in majority the Dioula, Dioula people in majority.

10 Q. This morning, in answering a question from the OTP, you also indicated that you
11 had gone through a number of roadblocks at a certain time. You also indicated that one
12 had to show one's ID. Apart from showing one's ID, did one have to do anything else in
13 order to go through a roadblock?

14 A. [11:51:54] I don't think so. I don't think so because it was your ID that was
15 required. I know that the ID was required in order to be able to distinguish between the
16 Dioulas and the non-Dioula people. Asking for IDs was for that purpose. However, at
17 some roadblocks, some of those who manned the roadblocks were asking for money, and
18 so you would have to pay maybe 500 francs in order to go through, but quite often the
19 item that was required was your ID card.

20 Q. [11:52:49] Mr Witness, how was your life impacted or affected by the events that
21 you experienced?

22 A. [11:53:02] Hmm, one must say that from the time I saw *Ahmed's death live,
23 where somebody was killed for nothing, for absolutely nothing -- because, you see, to this
24 day I don't understand why that person was killed. That person was simply killed
25 because they claim that he was an assailant.

1 Now, I look at that, and then I also see the hate, the hate that people expressed; whereas
2 they had lived together for several decades, people who overnight manifested such hate
3 for their neighbour, such hatred for their neighbour that would push them to kill them.
4 Those are the things that have led me to be very afraid of the human being today, because
5 now I know that the human being is capable of anything whatsoever in order to defend
6 his or her personal interest.

7 What can I say? What can I say? What were they told? What did they tell them, *for
8 neighbours, long-standing neighbours, and friends to suddenly look at northerners, the
9 Dioula people, like the pest itself? To this day I really do not understand what
10 happened, and I am scared of human beings.

11 I am afraid of human beings.

12 Q. [11:54:35] Thank you, Mr Witness.

13 MS MASSIDDA: I have no further questions, your Honours. Thank you very much.

14 PRESIDING JUDGE TARFUSSER: [11:54:38] Thank you, Madam Massidda.

15 Mr Witness, thank you very much. We break now. You can go for lunch or whatever,
16 for a break in any case, and we see each other again in one hour and a half, at 1.30 The
17 Hague time. Thank you.

18 Can we disconnect the audio. Thank you.

19 Just before breaking, I would like to say that the Chamber wants to sit extended hours in
20 the afternoon in order to give to the parties, to both Defence teams, all the time needed.

21 But I would like really to finish this witness by today. So the two hours, a little bit more
22 than two hours was questioned by the Office of the Prosecutor, but in order to give two
23 hours and two hours to the Defence teams we will go to extended hours, meaning now
24 one hour and a half, then from 1.30 to 3.30 and from 16 to 18 hours.

25 The hearing is adjourned to 1.30. Thank you very much.

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- 1 THE COURT USHER: [11:56:31] All rise.
- 2 (Recess taken at 11.56 a.m.)
- 3 (Upon resuming in open session at 1.32 p.m.)
- 4 THE COURT USHER: [13:32:41] All rise.
- 5 Please be seated.
- 6 PRESIDING JUDGE TARFUSSER: [13:33:06] Good afternoon.
- 7 Good afternoon, Mr Witness. Can you hear me?
- 8 THE WITNESS: [13:33:15](Interpretation) Good afternoon, your Honour. I can hear
- 9 you very well.
- 10 PRESIDING JUDGE TARFUSSER: [13:33:17] Thank you. It's now for the Defence
- 11 teams for Mr Gbagbo and Mr Blé Goudé to start their questioning. And I give, I assume,
- 12 the floor to Maître Altit for his questioning. Thank you.
- 13 MR ALTIT: [13:33:43] (Interpretation) Thank you, Mr President. On behalf of the
- 14 Gbagbo team, the questioning of the Gbagbo team will be done by Mr O'Shea.
- 15 PRESIDING JUDGE TARFUSSER: [13:33:56] Mr O'Shea.
- 16 Yes, please.
- 17 MR KNOOPS: [13:34:00] Sorry, Mr President, before we start, I want to inform the
- 18 Court that I have to leave in 50 minutes for another hearing, just that the Court doesn't
- 19 think that I leave the courtroom for other reasons.
- 20 Mr N'Dry will represent our team and he will conduct the questioning on behalf of our
- 21 team.
- 22 PRESIDING JUDGE TARFUSSER: [13:34:20] Okay.
- 23 MR KNOOPS: [13:34:22] I will see the Court tomorrow morning. Thank you.
- 24 PRESIDING JUDGE TARFUSSER: [13:34:24] Thank you, Mr Knoops.
- 25 Mr O'Shea.

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1 MR O'SHEA: [13:34:27] Good afternoon, your Honours.

2 QUESTIONED BY MR O'SHEA:

3 Q. Good afternoon, Witness. My name is Andreas O'Shea and I represent

4 Laurent Gbagbo. Can you hear me all right?

5 A. [13:34:58] Yes, I can hear you.

6 Q. [13:35:03] Now, you say, is it right that you've given a statement to the

7 Commission nationale d'enquête?

8 A. [13:35:36] Yes, I gave a statement before the Commission nationale d'enquête.

9 Q. [13:35:46] And was this statement that you made made in public?

10 A. [13:36:02] Yes, in public. I can say yes, it was in public, because it was like a
11 mobile court. There was the investigator. There was the officer seated with a table in
12 front of him, and those who had to give statements were on one side and they would
13 pass by one by one.

14 Q. [13:36:36] Do you remember the date when you made your statement?

15 A. [13:36:52] No, no, no. What is certain is that it was after the crisis. I do not
16 remember the precise date.

17 Q. [13:37:03] Do you remember whether it was in 2011 or 2012?

18 A. [13:37:21] Maybe 2012. Probably 2012.

19 Q. [13:37:26] And this statement that you gave to the commission, did you -- as far as
20 you know was that statement recorded?

21 A. [13:37:51] Yes. Yes, because when we were giving the statements, the person who
22 was there was recording.

23 Q. [13:38:05] And is this recorded in writing?

24 A. [13:38:25] Yes, I believe so.

25 Q. [13:38:26] And when you made this statement, were there a lot of other people

1 making statements at the same time as you?

2 A. [13:38:42] No. I said that people were coming by one by one. When you were
3 giving your statement, the others were on the other side.

4 Q. [13:39:07] Sorry, that was my fault. I expressed myself badly.

5 On the same day that you made your statement, were there a lot of other people also
6 making statements to this commission?

7 A. [13:39:31] Yes, that is what I said a short while ago. I said there were several
8 people, and each one would give a statement.

9 Q. [13:39:41] Was the situation of Ahmed one of the issues dealt with before the
10 commission by you?

11 A. [13:40:04] No. No, we did not discuss the case of Ahmed. We talked about the
12 property that we had lost. In fact, the national commission was talking to the victims
13 regarding what they had lost personally and so on and so forth. We did not talk about
14 the case of Ahmed.

15 Q. [13:40:34] Do you know if any of the family members of Ahmed spoke before that
16 commission?

17 A. [13:40:52] Oh, yes, well, that I do not know. I knew -- the person I knew, his elder
18 brother, I am told that he died. That is the one that I knew. Maybe if he had another
19 brother who was not in contact, I really do not know.

20 Q. [13:41:38] So during the events at the time that Ahmed died, you personally did
21 not know of any other relative other than the older brother who died?

22 A. [13:42:10] I did not know Ahmed's family members. It was Ahmed that I knew.
23 He was the one who came to our grin. And he is the one who had been selling charcoal
24 in our neighbourhood. So he is the one that I knew. I did not know his family.

25 In Africa, the meaning of the word "brother" is really broad. If you come from the same

1 village, you are brothers, the same national is a brother, and even a long-standing friend is
2 a brother.

3 But regarding his biological family, I did not know them. But I knew some of his
4 brothers from the same country, those who were working with him.

5 Q. [13:43:07] Now, this statement that you made before the Commission of Inquiry,
6 when you later met with people from the Office of the Prosecutor, do you remember if
7 those people from the Office of the Prosecutor asked for a copy of that statement or for
8 you to obtain a copy of that statement?

9 A. [13:43:44] No, no, no. I have no recollection of that. They simply asked me what
10 had happened, and I told them *what I already explained to you. I said that after the crisis,
11 the CNE came by, that is, the national commission of inquiry came to question people *in
12 the neighbourhood, and it was mostly about what had been lost. But I do not have any
13 documents in my possession. I do not even know what happened after that, because we
14 didn't hear anything back ever since then from them.

15 Q. [13:44:38] Were you also interviewed by a representative from the minister of
16 victims of war?

17 A. [13:45:03] A representative of the ministry for the victims of war? Maybe it was
18 the CDVR, a commission for reconciliation, the CDVR. I believe that is where a
19 statement was made. As I have said, it was not about the case of Ahmed, it was really
20 about material losses. That was the Truth and Reconciliation Commission.

21 Q. [13:45:40] I'll ask you about that, but the minister of victims of war, if I can just
22 quote from article 15 of your statement, paragraph 15 of your statement where you say,
23 and I quote in French:

24 (Interpretation) "There is also the ministry of the victims of war which send people to
25 ask about details from the victims in our neighbourhood."

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1 (Speaks English) So apart from the Truth and Reconciliation Commission, did you give a
2 statement to those people, from the Ministère des victimes de guerre?

3 A. [13:46:43] I believe that the national commission of inquiry is the commission that
4 the ministry sent to question people. So it is the ministry in charge of victims that
5 dispatched that commission to come and question people in the neighbourhoods.

6 Q. [13:47:11] So you have made a statement to the truth commission, have you?

7 A. [13:47:30] Yes.

8 Q. [13:47:32] When was that done?

9 A. [13:47:44] I no longer remember the precise date, but it was quite some time after
10 the national commission of inquiry.

11 Q. [13:48:03] Was it before or after that you met with the people from this Court to
12 give a statement?

13 A. [13:48:18] It was before. It was before.

14 Q. [13:48:26] Was it a long time before?

15 A. [13:48:36] I no longer remember, but I know it was before.

16 Q. [13:48:39] In your statement to the Office of the Prosecutor you say this, and I
17 quote in French --

18 THE INTERPRETER: [13:48:55] Paragraph, Mr O'Shea, please.

19 PRESIDING JUDGE TARFUSSER: [13:48:58] Mr O'Shea, please, the paragraph, it was
20 asked.

21 MR O'SHEA: [13:49:03] Paragraph 16.

22 THE INTERPRETER: [13:49:07] Thank you.

23 MR O'SHEA: [13:49:10] And I quote in French (Interpretation)

24 "I have not yet gone to the CDVR, but I have the intention to go there to talk about what I
25 experienced during the crisis."

1 (Speaks English) So at the time you spoke to the Office of the Prosecutor, did you tell them
2 that you had not gone before the truth commission yet?

3 A. [13:49:47] Yes, I admit that I told them that. That means that is correct, it was a
4 long time ago. So I really do not remember everything, otherwise that is correct.

5 Q. [13:50:04] Has the Office of the Prosecutor followed up with you in relation to that
6 statement you made before the truth commission to try and obtain it?

7 A. [13:50:40] Yes, I met with the OTP on several occasions. I do not remember the
8 precise dates, but I believe that I met with them one or two times after that.

9 Q. [13:50:53] Did they ask you for a copy of your statement before the truth
10 commission or ask you to try and obtain it?

11 A. [13:51:23] I didn't quite understand your question.

12 Q. [13:51:25] Well, you've given a statement to the truth commission in Ivory Coast.
13 Was that statement given in public? Let me ask you that first.

14 A. [13:51:50] The statement was not given in public, it was a bit like for the CNE.
15 There were several people who had gone there to wait, there was a waiting room, and
16 then you would go in one by one and give your statement.

17 Q. [13:52:11] And was that statement recorded?

18 A. [13:52:22] Recorded in what way? Do you mean audio recording? Otherwise
19 they were taking down notes on paper. They were writing on paper.

20 Q. [13:52:38] So my question was: When you met with the Office of the Prosecutor
21 after giving your statement to them, did they ask you to try and obtain this statement
22 from the truth commission or ask you for your consent to obtain it?

23 A. [13:53:09] No.

24 Q. [13:53:27] Now, you've explained that you were an electrician during the events,
25 but you lost your materials. Are you working as an electrician now? Do you have your

1 materials now?

2 A. [13:54:02] I'm still working as an electrician. That is my occupation, that is what I
3 do. But I no longer have the materials or the equipment that I had before, because I have
4 not received any assistance to enable me to procure the necessary material. I'm working
5 with what I have.

6 Q. [13:54:29] And at some point after your studies, were you called to military
7 service?

8 A. [13:54:50] I know that when we were in high school we were asked to go and
9 register for military service *in Camp Gallieni in Abidjan. We went there. We underwent
10 tests. And I was declared fit for military service. But we did not go, because I was still
11 going to school, but we went through that formality, even though I did not go at the end.

