

Trial Hearing
WITNESS: CIV-OTP-P-0237

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Monday, 10 July 2017
10 (The hearing starts in open session at 9.18 a.m.)
11 THE COURT OFFICER: [9:18:15] All rise.
12 Please be seated.
13 PRESIDING JUDGE TARFUSSER: [9:18:26] Good morning. Good morning to
14 everybody here.
15 Good morning, Mr Witness
16 WITNESS: CIV-OTP-P-0237
17 (The witness speaks French)
18 THE WITNESS: [9:18:50] (Interpretation) Good morning, your Honour. Good
19 morning, everyone.
20 PRESIDING JUDGE TARFUSSER: [9:18:53] Before starting your testimony,
21 Mr Witness, we have some preliminary things to do. First thing is to identify you
22 with your name, surname, date and place of birth, nationality and whatever. Give
23 us all the information which identifies you completely. Thank you.
24 THE WITNESS: [9:19:24] (Interpretation) My name is Bamba Mamadou. I was
25 born on 12 December 1956 in Grand Bassam, and I am from Côte d'Ivoire. I