12 Q. [13:55:35] Well, were you not obliged to go after you finished your schooling?

13 A. [13:55:49] No, no. No, no, no. I was never compelled to go, never.

14 Q. [13:56:02] During your evidence you say that at one point you flirted with the FPI.
15 What did you mean by "flirted"?

16 A. [13:56:36] Yes, I did it, I said I "flirted" with the FPI. But what I mean was that I
17 was actually a supporter of the FPI. It was in the '90s, right up until the creation of the
18 RDR. So during that period I was a supporter of the FPI.

19 Q. [13:57:12] Were there other people from the north or who spoke Dioula who were
20 sympathisers of the FPI at the same time as you?

21 A. [13:57:50] Yes. During that period you had them.

22 Q. [13:58:11] And you've said that you had friendly relations with people from the
23 FPI. Did you continue to have friendly relations with people from the FPI in the years
24 leading up to the elections of 2010?

25 A. [13:58:48] We kept our relationships, but those relationships had really suffered a

1 lot, they were no longer like before, because before we were really close and we had close
2 relations. But ever since I joined the RDR, the relationships suffered, they were no longer
3 as warm, there was a little bit of distance.

4 Q. [13:59:33] And when you say that before the relations were good, do you mean
5 before 2010?

6 A. [13:59:53] No, no, no, no, I don't mean before 2010. The relationships were good
7 when I was still with the FPI, when I was still flirting with the FPI. But when they found
8 out that I had joined the political adversaries, that is the RDR, the relationships started
9 deteriorating progressively.

10 Q. [14:00:33] Now, you've explained that during the events you were in charge of a
11 comité de base within the RDR.

12 A. [14:01:05] *I did not say that I was the leader of a grassroots committee (*comité de*
13 *base*) I said I was a section secretary. I was an officer at the grassroots, so at that level it is
14 a group of 25 people. And a section is a group of a number of comité de base. I was a
15 section secretary. And as a section secretary and I'm an officer at the grassroots.

16 Q. [14:01:35] Was there a time when you were in charge of a comité de base of the
17 RDR?

18 A. [14:01:58] Yes. In order to become a section secretary, one must be the president
19 of the comité de base.

20 Q. [14:02:16] And as secrétaire de section, what were your duties?

21 A. [14:02:36] My duties as secrétaire de section was to provide leadership to a number
22 of militants within a specific perimeter, a specific surface area, which is known as my
23 section, which has its specific delineations. So all the militants or supporters within my
24 section are answerable to me, I am their official leader providing them political leadership
25 and also passing on various messages from the party as well as convey to the party their

1 own messages.

2 When it is time for elections, I make sure that they are registered on the voters' registers
3 and I provide guidance for them in all matters political.

4 Q. [14:03:38] And did you sometimes receive a per diem for these activities?

5 A. [14:03:58] That was volunteer work, benevolent work which one does out of
6 conviction and not for money. It is simply because someone has espoused the ideals of
7 the party. But whenever there was a mission that required money to be spent, for
8 example, organising a meeting or conducting some other mission, requiring that money
9 be spent, then money would be provided for the organisation of such an event, otherwise
10 this is volunteer or voluntary work.

11 Q. [14:04:37] How were the campaigning activities financed?

12 A. [14:04:53] When the campaigns would open or when that period came, each
13 district, a district would be a collection of sections, a district is under the leadership of a
14 political commissioner. And when it was time for campaigns, the political commissioner
15 or commissaire politique, working with the section secretaries, we work together to draw
16 up a programme of activities pertaining to the election in the district.
17 When such a programme is drawn up, an attempt is made to provide some kind of budget
18 for in terms of expenses. The estimates are then forwarded to hierarchy and then the
19 campaign activities can start properly thereafter.

20 Q. [14:06:07] According to your knowledge, do you know if the French government
21 financed some of the campaigning activities of the RDR?

22 A. [14:06:27] Well, I'm hearing that from you. I never heard any such thing. I'm
23 hearing it for the first time here today from you.

24 Q. [14:06:44] Now, given the nature of your role, you would give speeches, would
25 you, to the people?

1 A. [14:07:03] Speeches? Speeches? No, not too many the speeches. I gave some
2 speeches, but mostly I held meetings with members and supporters. But when it comes
3 to speeches, maybe I delivered two or three speeches, two, two or three speeches, that's it,
4 yes.

5 Q. [14:07:34] When were the occasions of those two or three speeches that you gave?

6 A. [14:07:49] Well, the first speech was during the celebration of the women of our
7 party. We meant to celebrate the women in our party. I think it was before the
8 elections. We were celebrating the woman in our constituency.
9 Now, the second time I drafted a speech, but I didn't deliver it myself, and this was under
10 the supervision of my political commissioner who ended up delivering the speech. But
11 as for the other times, it wasn't any speeches delivered at major events but, rather, training
12 sessions for various electoral staff and what have you.

13 Q. [14:08:48] Did you organise meetings in the grin?

14 A. [14:09:05] At the grin? At the grin? No, we didn't organise any meetings there.
15 No, no meetings at the grin. The grin was a platform for recreation, discussions and
16 exchange of views. The peculiarity of the grin was that most of its members were Dioula
17 from the north. Most of them were basically from the north. That's the peculiarity of
18 the grin. Furthermore, almost all members were supporters of the RDR, and that's what
19 distinguished the grin.

20 What I remember is that after the legislative elections that were held on the heels of the
21 presidential election, maybe in 2011 or 2012 or thereabouts, that is the legislative elections
22 that came after the presidential elections of 2010, after those legislative elections we
23 received two members of parliament in our grin who had come to thank us for the
24 support we had provided them which led up to their victory. So they came to thank the
25 grin, they spent some time with us and then they left. That's what I know. But we

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1 didn't organise meetings as such as the grin as far as I know.

2 Now, meetings generally would hold at the district commissioner's.

3 Q. [14:10:46] Who was that in 2010?

4 PRESIDING JUDGE TARFUSSER: [14:10:54] Who was that in 2010 for the record,
5 because it was not recorded.

6 MR O'SHEA: [14:11:00] Thank you.

7 THE WITNESS: [14:11:14](Interpretation) I don't understand the question. Who was
8 that? What does that refer to?

9 MR O'SHEA:

10 Q. [14:11:14] The commissaire politique.

11 THE INTERPRETER: [14:11:18] Overlapping speakers again.

12 MR O'SHEA: [14:11:21]

13 Q. [14:11:22] The commissaire politique.

14 A. [14:11:31] That's clear enough. The commissaire politique was Mr Adama Touré.

15 Q. [14:11:39] So in terms of the RDR, would you describe him as your boss during
16 that period?

17 A. [14:12:01] Yes, he was my direct boss and I reported directly to him. And he was
18 the intermediary between us and the divisional secretariat, so he was my immediate boss.

19 Q. [14:12:17] What about today, is he still your boss today?

20 A. [14:12:31] Yes, he is still my boss. And although he is somewhat a little more laid
21 back, you see, after all those elections, presidential, legislative and what have you, he felt
22 that he had done his own share and that the time had come to hand over to the youth.
23 But he was also promoted to the rank of political adviser, which is the position he
24 currently holds. But within our hierarchy, he is still my boss. And even if he were not a
25 political adviser, someone with whom you have worked over a number of years continues

1 to be your boss.

2 Q. [14:13:18] Did you tell him that you were coming to testify before this Court?

3 A. [14:13:32] No. He doesn't even know, he has no idea. Well, maybe he will know
4 now if he is following, but otherwise he was not aware.

5 Q. [14:13:44] Are you friends with Adama Touré? Sorry.

6 A. [14:13:59] Friends? He's my father. He's not a friend. He's my father. He's as
7 old as my father, so he's like a father to me.

8 Q. [14:15:02] What's your relationship with Diomandé Adama?

9 A. [14:15:23] Adama Diomandé is the new political commissioner for my district.
10 He's the new political commissioner. So he is my new direct hierarchical boss.

11 Q. [14:15:44] Did you tell him that you were coming to testify before this Court?

12 A. [14:15:59] He, too, does not know, because for reasons of security I did not mention
13 this to anybody.

14 Q. [14:16:24] Have you been watching the proceedings in this case?

15 A. [14:16:44] I don't understand your question. Watching the trial? Which trial are
16 you talking about?

17 Q. [14:16:50] I mean watching the proceedings in this case.

18 A. [14:17:03] Yes, at some point. Yes, at the very beginning it was headline news and
19 everybody wanted to know how things were unfolding. So *there was interest in it we
20 were able to, through the internet, follow the very first witnesses. But then thereafter the
21 enthusiasm waned, and it is only from time to time that one would follow. And then
22 every now and then one would meet someone who would talk about this. But right from
23 the beginning, yes, we were all curious to find out what was going on here in the case.

24 Q. [14:17:47] You haven't been following over the last few weeks, couple of months?

25 A. [14:18:08] No, no. I saw a few excerpts in the media. But to be able to follow the

1 trial one must set aside a lot of time, a lot of time to follow, whereas, you know, one has to
2 earn one's daily bread, one's daily bread. So one gets to maybe see or hear a thing or two
3 via the media. But I really did not have time to sit down and to follow the trial as such.

4 Q. [14:18:47] Did you ever speak to the press about the events in 2010, 2011?

5 A. [14:19:07] No, I never spoke to the press. I have never been in contact with the
6 press regarding these events.

7 Q. [14:19:18] Now, these meetings that you would have in 2010 or you'd arrange
8 in 2010 in order to speak to the militants, to speak to the people, where were these
9 meetings held?

10 A. [14:19:47] I told you already that the meetings were held at the political
11 commissioner's place. And his residence was in the neighbourhood. And it was well
12 suited for such meetings. All the meetings were held at his residence where we could
13 meet comfortably.

14 Q. [14:20:16] Which quartier is this?

15 A. [14:20:24] Well, from the same neighbourhood as myself, Terminus 40, *Sogefiha,
16 Terminus 40.

17 Q. [14:20:51] Have you since the events had discussions about what you witnessed
18 during those events, in particular the situation with regard to Ahmed? Have you had
19 discussions with other members of the RDR since 2011?

20 A. [14:21:42] Yes, we have had some discussions. Well, I told you that Ahmed used
21 to come to the grin, and for that reason he was well-known to a number of members of the
22 grin and by some inhabitants of the neighbourhood. So when he died people talked
23 about it. Some people contacted us to express their sympathy and we'd say in our
24 mother tongue "yako." "Yako" means "my sympathy." So they would say yako for my
25 friend. And every now and then during a conversation people would mention Ahmed.

1 Q. [14:22:41] Do you know the names of others who witnessed this incident?

2 A. [14:23:00] Yes, of course. There's Soro, Soro, Soro Souleymane who was a witness.

3 And there is a lady who unfortunately today is deceased. Her name was *Mariam. She

4 also saw it. In fact, almost all of the members of the grin who were present at that day.

5 Cherif Adama, for example, saw it. Then you also have the children of an aunt, who also

6 unfortunately is dead. She was fondly known as Mamie. She was there along with her

7 children; her children were there. So these are the people who were able to see what was

8 happening. But we were powerless, we couldn't do anything.

9 Q. [14:24:06] During this time of 2011, were there a lot of unemployed youth in the
10 community?

11 A. [14:24:33] Yes. I can say yes. Many youth were unemployed, yes. You see, if
12 one were to think only of the parlement and agora, you -- you would realise that those
13 places were always full of young people from the morning up until the evening, and that's
14 where they would discuss politics. That's it.

15 Q. [14:25:09] Were there a lot of problems with petty thieves and petty criminality
16 within the area?

17 A. [14:25:35] Yes, yes. There were cases of theft and of aggression, somewhat
18 recurrent cases, particularly in Yao Séhi neighbourhood where people were often attacked.
19 Yes, there were aggressions or attacks there. Yes, yes. Quite regularly, yes, attacks, yes.

20 Q. [14:26:01] And did the community leaders of Yao Séhi and Doukouré get together
21 to discuss how to deal with this theft and other criminality?

22 A. [14:26:34] I'm not in a position to provide an answer because I did not live in that
23 neighbourhood. I did not live in Doukouré. I did not live in Yao Séhi. But those were
24 neighbourhoods that were close to my -- which one used to visit, but I did not used to live
25 in those neighbourhoods, so I do not know whether they had any internal arrangements

1 of that nature, so I cannot say yes or no to your question.

2 Q. [14:27:13] You've said that you did not have meetings in the grin as such. Did
3 you discuss with your colleagues in the RDR in the grin how to plan marches and rallies
4 and things like that?

5 A. [14:27:51] I told you earlier that the grin is not a platform for political meetings, no.
6 No, I told you that it's a place where people meet, share some tea and share all types of
7 views pertaining to football, to work, to news, to any other kind of idea while sharing a
8 cup of tea. Now, what I said is that what is peculiar about the grin is that those who
9 attended them were mostly Dioula from the north and militants of the RDR. Now, when
10 there would be meetings, those meetings would take place at the political commissioner's
11 residence, and that is where we had the meetings.

12 Q. [14:28:49] Now, earlier in your evidence in answering questions to the Office of the
13 Prosecutor, you adopted the Prosecutor's terminology of describing the Dioula as an
14 ethnicity. But the Dioula are not an ethnicity, are they? It is basically a language, isn't
15 it?

16 A. [14:29:21] Well, the way you put it is correct. However, here, that's how all those
17 who come from the north are identified, but in fact the word "Dioula" means trader. I am
18 Malinké, and I'm in a good position to explain these things to you. Dioula indeed is a
19 word for trader, but most of the people from the north are those who make up the greater
20 part of traders in our country, so the northerners basically run commerce and trade, and
21 that's why they were assimilated to the Dioula and that's why the word is used in that
22 way. Otherwise, we know that in the proper terminology of Dioula the word stands for
23 trader, and it is from that expression that the idea of referring to the people from the north
24 with that word arose. That's it.

25 Q. [14:30:23] Now, this main boulevard that runs through the area where you

1 described events with Ahmed, on the one side you have Yao Séhi, on the other side you
2 have Doukouré. You have -- on the side where you have Doukouré, you presumably
3 have a lot of shops of, as you said, Nigerians and people from Niger and Mali and people
4 from the north. Do you have shops on the other side of the road being run by people
5 from Ivory Coast who are not necessarily from the north, the other side of the road, I
6 mean, the side of Yao Séhi?

7 A. [14:31:40] On the Doukouré side, indeed. What you say is correct. *I said that
8 on that side, Doukouré side, there are many, many shops that are run by Dioula people,
9 people from the north, and also nationals from ECOWAS and Burkina Faso as you have
10 said. That sort of thing. And then on the other side of -- on the Yao Séhi side, there are
11 no shops on that side. There were no shops. The shops are on the Doukouré side. On
12 the contrary, often in the evening, ladies would come to trade goods, for example,
13 koutoukou, a kind of drink that we in our part of the world -- or pork, they would come
14 and sell that in the evening. And once they were done, they would pack up their things,
15 but there was no shops per se. But things are different now. Things are different,
16 they've built some shops. But at the time, at the time of the events, there was nothing,
17 just those women who would come and sell from time to time.

18 THE INTERPRETER: [14:33:05] Interpreter correction. The beverage mentioned was
19 koutoukou.

20 Q. [14:33:23] Tetchi Claude was a businessman, wasn't he?

21 A. [14:33:41] He was not a trader, to my knowledge. I did not know him to be a
22 trader. I said that when Ahmed would be going places *with Adama Soumahoro, him,
23 they were chased, and then Adama was killed, I contacted Adama to find out, and Adama
24 Soumahoro told me that once they got to the parking area it was Tetchi who stopped them,
25 and from there, that is where everything started from. So I know him, I've known him

1 since childhood, but I've never known him to be a trader. I've never known him to be a
2 trader. If he was a trader, well, I don't know about that.

3 Q. [14:34:31] So what did he do for a living?

4 A. [14:34:43] I do know that -- we were at school at the same time. So he was going
5 to school; I was going to school at that time. And after that, what happened to each one
6 of us, I didn't ever ask really what had become of him. We would see one another in the
7 neighbourhood.

8 Q. [14:35:05] And the -- what was the name of the owner of the phone booth?

9 A. [14:35:18] The phone booth where Ahmed was stopped? I don't know the
10 person's name. I know him to see him, but I don't remember his name. I don't know
11 his name, but I -- I can recognise him from his physical appearance.

12 Q. [14:35:36] Was he from the north?

13 A. [14:35:45] No, no, no. He was a Bété person. He was from the Bété ethnic group.

14 Q. [14:35:54] So there were some people who were not from the north who had
15 businesses there?

16 A. [14:36:15] Counsel, I think you're getting things mixed up, but let me clear this up
17 for you. The place where Ahmed was killed was not in the Doukouré neighbourhood; it
18 was in my neighbourhood, my neighbourhood. But the neighbourhoods are almost side
19 by side. Now, the shop where the phone booth was was not in Doukouré or Yao Séhi
20 neighbourhood. It was close to Terminus 40, close to the former offices of the tax
21 department. So, you see, it was not in Yao Séhi, it was not in Doukouré, it was in my
22 neighbourhood. So please don't get these things mixed up as if the shop was in Yao Séhi.
23 No, no, no, that's not right. Yao Séhi is still further back; it's still further back. And
24 from -- you see, from my neighbourhood, they wanted to get to those places where the
25 disturbances were going on. So please don't mix these things up. It was not in

1 Yao Séhi.

2 Q. [14:37:34] How far is Doukouré from Terminus 40?

3 A. [14:37:55] Well, let's put it this way, let's some -- I'll describe the distance in relation
4 to the death of Ahmed. From the place where Ahmed was killed, if we went -- it might
5 have been a hundred or 150 metres, maybe even 200 metres. That's direct line as the
6 crow flies.

7 Q. [14:38:30] Now, you spoke about seeing youngsters near Timotel, youngsters who
8 were undertaking exercises. Can you explain what kind of exercises you saw them
9 doing?

10 A. [14:39:14] In my interview I said that at one point young people were being
11 recruited. And then after that we would see these young people running through the
12 streets in Yopougon almost everywhere. And once they had finished running, there
13 were a number of places where they would go and do military exercises. One of those
14 places was the Timotel, Timotel. It is the name of a hotel, you see.
15 And beside the hotel there is an open area, at the time it was a football pitch. It's an
16 empty place where they would go and they would learn how to crawl, do exercises the
17 way soldiers do. So they would go there and do these military exercises, and they also
18 did jogging.

19 Q. [14:40:12] Have you personally ever been involved in military exercises?

20 A. [14:40:26] No, no, I never took part in any military exercises. But on television
21 I've seen that sort of thing.

22 Q. [14:40:34] So these exercises that you were seeing these young people doing, what
23 were they doing actually? What did you see them doing that made you think that they
24 were military exercises?

25 A. [14:41:08] For example, they would be lying down on the ground, flat down on the

1 ground, and then they would be ordered to crawl underneath some ropes from one spot
2 to together. So they would do that kind of training. So they would crawl. The kind of
3 things that you see on television, for example, when you see soldiers, police officers,
4 gendarmes going out and that kind of thing.

5 Q. [14:41:48] So the fact that you saw them crawling under ropes, that's what made
6 you conclude that this was like military exercises?

7 THE INTERPRETER: [14:42:03] Interpreter correction, apologies: The French was sur
8 les coudes, on the elbows.

9 THE WITNESS: [14:42:13](Interpretation) Not just that, not just that. They themselves
10 talked about the exercises. They themselves said, they would say that they had been
11 undergoing training to go and fight in Bouaké. That is what they themselves were
12 saying. And people, we know one another in the neighbourhood, so we would hear that
13 sort of thing as they were talking. They themselves would tell us about these exercises.

14 MR O'SHEA:

15 Q. [14:42:48] So you used to have conversations with these young people, did you?

16 A. [14:43:03] Yes, sometimes, sometimes. Often -- well, you wouldn't necessarily
17 have to even talk to them, you would hear people talking amongst themselves and you
18 would just listen to them as they talked to one another.

19 Q. [14:43:20] And sometimes you would have conversations with these young people
20 at these training areas?

21 A. [14:43:35] Yes. I was there once at the Timotel beside, I was beside that spot, the
22 Timotel. I was trying to get some information as part of my activities, because you might
23 hear something, but you would have to go and actually verify, check for yourself.

24 So I talked to one of them, one of the ones I knew. Once they were done, I went up and started talking to
25 them as if I were interested in the movement, saying that I was inquiring on behalf of a young brother. So

1 I went up to one of them and I asked him what was going on, and the guy said that it was training to get
2 ready to go to Bouaké. And I said my brother might be interested. He said *the recruitment had already
3 been done but that if I saw their instructor, Zokouri Faustin, then he mentioned another name which I
4 have forgotten, that if I saw him, perhaps he could find a spot for my brother. There you have it. But I did
5 not go back there again because I only needed to get some information and I had indeed got confirmation
6 of the information that the training was being offered to those who wanted to join the army.

7 Q. [14:45:21] And this person you spoke to, was he one of the trainers?

8 A. [14:45:31] No, no, no, he wasn't a trainer. He was one of the students. They were the ones doing
9 the exercises. I just went up to one of them at random. So I kind of used him, I suppose, just to get some
10 information. I went up to him, I asked him what he was doing, and he gave me that explanation.

11 Q. [14:46:03] He was friendly to you when he was giving these explanations?

12 A. [14:46:22] Yes, yes. He thought –

13 THE INTERPRETER: [14:46:27] *Yes. Yes. He did not suspect anything. He thought that I must
14 have been interested. That's it.

15 MR O'SHEA: [14:46:30]

16 Q. [14:46:31] So anybody could join this training then?

17 A. [14:46:34] Well, that's the conclusion you're drawing. That's the conclusion you're
18 drawing. But I'm just saying that I went up to someone who was doing these exercises.
19 And the recruitment, well, if that was -- well, you had to go through that channel. You
20 could hear about it on the press. On the radio, for example, you would hear that they
21 were recruiting for this or for that. You see, there's official channels for recruitment. We
22 know that. Usually when you do a recruitment campaign, you talk about it in the press
23 or on the radio stations, you get others involved.

24 And people who are interested, I think, well, the soldiers or people from the
25 ministry of defence or from army headquarters, so the soldiers would go and talk to

1 people at the city hall, and it was at the city hall where people could sign up. *That
2 concerned everybody. If that is what it was ... you take I would have said that everybody
3 was concerned. But you cannot choose your own place, recruit people and then say "well
4 it was open to all". But he does not know me. I pulled a fast one on him and once he gave
5 me the information I needed, I left. That's it.

6 Q. [14:48:02] Earlier in your evidence when you were talking about Ahmed, you
7 described yourself as looking typically from the north. This didn't in anyway trouble
8 this young man you were speaking to, did it?

9 A. [14:48:39] Counsel, at no time in my interview did I talk about the physical build or
10 appearance of someone from the north. What's that? I never said any such thing. I
11 never said that. I said that there was a physical resemblance between Ahmed and I. We
12 were about the same height, the same skin colour, but he was sturdier than I was. That's
13 what I said.

14 But that's not the prototype of someone from the north. I never said that. I never said
15 that. There's no prototype or kind of build. I never said such a thing. I said that I
16 shared some characteristics of Ahmed, height, skin colour. But I never said that this
17 physical build was the prototype of someone from the north.

18 Q. [14:49:51] You were speaking during your evidence earlier with the Office of the
19 Prosecutor about areas where people would be prevented from leaving the quartier of
20 Doukouré. So individuals would stop people from leaving the area; is that right?

21 A. [14:50:49] I don't know whether it's me who's done a bad job of explaining things,
22 but I never said that people were being kept from leaving the neighbourhood. I didn't
23 say that. I said that there were roadblocks that had been set up here and there
24 throughout the neighbourhood to check people as they went by. And that was for the
25 attackers, the assailants, the people from the north, for their profit. They were referred to

1 as Mossis, rebels, assailants. Those were the words that they had for us. So they were
2 looking for those people.
3 So they would set up roadblocks, and they would check the national identity cards to
4 pinpoint those assailants. That's what I said. I didn't say that they were keeping people
5 from leaving the neighbourhood. Maybe from fear, but they weren't actually keeping
6 people from leaving. You have to be very careful. You really had to be extremely
7 careful. You couldn't just walk around town, because at any time you could become the
8 victim of violence, you could even be killed. That's what I said. So those roadblocks
9 had been set up and that was subsequent to the call issued by Blé Goudé.
10 PRESIDING JUDGE TARFUSSER: [14:52:30] Mr O'Shea, if you could give reference
11 when you refer to what he said it would be, as we always did until now, would be most
12 helpful.
13 MR O'SHEA: [14:52:42] Yes. Sometimes it's difficult, but yes, I will try.
14 PRESIDING JUDGE TARFUSSER: [14:52:45] I know, but now we have, then we have
15 these long monologues saying that you didn't understand and, you know.
16 MR O'SHEA: [14:52:53] Yes.
17 PRESIDING JUDGE TARFUSSER: [14:52:54] If we give reference, probably we don't
18 have this. Thank you.
19 MR O'SHEA: [14:52:59]
20 Q. [14:53:00] These roadblocks, as you say, were they on the periphery of Doukouré?
21 A. [14:53:22] On the pre --
22 Q. [14:53:26] Were they on the outskirts of the quartier?
23 A. [14:53:38] The roadblocks were at the main entrances into the neighbourhood at
24 the intersections on the main roads, not within the neighbourhood, but at the points that
25 led into the neighbourhood. That's where the roadblocks were.

1 Q. [14:53:59] At the interior of the quartier, did the people who were living there also
2 set up their own areas of protection?

3 A. [14:54:31] Inside the neighbourhood, you mean? Well, there weren't roadblocks
4 there. The configuration of our neighbourhood is such that, well, the houses are in
5 groups and one group of houses -- there's the main doors, and you have the main roads.
6 There were roadblocks at the main roads, but within the neighbourhood, there were no
7 roadblocks because that's not the way the neighbourhood is configured. If you go see
8 inside the neighbourhood you will see.

9 Q. [14:55:12] In your quartier, Terminus 40, did the people who were living there not
10 set up their own controls in the interior of the quartier?

11 A. [14:55:43] The people -- the roads were on the main roads. The neighbourhood is
12 made up of groups of houses. And some roads come from the various groups of houses,
13 but inside, you see, there are some small roads between neighbours, but on the small
14 roads there were no roadblocks, just on the main streets.

15 Q. [14:56:32] If you use the word "militia," what do you understand by that word,
16 you?

17 A. [14:56:52] The expression "militia," to me it means people who have weapons who
18 are not soldiers, but not civilians either. Once they have learned how to take up arms,
19 they're not really civilians any more, but they're not soldiers either. That's what I mean
20 by the word. They work for a group or for a person. That's what I think a militia is.
21 And when I say "a militia member," I mean someone who has undergone military training
22 but who is not a soldier. He has a weapon, he is no longer a civilian, so thus the person
23 is a militiaman or a militia member.

24 Q. [14:57:53] Now, when this incident occurred with Ahmed, you were in the grin; is
25 that correct?

1 A. [14:58:17] Yes, that's right.

2 Q. [14:58:18] And you heard some noise. What exactly was the nature of the noise
3 that you heard?

4 A. [14:58:34] I said that when they were chasing Ahmed, when the pack -- that group
5 of people were chasing after him, there were voices. People were calling out "Assailant.
6 Get him. Get him." That sort of thing.

7 Q. [14:58:53] So when you came out of the grin, what was the first thing you
8 personally saw?

9 A. [14:59:13] I saw the man who had the phone booth. I saw that he had taken
10 up -- he had grabbed Ahmed and he was pushing him, and the others got there, following
11 him. They came after him. They got there. There were more and more of them, and
12 they started hitting him.

13 Q. [14:59:56] When you were in the grin, were there a lot of people in the grin with
14 you at that time?

15 A. [15:00:16] Yes. There were about six or seven people in the grin at that time, yes.

16 Q. [15:00:30] And when you came outside the grin, were there a lot of people on the
17 main boulevard?

18 A. [15:00:49] Let me make a clarification. To begin with, when you speak, it is as if
19 the grin is a location, like when you say "when I leave the grin," no, it is just an open space
20 under a tree, so it is in the open air, so it is not some place that you come out of. You can
21 be at the grin, but you can leave the grin. I'm sorry, can you repeat the question again?

22 Q. [15:01:36] Within the area, is it well-known that that place where you were was a
23 grin? Was that a well-known fact?

24 A. [15:01:55] Everyone knew it. Even today, we are there. It is a grin. Everyone
25 knew that it was a grin.

1 Q. [15:02:07] And on the main boulevard, were there a lot of people standing there?

2 A. [15:02:25] Personally, I cannot say yes or no, but I suppose that was the case
3 because when you are at the grin you cannot see the main boulevard. When you are at
4 the grin you cannot see the boulevard principal, so you have to stand up from the grin,
5 then you walk past a certain number of houses before you reach the main boulevard.

6 Q. [15:03:00] And where were you precisely when you saw Ahmed being held?

7 A. [15:03:20] We were at the grin, that is the open space. So it was enough to stand
8 up, then you go two, three metres away, and you will see. If I refer to the point, you will
9 know.

10 Q. [15:03:44] So when you saw Ahmed, were you standing on the main boulevard or
11 were you standing in the grin or somewhere else?

12 A. [15:04:06] I have told you that we were at the grin. We were at the grin when we
13 heard the loud noises. So we stood up and just moved a little bit in order to be able to
14 see where the noises were coming from. I have the feeling that you are confusing
15 between the main boulevard and the location where Ahmed was killed. Ahmed was not
16 killed on the main boulevard. I did not say that. If you look at the sketch the main
17 boulevard is nearby, but there is a road that is adjacent to the main boulevard *which goes
18 to Assonvon hotel. Along that road there is a building that was once used as a tax office at
19 the time. So it was at that location that Ahmed was killed, not on the main boulevard.
20 The main boulevard is not far away, but it was not on the main boulevard that Ahmed
21 was killed.

22 Q. [15:05:29] So where precisely were you standing? Were you standing on a road,
23 or were you standing in the grin, or would you describe it differently?

24 A. [15:05:54] I was at the grin, and from the grin all you need to do is walk two or
25 three metres and you can see the street that I have been talking about and you can see the

1 tax office. So I was at the grin, I was not elsewhere.

2 Q. [15:06:14] And were there other people standing in front of the area of the grin?

3 A. [15:06:37] Yes. Apart from us who were at the grin, there were people from the
4 neighbourhood. There was Mariam who was selling just nearby. She is now deceased.
5 Mamie's children were there. People from the neighbourhood that I do not necessarily
6 know, they were there.

7 Q. [15:07:10] And these various people who were there, were they a variety of
8 ethnicities?

9 A. [15:07:35] Mariam was Dioula; Mamie's children were Baoulé; the others I do not
10 know *who they were. They were bandits. They were just people from the neighbourhood.
11 They too came by just to look what was going on. But we are Dioula. Those of us who
12 were at the grin were Dioula.

13 Q. [15:07:57] And what was the distance between you and Ahmed at the instant that
14 you saw him?

15 A. [15:08:18] I can estimate the distance at about 50 to 60 metres. That is from where
16 we were, and we were looking at, I think, 60 metres.

17 Q. [15:08:29] And were there people standing between you and Ahmed?

18 A. [15:08:41] Yes, there were people. There were people, because from where we
19 had stopped you have that alley in order to reach where Ahmed was killed. There is a
20 line of houses, both on the left and on the right, and there is a doyen to the right.

21 Mr Mbombo Ismaël, a doyen that I know very well, he was there sitting in front of his
22 house, in front of his door, so he also saw what was happening, doyen Mbombo Ismaël.

23 Q. [15:09:39] And the individuals that were beating Ahmed, how many of them were there?

24 A. [15:10:01] I cannot give you a precise number, but there were more than 20. I
25 could not have counted them so I cannot give you a precise number, but there were more

1 than 20 of them. Everyone was coming and hitting.

2 Q. [15:10:18] And did any of those 20 people approach the grin?

3 A. [15:10:40] No, no, no, not at that time. They were rather occupied at the time with
4 killing Ahmed. So they were more occupied with killing Ahmed.

5 Q. [15:10:57] In your evidence you spoke about a convoy and you spoke about you
6 listening to something that was being said by Blé Goudé. At that time, how far away
7 from Blé Goudé were you standing?

8 A. [15:11:35] Maybe about 20 metres.

9 Q. [15:11:38] Were there a lot of people around you?

10 A. [15:11:55] Well, I was at the back of the crowd. I was not right in the middle. I
11 was behind those who were closer so as not to be noticed. So that is why I went -- used
12 the roundabout way.

13 Q. [15:12:21] Were you well-known in the area?

14 A. [15:12:35] In my own zone, I was known because I was carrying out political
15 activities and you would be noticed.

16 Q. [15:13:25] Did you personally know some of the people who were part of the
17 soldiers who were trying to take over government at that time?

18 A. [15:13:52] I do not understand your question. Can you kindly repeat, please?

19 Q. [15:13:59] Did you have contacts within the Forces Nouvelles?

20 A. [15:14:27] The translation has not come through. Contacts within the Forces
21 Nouvelles? No, I did not have any contacts with the Forces Nouvelles. I saw them on
22 the television, in the media, but that's where it ended.

23 Q. [15:14:51] Do you know about the links between the RDR and the soldiers of the
24 Forces Nouvelles, or was that above you?

25 A. [15:15:19] I don't have any information about links between the RDR and the

1 Forces Nouvelles. I know that in politics they would carry out discussions. They
2 would have meetings at higher levels, maybe, but individual links, I do not know about
3 that. The RDR was a political party, so you also had the FPI. I know there were
4 meetings and other events to restore peace, but I had no idea about any particular links.

5 Q. [15:16:09] You described how on 12 April there were people fleeing, those who
6 supported Gbagbo were fleeing. Do you remember talking about that?

7 A. [15:17:03] People who supported Gbagbo fleeing? What I said was that on 12
8 April, when Gbagbo's arrest was confirmed, the people of the parliaments, the Young
9 Patriots and militias, they invaded the Doukouré neighbourhood to carry out repression.
10 They went from door to door and they were firing; they were shooting. I said that from
11 where we were, we could hear gunshots. And when that happened people would flee
12 the neighbourhood and come to our area where it was calmer. And I said that amongst
13 those people there were also Gbagbo supporters who came to seek refuge with their
14 relatives. They were fleeing because they did not know what was going to happen. I
15 didn't say that they were particularly targeted. If there is danger somewhere, everybody
16 tries to save their hide. That is what happened.

17 MR O'SHEA: [15:18:22] I'm just going to remain seated so that I can read something
18 out, your Honour.

19 Q. [15:18:34] In the French transcript, at page 31, line 12, you said -- sorry, at line 18,
20 you said the following, and I quote in French: (Interpretation)

21 "And then there were a few pro-Gbagbos here and even there who started fleeing to come
22 in the direction of our neighbourhood, where things were a little calmer. We could hear
23 gunshots and that is how we learnt about it."

24 (Speaks English) So when you said: (Interpretation) "There are some pro-Gbagbos
25 here, who are there, who started fleeing," what did you mean?

1 A. [15:19:53] Counsel, it's very clear. I really don't see any difficulty with that. I
2 said that the militia invaded the Doukouré neighbourhood to oppress people. Now, look
3 at the normal civilian. If there is gunfire, they cannot stay there whether you are
4 pro-Gbagbo or pro-anybody. There is danger so you have to leave. So there is no
5 ambiguity here. I did not say that they were particularly targeted, but there was a risk,
6 there was a danger. There was gunfire in the area, so people were simply seeking shelter.
7 The Doukouré neighbourhood in majority was pro-Ouattara, but it does not mean that
8 there were no pro-Gbagbos, but there were no problems amongst themselves. But when
9 things happened in that way, everybody tried to save themselves, and people were fleeing
10 and coming in the direction of our own neighbourhood. That is what I said.

11 Q. [15:21:07] Yes, thank you. That's very helpful. So the local community, some people voted
12 for Ouattara, some people voted for Gbagbo, and there were some troublemakers among the youth,
13 but there were also pro-Gbagbo in the sense of people who voted for Gbagbo who simply got on
14 with their lives in the quartier and when there were troubles they ran away; is that the picture?

15 A. [15:22:08] That is what I said. I said there was danger in the Doukouré
16 neighbourhood, whether you were pro-Gbagbo or pro-Ouattara. Everyone was seeking
17 shelter, looking for a place that was calmer. That is what I said.

18 Q. [15:22:24] According to what you heard, were there also elements of the FRCI, the
19 Forces Nouvelles, who were starting to come in?

20 A. [15:22:58] Elements of the FRCI who started coming in where?

21 Q. [15:23:03] Into your quartier and the neighbouring quartiers.

22 A. [15:23:16] There were no elements of the Forces Nouvelles during that period in the
23 periphery of my neighbourhood. *None. We learnt through the media and the television,
24 France 24 in particular, that they were in Abidjan. But in our area, in our neighbourhood, we
25 did not have any information at all that they were there. *We did not see them. They were not

1 there. They were not in Doukouré at that time.

2 Q. [15:24:18] When you spoke about Soro you said that he was, and I quote in French
3 so as not to distort anything, you said and I quote in French (Interpretation) "a seer"
4 (Speaks English) What is that, what is a voyant?

5 A. [15:24:52] Well, in our country they refer to them marabouts, those are those people
6 that -- they would consult you and tell you the future, so a seer is someone who can
7 foretell the future. So we called them marabouts. Then you would go and consult them
8 and they can tell them this is the situation, you have to make sacrifices, you have to take
9 such-and-such a measure.

10 Q. [15:25:30] And is someone in that position respected within your community?

11 A. [15:25:55] They are respected. They are respected. So somebody who does that
12 job is respected. It is like a trusted person for his customers who confide in him, they tell
13 them their problems and he tries to find solutions.

14 Q. [15:26:26] And he was also an imam, was he, Soro?

15 A. [15:26:38] Soro, yes. During the fasting period there are prayers around 7 p.m., so
16 separate prayers, so anyone in his neighbourhood can create a small space and pray, so
17 within that context he led prayers in our neighbourhood, so that was during the fasting
18 period. And during the Ramadan month there are several prayer groups like that, but
19 after that people go to the main mosque, the Sideci mosque. So from time to time he
20 would play the role of imam during the month of Ramadan.

21 Q. [15:27:49] So as a voyant, an imam, did Soro exercise a degree of authority within
22 the community?

23 A. [15:28:12] Let me clarify one thing. You asked whether he was respected and I
24 said, yes, his customers respected him. It is clear because he was someone they confided
25 in, someone who was like a protector, but as imam he was not a full-time imam, he was an

1 imam only at certain times during the month of Ramadan when he leads prayers. And
2 after the month of Ramadan his mandate ends there, everybody goes to the main mosque
3 of Sideci Antenne, so he was not such an influential authority as such.

4 Q. [15:29:09] Do you know if he kept weapons in his house?

5 A. [15:29:21] Listen, sir, Soro has never, never had weapons in his house. He could
6 never even have them. Where would he have had them? But that was an excuse that
7 people used to persecute us. This is one of the excuses that you have just mentioned,
8 using the pretext that people had weapons, they would go to people's houses to persecute
9 them. They went to people's houses to persecute them using the pretext that they had
10 weapons. And in the final analysis, they never found any weapons anywhere. So Soro
11 never had weapons, he could not even have procured them.

12 Q. [15:30:16] Were there weapons in the mosque?

13 PRESIDING JUDGE TARFUSSER: [15:30:18] The question didn't come through.

14 MR O'SHEA: [15:30:22]

15 Q. [15:30:22] Were there weapons in the mosque?

16 A. [15:30:39] No, no, there were no weapons in the mosques. There have never been
17 weapons in the mosques. A mosque is a place of prayer. It is not a place of war. I
18 prayed in that mosque and never did I see any weapons there.

19 MR O'SHEA: [15:30:59] I'd like to take the break as an opportunity to review things,
20 but in any event if there are other questions there will only be a few.

21 PRESIDING JUDGE TARFUSSER: [15:31:10] And in any event they go to, in detriment,
22 to the colleagues on your side.

23 MR O'SHEA: [15:31:19] Well, I --

24 PRESIDING JUDGE TARFUSSER: [15:31:20] No, I just say that we have these hours --

25 MR O'SHEA: Yes.

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1 PRESIDING JUDGE TARFUSSER: -- and then we have to finish today this witness.

2 MR O'SHEA: [15:31:26] Yes.

3 PRESIDING JUDGE TARFUSSER: [15:31:26] So now we go for the break for half an
4 hour and we come back at 4 o'clock for the third session.

5 Thank you. The hearing is adjourned.

6 THE COURT USHER: [15:32:17] All rise.

7 (Recess taken at 3.32 p.m.)

8 (Upon resuming in open session at 4.03 p.m.)

9 THE COURT USHER: [16:03:09] All rise.

10 Please be seated.

11 PRESIDING JUDGE TARFUSSER: [16:03:32] Good afternoon for the last time today.

12 Mr O'Shea.

13 MR O'SHEA: [16:03:41] Yes. Just a few closing questions.

14 PRESIDING JUDGE TARFUSSER: [16:03:45] Okay.

15 MR O'SHEA: [16:03:45] Thank you, your Honour.

16 Q. [16:03:50] So, Witness, if I may ask you, Diomandé Adama, he would organise
17 meetings when important issues were on the table, right? He had an organisational
18 function in that way, or has an organisational function in that way, right?

19 A. [16:04:18] Please kindly clarify the question. Organisation? Organisation in his
20 neighbourhood or within the RDR?

21 Q. [16:04:48] Well, that's a good question, Witness. Does he have an organisational
22 role at the level of his quartier, first of all?

23 A. [16:05:04] I told you that I do not live in that neighbourhood. I do not live in
24 Doukouré and I do not live in Yao Séhi. I live at Terminus 40. So matters internal to
25 that neighbourhood, I really cannot delve into them. But when it comes to politics, he

1 was the interim section secretary during the events, and in that context he played the
2 same role as myself in his own zone.

3 Q. [16:05:51] And today, not during the events, but today, Diomandé Adama, does he
4 play a role in terms of support of victims of the events of 2010-2011?

5 A. [16:06:28] It's possible, it's possible. That's what I said. Within his neighbourhood
6 and on the political level, we have a lot of collaboration between ourselves, but when it
7 comes to the internal matters of his neighbourhood, I am not very involved. But I know,
8 however, that he is of some help to people, to victims. There are people who contact him,
9 NGOs and various organisations, and I think he receives these people and provides some
10 kind of assistance. And he's somebody who is quite well respected in his
11 neighbourhood.

12 Q. [16:07:10] Has he organised meetings about the events of 25 February and the trial at
13 the International Criminal Court?

14 A. [16:07:35] Well, as far as I know -- in fact, I don't know. I don't know whether he
15 has organised any such meetings. I don't know. I know that it is a new -- he's the new
16 political secretary currently and, therefore, he is my supervisor when it comes to politics.
17 But now I really don't know much about his life in his neighbourhood, so I cannot say
18 whether he organised any such thing. I cannot make any statement in that regard.

19 Q. [16:08:11] Do you play any role in the organisation or the functioning of collectif des
20 victimes?

21 A. [16:08:21] What I can say is that after the events, after the crisis, several organisations
22 came to see, to identify, and register us, take stock of what we had lost, the damage that
23 was suffered and so on and so forth. So there was a multitude of NGOs and associations
24 that came to contact us in that regard. People were told that they will try to fight to get
25 damages for us. And so there was a multitude of organisations. But I do not belong to

1 any of those structures. And so that's what I know in that regard.

2 MR O'SHEA: [16:09:38] Your Honour, did the translation come through of that last bit,
3 because in French, it was a bit of a mumble to me, so I don't know how it came out in
4 English.

5 PRESIDING JUDGE TARFUSSER: [16:09:49] But I do not belong to any of those
6 structures, and so that's why I know -- so that's what I know in this regard.

7 MR O'SHEA: [16:09:58] So it was clearer to the interpreters than it was to me then.
8 Okay, good.

9 Q. [16:10:03] And lastly, can you please tell the Chamber how were you brought in
10 contact with the Office of the Prosecutor.

11 A. [16:10:31] I myself, I put the question to them, because one day my phone rang, my
12 mobile phone rang, and they contacted me. They contacted me and gave me an
13 appointment. I hesitated, really, I hesitated, and I wanted to be sure of things, to make
14 sure what was going on. So they gave me an appointment and I went to the
15 appointment. They introduced themselves, showed me their badges, and reassured me.
16 So I asked them how they were able to get my contacts, and they told me that it was
17 somewhat confidential, particularly for security reasons and so on and so forth. So I
18 don't know whether it is because I am involved in a number of activities or is it because
19 they found me in a number of associations in which I was registered or was it because at
20 some point I had taken steps to try to -- how can I put it -- to register Ahmed's next of kin
21 so that they can receive some damages.

22 So I felt at some point that maybe it was one of the lawyers who might have given that
23 information away.

24 Q. [16:12:23] Did you subsequently find out who put the Prosecution in contact with
25 you?

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1 A. [16:12:31] No, no. When they reassured me and told me that it was confidential
2 and that I too would be expected to keep the whole matter confidential, well then I
3 understood that I did not have to belabour the point and that they were not going to tell
4 me that it was Y, X or Z who had put us in touch.

5 But clearly they had good sources, they had good sources.

6 MR O'SHEA: [16:13:23] Can I go into private session for one moment, your Honour?

7 PRESIDING JUDGE TARFUSSER: [16:13:28] Yes. Let's please go in private session.

8 (Private session at 4.13 p.m.)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Open session at 4.16 p.m.)

6 THE COURT OFFICER: [16:16:29] We are back in open session, Mr President.

7 PRESIDING JUDGE TARFUSSER: [16:16:33] Mr O'Shea.

8 MR O'SHEA: [16:16:34]

9 Q. [16:16:35] Thank you, Witness.

10 Your Honours, those are all my questions.

11 PRESIDING JUDGE TARFUSSER: [16:16:38] Thank you very much. Now I revert to
12 the Defence for Mr Blé Goudé. Maître N'Dry, I think it's you to question this witness.

13 MR N'DRY: [16:16:58] (Interpretation) Thank you, Mr President.

14 QUESTIONED BY MR N'DRY: (Interpretation)

15 Q. [16:17:49] Good afternoon, Witness.

16 A. [16:17:52] Good afternoon, Counsel.

17 Q. [16:17:57] My name is Maître Claver N'Dry Kouadio of the Côte d'Ivoire bar,
18 co-counsel in Mr Charles Blé Goudé's Defence team.

19 Mr Witness, I would like us to revisit a point briefly and we should be able to do that
20 quite quickly. In 2002, September 2002, at the outbreak of the crisis in Côte d'Ivoire,
21 where were you?

22 A. [16:18:49] In September 2002 when the crisis started, I was in --

23 THE INTERPRETER: [16:18:53] Inaudible, Mr President.

24 MR N'DRY: [16:18:57] (Interpretation)

25 Q. [16:18:59] I did not hear, quite hear you well.

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1 A. [16:19:03] I said I was in Abidjan at the outbreak of the crisis in 2002. I was in
2 Abidjan.

3 Q. [16:19:10] Mr Witness, behind that coup d'état which occurred in September 2002,
4 can you tell us the names of the persons who were behind that coup d'état?

5 A. [16:19:40] The coup d'état?

6 Q. [16:19:54] Let me repeat my question. The coup d'état of September 2002, can you
7 mention to the Court the names of the authors or the people who were behind that coup
8 d'état?

9 PRESIDING JUDGE TARFUSSER: [16:20:11] Madam Prosecutor.
10 Wait a minute, Mr Witness.

11 MS CHUBIN: [16:20:16] I'm sorry to interrupt. I'm just not sure any foundation has
12 been laid for --

13 PRESIDING JUDGE TARFUSSER: [16:20:22] Well, it's not a matter of foundation. I
14 think it's a matter of outside the scope of the charges, I would say. And what I was going
15 to say was keep it very brief, because these are all things that we, the Chamber, is
16 perfectly aware of.

17 MR N'DRY: [16:20:46] (Interpretation)

18 Q. [16:20:48] Mr Witness, can you answer, please?

19 A. [16:20:57] The crisis broke out on 19 September 2002 and it was Ivorian soldiers in
20 exile who were the authors of that coup d'état. Ivorian soldiers who were abroad for
21 several reasons, or various reasons.

22 Q. [16:21:27] Mr Witness, Mr Witness, my question was the following: Can you
23 mention or state the names, the names?

24 A. [16:21:41] Names? Yes, of course. I can give the following names, Guillaume Soro.
25 He was the spokesperson. He was the secretary general, I believe, of that movement.

1 There was Tuo Fozié, there was also Diarrassouba Oumar, there was also Chérif Ousmane
2 and so on and so forth.

3 Q. [16:22:19] I will mention a number of names to you. I just wanted to go through
4 this very quickly. Now, I'll mention a number of names to you, and if these people were
5 members of the armed rebellion, please kindly confirm. Can we do this to proceed much
6 more expeditiously?

7 A. [16:22:38] Yes.

8 Q. [16:22:41] Wattao?

9 A. [16:22:45] Yes, yes.

10 Q. [16:22:45] Ibrahim Coulibaly, alias IB?

11 A. [16:22:54] Yes.

12 Q. [16:22:55] Koné Zakaria?

13 A. [16:23:00] Yes, he too.

14 Q. [16:23:07] Youssouf Bakayoko?

15 A. [16:23:12] No, Youssouf Bakayoko? I don't know that one.

16 Q. I'm sorry it's Soumaila Bakayoko.

17 A. [16:23:24] Soumaila Bakayoko, at the time, I did not know that name. In 2002, I did
18 not know that name.

19 Q. [16:23:31] Did you get to know that name after 2002?

20 A. [16:23:33] Yes, yes. Quite some time after. He was the chief of general staff of the
21 rebellion, I think. I think so.

22 Q. [16:23:42] Martin Fofié?

23 A. [16:23:47] Yes, yes.

24 Q. [16:23:49] Let's move away from 2002.

25 Mr President, you see I've been very brief, I'm going away, I'm moving away from 2002.

1 Now, after the crisis, when Mr Alassane Ouattara formed his government, what did those
2 people become in his security arrangements or --

3 MS CHUBIN: I'm questioning the relevance of this question.

4 PRESIDING JUDGE TARFUSSER: [16:24:33] No, I didn't get it.

5 MS CHUBIN: [16:24:35] I'm questioning the relevance of this question.

6 PRESIDING JUDGE TARFUSSER: [16:24:37] Well, I see the relevance in any case.

7 MS CHUBIN: [16:24:39] To the charges and the temporal scope?

8 PRESIDING JUDGE TARFUSSER: [16:24:44] We'll see, but I think some relevance could
9 be there.

10 Please go ahead.

11 MR N'DRY: [16:24:58] (Interpretation)

12 Q. [16:24:59] Mr Witness, can we proceed?

13 A. [16:25:00] Please repeat the question.

14 Q. [16:25:02] Now, the names I have just mentioned and which you have confirmed as
15 being part of the armed rebellion, when Mr Ouattara created or formed his government,
16 what were the functions, duties or positions occupied by those people within the new
17 army of the Côte d'Ivoire?

18 A. [16:25:27] They, in any event, occupied several positions within the army of Côte
19 d'Ivoire. I know for example that the chief of general staff was Soumaila Bakayoko up
20 until a very recent period. Now, Chérif Ousmane was the deputy commander to the
21 GSPR, that is the presidential security.

22 And then, um, Wattao, Wattao, he was the commander, deputy commander to the
23 presidential guard as well I think. Now, Mr Soro Guillaume, even from the time of
24 Gbagbo, was prime minister, and he remained in that position for some time until
25 Alassane came to power, and then he was replaced and so on and so forth.

1 Q. [16:26:44] After having been prime minister, what position did Mr Soro Guillaume
2 hold?

3 A. [16:26:53] Mr Soro Guillaume ran for election as a member of parliament in his area,
4 *Ferké. He was elected and then he ran for the position of speaker or president of the
5 national assembly *and his peers elected him.

6 Q. [16:27:06] Very well. Now Mr Witness, during the post-electoral crisis did you hear
7 mention of the Commando Invisible?

8 A. [16:27:35] Yes, I heard about it. I heard of it in Abobo, or in relation to Abobo.

9 Q. [16:27:46] Who was the leader of the Commando Invisible?

10 A. [16:27:50] Someone whose name was Commander Fognon. He was the leader of
11 that movement, Commander Fognon. That is what we were told by the press.

12 Q. [16:28:17] And Ibrahim Coulibaly, IB, what was his link with the Commando
13 Invisible?

14 A. [16:28:25] I don't know. I don't know what his links were with the Commando
15 Invisible. I'm not a soldier. I wasn't part of the Commando Invisible. I was simply
16 informed by the press which told us that there was a Commando Invisible in Abobo and
17 that its leader was Commander Fognon. Now, who was Commander Fognon? I'm not
18 even in a position to tell you.

19 Q. [16:28:41] Very well. During the post-election crisis, did you hear mention of the
20 massacre of civilians in the night of 6 to 7 March 2011 in Ébrié village in
21 Anonkoua-Kouté?

22 A. [16:29:08] I also heard that through the press, the media that was close to the
23 government in power at the time, the FPI. And they are referred to in Côte d'Ivoire as
24 the journaux bleus. And they reported that killings had taken place there. And I don't
25 come from Abobo, so I am not able to say whether that information was true or false.

1 But I got to learn of it over the press.

2 Q. [16:29:49] You didn't hear that from France 24 or through other channels?

3 A. [16:29:53] No, no. At the time it was through the newspapers, through the
4 newspapers. I didn't see it. Maybe at the time I didn't watch France 24. Maybe they
5 talked about it. I don't know, but I became aware of it over the newspapers.

6 Q. [16:30:09] Now, why do you feel this need to specify how you heard about it? Did
7 you doubt some of the information or is there some other reason?

8 A. [16:30:24] Well, the newspapers, often the newspapers are publishing in accordance
9 with party guidelines, they are affiliated to political parties. Often the news that they
10 provide is slanted. Sometimes the information is presented in a somewhat partisan way.
11 That's why.

12 Q. [16:30:59] We will return to this point later. But right now since you've mentioned
13 this, you talked about the blue newspapers, the newspapers on the other side.

14 A. [16:31:16] No particular -- well, why do we say the blue newspapers? Because all
15 the newspapers close to the FNI -- how should I put this? The design always includes
16 the blue, the colour blue. That is why they're referred to as the blue newspapers.
17 As the other ones -- well, the other ones have different colours, green, orange, what have
18 you. But the newspapers close to the FPI, if you look at the front page, you'll see that
19 they always have blue.

20 Q. [16:32:00] So according to this information you are giving us before the Chamber,
21 you are saying that all the newspapers, if I believe you, if I am to -- if I repeat what you've
22 just said. So you're saying all newspapers are affiliated with political parties, be it FPI or
23 the RDR?

24 A. [16:32:20] That's not what I said. I said some are affiliated with political parties, but
25 others --

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1 Q. [16:32:28] Mr Witness, Mr Witness, let's make it simple.

2 PRESIDING JUDGE TARFUSSER: [16:32:34] You overlap here.

3 MR N'DRY: [16:32:37] (Interpretation) I apologise, your Honour, but it's because I
4 wanted us to move quickly.

5 Q. Now, which newspaper is affiliated with the RDR?

6 A. [16:32:48] Le Patriote is the name of the newspaper. It's allocated -- correction,
7 affiliated with the RDR. It's a newspaper that's pretty close to the RDR.

8 Q. [16:33:15] So if I've understood you correctly -- well, I mentioned Anonkoua-Kouté,
9 and when you answered, you immediately gave the source of your information, namely
10 the blue newspapers. And you are saying that the newspapers in Côte d'Ivoire often
11 give incorrect information. Now, other than those newspapers, when we consider the
12 actual facts of the massacre in Anonkoua-Kouté, and you are giving testimony before the
13 Chamber today, now, is this -- did these events really happen or were they invented by
14 the blue newspapers?

15 A. [16:34:09] Counsel, you said that I said that the newspapers in Côte d'Ivoire give
16 incorrect information. That's not what I said. I never said that. I said that the
17 newspapers in Côte d'Ivoire are often affiliated with political parties. They are close to
18 certain political parties. And so when they provide the news, often this political
19 affiliation can be seen in the reports. I didn't say that the information was necessarily
20 wrong, but they might exaggerate some things or downplay other things depending on
21 whether or not it suits the party that they are affiliated. I just wanted to set the record
22 straight there. Now, let me finish, let me finish.

23 Q. [16:35:11] Mr Witness -- your Honour. Mr President, we do not have a lot of time
24 here and the witness is straying off into other areas.

25 PRESIDING JUDGE TARFUSSER: [16:35:27] Madam Prosecutor.

1 MS CHUBIN: [16:35:28] If I could just ask that the witness be allowed to finish his
2 answer, that's twice now where he's been interrupted in giving an answer.

3 PRESIDING JUDGE TARFUSSER: [16:35:37] Mr Witness, in any case, if you have
4 something important you think you have to say to the Chamber, you can always say it to
5 the Chamber, okay?

6 THE WITNESS: [16:35:53] (Interpretation) Now, I'm saying, Counsel, I'm telling you
7 that I was not in Abobo. I don't live in Abobo. I live in Yopougon. So I was far away,
8 very far away from the theatre of operations. I heard about it in the press.
9 And what I saw was in the press is what I can tell you about. But let me specify, I don't
10 live in Abobo. I was far away from the theatre of operations. I can't say anything more
11 than that.

12 PRESIDING JUDGE TARFUSSER: [16:36:27] Okay. Thank you. Maître N'Dry.

13 MR N'DRY: [16:36:32] (Interpretation)

14 Q. [16:36:44] Commander Fognon, do you know what his regional affiliation is in Côte
15 d'Ivoire?

16 A. [16:36:57] I don't even know him. I don't even know who Commander Fognon is.
17 In the press it was said that the Invisible Commando was led by a certain Commander
18 Fognon. Who he is, I don't know. I don't know what to say. I'm not a member of the
19 Invisible Commando, so I don't know who this man is. But apparently there was this
20 Commander Fognon who was leading the Invisible Commando.

21 Q. [16:37:27] Very well. Now, the people you mentioned who were members of the
22 armed rebellion during the post-election crisis, can you confirm that those people were at
23 the Golf Hotel?

24 A. [16:37:50] Well, myself during the post-election crisis, I was concerned about
25 surviving, saving my skin. They were trying to kill me. I was not at the Golf Hotel. I

1 learned, I heard the news through the media. If the media say that they were at the Golf
2 Hotel, but myself I didn't see them. I wasn't able to go there, but that's what the media
3 said. So whether or not they were truly there or not there, I really couldn't tell you,
4 because I was more worried about saving my own skin and escaping death. They might
5 have been at the Golf Hotel. They might have been elsewhere. I can't tell you.

6 Q. [16:38:39] Mr Witness, now, please be very brief and concise during my questioning
7 when you give an answer. Now, I'd like it ask you a question. Did you ever see some
8 video footage showing Mr Soro Guillaume and Mr Wattao at the Golf Hotel and they
9 were issuing an appeal regarding the march of 16 December? Did you ever see such
10 footage with those people, members of the armed rebellion, at the Golf Hotel?

11 A. [16:39:36] I did see that.

12 Q. [16:39:40] That's fine. Now, why is it that today when you are asked whether these
13 people were at the Golf Hotel, you gave a certain answer, a certain spin to it, as if they
14 weren't there?

15 A. [16:40:04] This is what I've said. You have to ask me when I saw the video footage.

16 PRESIDING JUDGE TARFUSSER: [16:40:11] They might have been at the Golf Hotel, he
17 said. This is how I read it in English.

18 THE WITNESS: [16:40:21] (Interpretation) There you have it.

19 MR N'DRY: [16:40:23] (Interpretation) Your Honour, I asked the witness whether the
20 people who were members of the armed rebellion -- and we have discussed these people
21 previously -- I asked whether they were at the Golf Hotel during the post-election crisis.
22 And he gave some nuances. He sort of put a spin on it, saying that they might have been
23 there and they might not have been there.

24 I want a specific question. That is why I am putting the question to the witness again.

25 PRESIDING JUDGE TARFUSSER: [16:40:57] No. I am putting the question to the

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1 witness.

2 Have you ever been at the Golf Hotel, in that period at least?

3 THE WITNESS: [16:41:09] (Interpretation) I have never been to the Golf Hotel.

4 During the crisis, as I said, I was just trying to save my own skin. I couldn't go out of my
5 home, I couldn't. And if I did go out, well, I did not go to the Golf Hotel. If I had ever
6 gone there, up until the time of the crisis coming to the end or even after the end of the
7 crisis, no, I didn't go there.

8 PRESIDING JUDGE TARFUSSER: [16:41:39] Do you know what the Golf Hotel was at
9 that time? And who was at the Golf Hotel?

10 THE WITNESS: [16:41:57] (Interpretation) Yes. At that time even before the crisis
11 began, I know that the Golf Hotel was *the campaign headquarters of my political party,
12 of my party's candidate. I never went there but it was the campaign headquarters. And
13 then when there were problems announcing the results of the election, I do know that the
14 CIE was relocated to that place.

15 I read all about that in the media. So I knew that everything was there. But I didn't go
16 myself.

17 PRESIDING JUDGE TARFUSSER: [16:42:42] Maître N'Dry.

18 MR N'DRY: [16:42:48] (Interpretation) Your Honour, in the witness's response, I heard
19 one item, and I'd like to follow up.

20 Q. [16:42:58] You say that the CEI was relocated or did you see Mr Youssouf Bakayoko
21 at the Golf?

22 A. [16:43:11] I don't know what game we're playing here, Counsel. I was very clear.
23 I said I didn't go to the Golf Hotel. Not during the crisis, not up until now. So how
24 could I have seen *Mr Soumaila Bakayoko in the corridors of the Golf Hotel? I'm telling
25 you I have not gone to the Golf Hotel. I saw it on the television. I saw it, but it was

1 through the media. I saw it on the television.

2 THE INTERPRETER: [16:43:35] Interpreter correction. The name of the person
3 mentioned was Mr Youssouf Bakayoko.

4 MR N'DRY: [16:43:44] (Interpretation)

5 Q. [16:43:45] *So, to be clear, was it Mr Youssouf Bakayoko that you saw at the Golf? Not the commission
6 according to what you said. That is why I am hopping back to this. You said that according to information, the
7 electoral commission had moved to the Golf. So I believe what you said was that you saw Mr Bakayoko at the
8 Golf but not the commission? Do we agree on this clarification?

9 A. [16:44:04] We're not in agreement. I never said -- I said that the commission was
10 relocated because that commission was being prevented from doing its work at its
11 headquarters. So the CIE was relocated to the Golf.
12 Now, this person Youssouf Bakayoko, whether he was there or not, I don't know. But I
13 know that the results of the election were announced from the Golf Hotel. I do know
14 that because the CIE was being blocked. They weren't being allowed to announce.
15 That's what I've said.

16 MR N'DRY: (Interpretation) Your Honour, I'm sorry. There may be a translation
17 problem, because I have the impression that what I'm hearing is not what you're hearing
18 in terms of the translation.

19 PRESIDING JUDGE TARFUSSER: [16:44:52] I can, what I heard and what I read is, "I do
20 know that the CIE was relocated to that place. I read all about that in the media. So I
21 knew that everything was, everything was there. But I didn't go myself."
22 So he never spoke -- according to this, he never mentioned that name.

23 MR N'DRY: [16:45:28] (Interpretation) That is what we heard, you see. And this is why I
24 am trying to get the witness back on track. What -- I'm trying to find out what he learned;
25 what he saw on the television. Did he learn about the presence of Mr Bakayoko, this

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1 individual acting alone? Because, you see, a commission is a group of people, because what
2 we saw on the television was Mr Bakayoko, and he has been telling us that the commission was
3 relocated to the premises of the Golf. There is a nuance here. And that is why I am putting
4 the question to him. What did he see, Mr Bakayoko? Or was it the commission that
5 relocated to the Golf?

6 Q. [16:46:26] Mr Witness, was it Mr Bakayoko that you saw on the television? We
7 know that you weren't there. You've already said that. Or was it the commission that
8 went to the Golf Hotel? Just answer that. As for the rest commentary, you've provided.
9 Was it Mr Bakayoko whom you saw?

10 A. [16:46:53] I saw Mr Bakayoko announce the results from the Golf.

11 Q. [16:46:58] That's fine. That's fine.

12 Mr Witness, you're quite active in the RDR and you've said so; isn't that so?

13 A. [16:47:25] Go ahead. Let's go.

14 Q. [16:47:30] So, now, during the post-election crisis, did you not *receive instructions
15 and orders or calls from your leaders, including in particular from Mr Soro Kigbafori
16 Guillaume, who at the time was at the Golf Hotel?

17 A. [16:48:06] You're talking about what period of time?

18 Q. [16:48:09] During the post-election crisis from November, 20 November 2010 to May
19 2011.

20 A. [16:48:33] I heard Mr Soro Guillaume issue calls through the press. But it didn't
21 involve me anymore, because on 25 February and onwards, I had to *go underground.

22 THE INTERPRETER: [16:48:49] Inaudible.

23 THE WITNESS: [16:48:52] (Interpretation) So it really didn't concern me anymore.

24 MR N'DRY: [16:48:55] (Interpretation) Your Honour, frankly, I would like the witness
25 just to answer my questions.

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1 PRESIDING JUDGE TARFUSSER: [16:49:00] I know that you would like him to answer
2 the question. But if the witness wants to explain, you asked him if he received
3 instructions, training or instructions, right, because of his position in the RDR. Well, if
4 you are looking for an answer yes or no, obviously, you didn't get that. But I think the
5 response was quite clear.

6 MR N'DRY: [16:49:39] (Interpretation) That he received orders? My question was
7 not --

8 THE INTERPRETER: [16:49:49] Overlapping.

9 MR N'DRY: [16:49:50] (Interpretation) So that he did or did not receive orders. If I
10 put a second question about the implementation of these orders or instructions, he will
11 say that it doesn't concern him. But my first question was whether they had heard these
12 orders from their leader at the Golf, yes or no.

13 PRESIDING JUDGE TARFUSSER: [16:50:15] Did you receive orders or instructions by
14 the leaders of the RDR which were at the Golf Hotel? This is the question.

15 THE WITNESS: [16:50:35] (Interpretation) He asked me whether I had received orders
16 from my boss, Soro Guillaume, from the Golf Hotel. I heard the calls that Soro was
17 issuing from the Golf, but they weren't targeting necessarily the RDR supporters. They
18 were calls to democrats in general. They weren't intended just or solely for the RDR
19 supporters. That's one point.

20 Secondly, from my vantage point, I couldn't. I wasn't even able to go about normally. I
21 just, I was just listening to the news. But, you see, I wasn't in a position to do anything
22 specific.

23 MR N'DRY: [16:51:34] (Interpretation)

24 Q. [16:51:36] Mr Witness, now, this call issued by Soro Guillaume in December 2010,
25 this call, the march upon the RTI, so on and so forth, where were you at that time when

1 that call was issued?

2 A. [16:51:58] I was in my neighbourhood, I was in my neighbourhood. I didn't go
3 anywhere during the crisis. I didn't go anywhere during the crisis. I stayed in my
4 neighbourhood throughout the entire duration of the crisis.

5 Q. [16:52:15] Very well. Give me the content of these orders, these instructions that
6 Soro Guillaume gave from the Golf Hotel which you heard.

7 A. [16:52:44] I beg your pardon. It was about going to the RTI, and I think we were
8 supposed to break or establish a new management. I think that's what the orders were,
9 to go in and put in a new bunch of managers. I think that's basically what the order was.

10 Q. [16:53:20] You never heard anything about an order having to do with civil
11 disobedience, an order from the Golf Hotel?

12 A. [16:53:36] When?

13 Q. [16:53:44] During that same period of the post-election crisis from January *2011.

14 A. [16:53:55] I don't know. I don't know. I didn't see that. The march upon the RTI,
15 apparently, it was about bringing in a new manager or new management there.

16 Q. [16:54:07] Very well, very well. And this call to Ivorians to bring in a new
17 revolution, like what had happened in Tunisia, you never heard?

18 A. [16:54:21] Yes, I did hear that. I did hear that through the press. I did hear that.

19 Q. [16:54:30] Very well. Now, earlier you said that Soro Guillaume, your boss -- now,
20 when your boss gives such orders, you, a man who is very active within the RDR, how do
21 you go about implementing the order?

22 A. [16:54:50] Counsel, I would like us to be crystal clear here. I never said that Soro
23 Guillaume is my boss. You're the one who said that. You're the one who said that.
24 I told you that Soro Guillaume called upon all people of Côte d'Ivoire, all democrats. I
25 never said that he was my boss. He is not my boss. He's not my boss. So there you

1 have it.

2 So just to be clear about that, you're the one who said that Soro Guillaume, *leader of the
3 RDR, was my boss. I didn't say that.

4 Q. [16:55:34] I wasn't talking about boss. But I'll read out to you page 97. I'll just
5 scroll up again. My question to you was this. I was talking about the leaders at the Golf
6 Hotel and you, in response, you said, "Well, he asked me whether I received orders from
7 my boss Guillaume from the Golf Hotel."

8 You are the one who used the word "boss."

9 A. [16:56:13] Yes, because I thought you had said boss rather than leader. But you
10 said leader. He wasn't a leader. He's not my leader. That's -- it's not -- he's not my
11 leader. He's a leader when it comes to opinion at that time. He's an opinion maker.
12 He issued the call, but not just to RDR supporters. He issued a call for action to
13 democrats, everyone who believed in democracy. But it wasn't just targeting RDR
14 supporters. He's not my boss.

15 Q. [16:56:54] Very well. Mr Witness, I'd like us to return to 25 February 2011, that
16 particular day, 25 February 2011. I would like to ask you this. When you were asked
17 about the owners of the shops located on the Doukouré side, you said that there were
18 people from Niger, people from Niger, from Mali, from Burkina Faso, and also people
19 from Côte d'Ivoire. But in response to a specific question from the Legal Representative
20 for Victims, you confirmed that there were also Dioula people. So some of the owners
21 were Dioulas.

22 Can you give me the name or some names of the owners of those shops located on the
23 Doukouré side of the road? Can you give a few names?

24 A. [16:58:17] Well, I can give some names. One gentleman called Chemogokoro.
25 Chemogokoro we called him, a young compatriot also from Côte d'Ivoire. He used to

1 sell coffee at a stall where you can have something to eat, have breakfast. And then there
2 was a young fellow, Baba was his name. He was killed during the crisis. He had a shop
3 there. He made iron doors, ironwork. He had a shop there.

4 Q. [16:58:59] Very well. Now, in that particular spot, in approximate terms, how
5 many shops were there, approximate terms?

6 A. [16:59:13] I can't give you exact numbers because there were a lot. There were a lot.
7 I can't give you exact numbers, but all along that road, at least 60 metres and around,
8 there were shops along a distance of about 100 metres. There were many shops, but I
9 can't give you a specific figure. There were some hardware --

10 Q. [16:59:47] Very well. Other than the people from the north, the northerners, and
11 I'm talking about Côte d'Ivoire, other than those people, there were no other people from
12 a different part of Côte d'Ivoire who had shops in that area, in that location?

13 A. [17:00:18] Yes, yes, opposite the main road, but let's say within a radius, there
14 was -- there was one person who was not from the north. He had a decorator. He had
15 his workshop there and he also produced T-shirts. He wasn't from the north. There
16 was him and then maybe -- there might have been some. But I can't attest to everyone's
17 origins.

18 Q. [17:01:07] Mr Witness, you say maybe there were, but can you state before this
19 Chamber that the majority were northerners or people from West Africa? You have
20 declared that. Did you carry out a census?

21 A. [17:01:30] Do I need to do a census on that? It is a neighbourhood that I knew, I
22 was acquainted with. I went there quite frequently. I even had friends there. I had
23 friends there. I had my brother who had his workshop there. So I visited that place
24 frequently.

25 Q. [17:01:56] Very well. After the looting of the shops at that location, according to

1 your information, do you know whether the shop of this person who was not from the
2 north of Côte d'Ivoire, whether his shop was spared, that is, it was not looted?

3 A. [17:02:26] To my knowledge, well, I do not know. I have told you that ever since 25
4 February, my movements were already very limited. I could not move about as I wanted.
5 All that pillaging and the looting, whatever was happening, it was only after the crisis that
6 I was able to go to the various locations of the events to try and find out what had
7 happened.

8 Q. [17:03:06] And when you looked around, had the shop of this person been spared?

9 A. [17:03:17] I do not know. I did not pay attention to that. *It was mostly the dead,
10 particularly about people who were killed.

11 Q. [17:03:29] Mr Witness, I am talking about shops. We are shortly going to move on
12 to the subject that you want to talk about, but I want to begin with the shops.

13 A. [17:03:44] I do not know. I do not know whether his shop was looted or not.

14 Q. [17:03:49] Very well. This morning you described your day to us, and you said you
15 were at the grin. During that morning, did you learn that there were two buses burnt by
16 pro-Ouattara youths; yes or no?

17 A. [17:04:26] No, I didn't hear about that.

18 Q. [17:04:31] Did you hear about it later, that two buses had been burnt down by
19 pro-Ouattara youth?

20 A. [17:04:52] Yes, much later. I heard that there were buses, vehicles burnt.

21 Q. [17:05:04] By young pro-Ouattara people?

22 A. [17:05:08] I do not know by whom. I heard *that two buses had been burnt at the
23 Sable station. That is what I learnt. But I do not know by whom. I was not there

24 Q. [17:05:23] Very well. Let us go back to the Baron Bar and the CP1 square that you
25 talked about during the 25 February 2011. You say that according to your information,

1 after the Baron Bar, Mr Charles Blé Goudé had another meeting at the CP1 square. How
2 do you know that?

3 A. [17:06:08] A short while ago, I said that even on the eve, that is the 24th, people were
4 talking about it. The Young Patriots of the neighbourhood were talking about it, that the
5 next day Blé Goudé would come to the Baron. People had that information, that he
6 would have a meeting at the Baron and then, well -- and then there were calls.

7 Q. [17:06:53] Calls from whom?

8 A. [17:06:56] Calls from friends, from acquaintances.

9 Q. [17:07:01] And what did they tell you precisely?

10 A. [17:07:05] They said that Blé Goudé was at a meeting at the Baron. That is the
11 information that they gave me.

12 Q. [17:07:18] Very well. For the Baron, we agree on that. Now let us go to the CP1
13 area. Who told you that after the Baron, Mr Charles Blé Goudé had another meeting at
14 the CP1 square on that same day of 25 February 2011?

15 A. [17:07:41] The same Young Patriots, they're the ones who provided information.
16 They were talking about it themselves. When going to rallies, they would say they were
17 going to the rallies. We saw them go. They talked about it.

18 Q. [17:08:23] I'll read your statement to the investigators of the OTP, paragraph 94, page
19 19, and I quote, "I was told that they were at a meeting at the Baron Bar. And after that
20 they held a rally at the CP1 square. It is our supporters who were at the CP1 square who
21 were informing us that there was a rally there, that Blé Goudé had been rousing the
22 crowd." End of quote.

23 Do you confirm that?

24 A. [17:09:24] Yes.

25 Q. [17:09:25] Very well. So on that same day -- you are categorical because you have

1 reiterated it in this Court that Blé Goudé had a rally on that same day at the CP1 square?

2 A. [17:09:49] It is information that I received. I was not there. A short while ago, I
3 said that even on the eve, the Young Patriots were talking about it that there will be a rally
4 tomorrow, so we already had such information.

5 In addition to that, when they go to those meetings, they talk about them. We can see
6 them leave and they talk about it. And our friends who are there, sometimes we can call
7 and ask what is happening there.

8 Q. [17:10:41] Very well. You talked about a convoy came to Terminus 40.

9 A. [17:10:45] Yes.

10 Q. [17:10:46] About what time was that?

11 A. [17:10:47] In any case, it was in the evening, maybe around 4 p.m. Well, it was past
12 4 p.m. It was around 5 p.m. if I remember correctly because it was getting to evening.

13 Q. [17:11:16] You said 5, 6 p.m.?

14 A. [17:11:20] I said 5 p.m. in the evening. It's not the precise time, but around that.

15 Q. [17:11:30] Mr Witness, make an effort and give us a precise time.

16 A. [17:11:39] I said maybe 5 p.m., about that, but it was towards the evening.

17 Q. [17:11:50] Okay. Mr Witness, afterwards, you testified about roadblocks and
18 specifically about the day when you went to fetch some attiéké at Abobo Doumé. From
19 your neighbourhood, Terminus 40, to Abobo Doumé, about how many kilometres is that?
20 What is the approximate distance?

21 A. [17:12:37] From my neighbourhood to Abobo Doumé, I cannot really say, but it is a
22 long distance, it's a long distance.

23 Q. [17:13:05] I can see that you are really an intellectual. But since we are talking to
24 the Chamber -- I know because I'm from Côte d'Ivoire, but approximately so that the
25 Chamber should have an idea, how many kilometres?

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1 A. [17:13:22] Well, approximately maybe 3 kilometres. I don't know, 3, 4 kilometres,
2 something like that, but it is a long distance.

3 Q. [17:13:44] Very well. Since you have given so many clarifications, when it came to
4 information about the Golf you said something, you said you were not there so you
5 couldn't speak about it. So let us focus on the roadblocks that you crossed, you
6 personally.

7 A. [17:14:22] Mm-mm.

8 Q. [17:14:23] I'm not talking about other roadblocks, I'm talking about roadblocks that
9 you personally crossed. Can you tell us how many roadblocks you passed through on
10 that day, you in particular?

11 A. [17:14:41] On that day, I crossed a single roadblock.

12 PRESIDING JUDGE TARFUSSER: [17:14:52] Please.

13 MS CHUBIN: [17:14:53] Mr President.

14 PRESIDING JUDGE TARFUSSER: [17:14:54] Yes.

15 MS CHUBIN: [17:14:54] It didn't seem clear to me what date we were on at this stage,
16 but --

17 PRESIDING JUDGE TARFUSSER: [17:15:02] Which date?

18 MR N'DRY: [17:15:05] (Interpretation)

19 Q. [17:15:15] Mr Witness, can you tell us on which day did you go to fetch the attiéké?

20 A. [17:15:22] I cannot tell you the exact date or day, but I know that it was during the
21 crisis. There was no longer any food, so we had to go and look for food. So I cannot
22 give you that specific date.

23 MR N'DRY: [17:15:45] (Interpretation) I do not know whether that is okay.

24 Q. [17:15:48] So I was saying, how many roadblocks did you cross on that day?

25 A. [17:15:51] That day I crossed a single roadblock. I said that it was at the Koweït

1 intersection. That is where we found a roadblock. And you had to show your national
2 identity card to be able to pass through. That is what I said.

3 Q. [17:16:20] So that was the only roadblock that you crossed from Sicogi, specifically
4 Terminus 40, right up to Abobo Doumé?

5 A. [17:16:36] Mm-mm.

6 Q. [17:16:37] You crossed a single roadblock?

7 A. [17:16:40] Mm-mm.

8 Q. [17:16:41] Very well. And how were you able to cross that roadblock? What was
9 required of you?

10 A. [17:16:55] I said earlier that in order to move about, you had to be very cautious
11 because you have talked about -- you're insisting on the fact that it was a single roadblock.

12 THE INTERPRETER: [17:17:12] Overlapping, overlapping, overlapping.

13 MR N'DRY: [17:17:16] (Interpretation) I want to insist on this, I'm sorry, but I really
14 want to insist on this. I'm the one asking the questions here. The witness is not at a
15 meeting. The witness is here to answer the questions put to him and only those
16 questions that are being put to him. He cannot himself be asking questions and then
17 later answer them himself.

18 My question was specific, you crossed a single roadblock, and what was asked of you at
19 that roadblock. My question is precise.

20 MS CHUBIN: [17:17:59] Mr President.

21 PRESIDING JUDGE TARFUSSER: [17:17:59] Yes, please.

22 MS CHUBIN: [17:18:00] If the witness could simply be allowed to finish his answers.

23 PRESIDING JUDGE TARFUSSER: [17:18:03] Yes, of course, of course. But he's not
24 allowed to put questions, the witness. The witness has to answer the questions and the
25 question is: Did you cross a single roadblock, and what was asked you at this

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1 roadblock?

2 THE WITNESS: [17:18:32] (Interpretation) I said that I crossed a single roadblock, and
3 there they were asking people to brandish their national ID card, the way I'm showing.
4 So people were lined up in that way.

5 MR N'DRY: [17:18:52] (Interpretation)

6 Q. [17:18:54] You have said to this Chamber that you are from the north; is that correct?

7 A. [17:18:58] I am from the north.

8 Q. [17:19:01] Very well. When you were returning from Abobo Doumé, did you use
9 that same road?

10 A. [17:19:17] Yes. We came back through the same road.

11 Q. [17:19:22] Very well. Mr Witness, the day of 25 February 2011, you have talked
12 about clashes, skirmishes. At what time did you observe those young people? At what
13 time did you observe all those events?

14 A. [17:20:09] Which skirmishes are you talking about? Please put it in context. It's
15 difficult to understand.

16 Q. [17:20:18] I'll read out what you said. It is transcript of 5 May, page 82, French
17 transcript of 5 May 2017, page 82, lines 14 to 18.

18 I would like to scroll back up a little bit. The Prosecutor asked the following questions:

19 "I would like to talk about the day of 25 February 2011 with you."

20 And you answered "Yes."

21 And then after that, page 82, lines 14 to 18: "Clashes, when we started receiving
22 information according to which the young people of Yao Séhi neighbourhood with arms
23 were provoking people, we immediately thought about a provocation in order to attack
24 the Doukouré neighbourhood. That is what we thought about." End of quote.

25 That is what I wanted to talk about that. At what time did you notice that?

1 A. [17:22:15] As early as 9 a.m., when we were going to the grin. It was from the
2 people who were coming from the direction of Sicogi towards Terminus 40.

3 Q. [17:22:31] So you say at around 9 a.m.?

4 A. [17:22:37] As early as from 9 a.m.

5 Q. [17:22:40] Very well. Mr Witness, I would like us to talk about something. Still
6 during the post-election crisis, at one point during that crisis, did you hear about the
7 death of certain people, but who were killed by stray bullets? If you do not fully
8 understand that expression, "stray bullets," please tell me and I will explain. Otherwise I
9 will explain. Someone, for example, who was in his house who can be hit by a stray
10 bullet. That is just an example to show you what I am talking about. Yes or no, did you
11 receive any such information about people who were victims of stray bullets?

12 A. [17:24:19] Yes, yes.

13 Q. [17:24:20] Very well. Mr Witness, still during that same period, can you confirm to
14 us that there was practically no longer any hospital services during that period? And I
15 will give you a timeline. That is after the end of March, right up to after the arrest of
16 President Gbagbo, can you confirm that information?

17 A. [17:25:08] That there was no longer any hospital centre?

18 Q. [17:25:25] No. I was not talking about hospital centre. I talked about hospital
19 services.

20 A. [17:25:45] That, I do not know because I would need clarification. In the area in
21 which I was or throughout all of Abidjan? I do not understand the question very well.

22 Q. [17:25:58] Can you confirm that at one point during the crisis it was practically
23 impossible to move about, because people did not want to put their lives at risk,
24 specifically in Abidjan? I'm talking about Abidjan.

25 A. [17:26:32] Well, I did not go out very much, so I cannot give you any comment about

1 the whole city of Abidjan. I didn't go out. I was at home. But it was difficult to move
2 about, that is correct.

3 Q. [17:26:44] Mr Witness, if I put it to you that during that period certain people, certain
4 families, having learned about the death of a member either by stray bullet or by -- or
5 through disease were at some point compelled to dig graves to bury them, are you aware
6 that such things happened during that period in Côte d'Ivoire?

7 A. [17:27:36] Yes, I have that information. It was not during the crisis that I had all
8 that information. I really have to put things in perspective because if I say "yes," you will
9 think it was during the crisis that I was informed. I have told you that it was after the
10 crisis that I had the opportunity to learn about a lot of things. So I really need to specify
11 things, place them in context. You are asking me to say "yes" or "no." But in which
12 context? At what time?

13 I received some information, but after the crisis.

14 Q. [17:28:21] Mr Witness, I said from the end of March right up to after Mr Gbagbo was
15 arrested. I already gave you that context. Did you learn about such information in the
16 district of Abidjan if it was a factual reality, the reality that we all knew? I see that you
17 said yes?

18 A. [17:28:50] No. That is the nuance that you are giving. I said yes, but I qualified
19 the yes by saying that I heard about it after the crisis, because if I said yes without adding
20 that, it would seem as though I heard that information contemporaneously. It is that
21 clarification that I want to make. At the time that it was happening, I was practically cut
22 off from the rest of the world. When I want to give that clarification, you get upset. But
23 I really have to place my answers in their context. That is what I want to do so as not to
24 be equivocal. I heard about this during the crisis. When it happened, I was practically
25 cut off from the world. It was after the crisis that I visually saw those things and then I

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1 heard about it.

2 Q. [17:29:56] That is true. And it is a very useful clarification, even if it was after the
3 crisis. Please excuse me because you have the impression I am pushing you up against
4 the wall. It is because we have time constraints, and after you we have other witnesses,
5 we have a really tight week. And so I will tell you thank you for answering my
6 questions. And on our behalf, please greet the people of Côte d'Ivoire for us.

7 A. [17:30:30] Thank you also, Counsel.

8 PRESIDING JUDGE TARFUSSER: [17:30:33] Thank you, Maître N'Dry. I now ask the
9 Prosecution if they're requesting re-questioning.

10 MS CHUBIN: [17:30:42] No further questions, Mr President.

11 PRESIDING JUDGE TARFUSSER: [17:30:45] Thank you very much.

12 So this concludes now your testimony in this Court, in front of the International Criminal
13 Court. Thank you for having been with us, and good luck for your future.

14 We can now I think disconnect from the remote location, not before having said that
15 tomorrow morning at 10.30 for us, 8.30, we will have the next -- we will see each other
16 again for the next witness.

17 Thank you, Wilfred, for being there. And goodbye to you, Mr Witness.

18 THE WITNESS: [17:31:33] (Interpretation) I appreciate you, Mr President.

19 PRESIDING JUDGE TARFUSSER: [17:31:47] Before adjourning to tomorrow morning,
20 10.30, we have only one issue to -- something to do is to give the oral ruling regarding the
21 protective measures requested for P-109.

22 This is the Chamber's ruling on the Prosecutor's request for protective measures and
23 special measures for Witness P-109, and this is filing 896.

24 The measures requested are continued use of pseudonym in lieu of the witness name,
25 what we in any case are doing; the recourse to in-camera proceedings for identifying

1 portions of the testimony; image and voice distortion vis-à-vis the public; and finally, the
2 presence of a psychologist during the witness testimony.

3 Both Defence teams have responded objecting to the Prosecutor's request via filings
4 number 900 and 902.

5 The Chamber has also obtained the advice of the VWU, which recommends the measures
6 requested by the Prosecutor.

7 The Chamber finds that the security situation of the witness is not such that would require
8 application of protective measures. Nevertheless, Article 68(1) of the Statute also
9 envisages that appropriate measures are taken to protect the psychological well-being of
10 victims and witnesses and it is under this heading that the Chamber has considered the
11 request.

12 According to the information provided by the VWU, the witness is still traumatised by his
13 experience during the crisis and suffers from anxiety linked to the fear of revisiting the
14 events. The VWU suggests that, and I quote, "Procedural protective measures could
15 mitigate and increase any symptoms by enhancing the feeling of emotional security and
16 control during testimony." End of quote.

17 The Chamber, understanding that this is a unique situation based on the circumstances of
18 the witness, accepts the measures warranted. The measures as such do not interfere with
19 the Defence ability to examine the witness, and the Chamber will be mindful to conduct
20 the testimony of the witness as much as possible in public session.

21 The request is therefore granted.

22 So this concludes the hearing today. We are as announced on Friday on schedule with
23 the witnesses. Now we have another two witnesses this week, meaning the following
24 witness we start tomorrow, we have to finish it by Wednesday, and if need be, we go into
25 extended hours; and the same will be on Thursday and Friday, we have to conclude also

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- 1 the witness 440 in two days, and if need be, we go into extended hours.
- 2 So I would really ask all parties to respect the hours envisaged for, in principle, the
- 3 Prosecutor who starts. So the hearing is adjourned to tomorrow morning.
- 4 THE COURT USHER: [17:36:16] All rise.
- 5 (The hearing ends in open session at 5.36 p.m.)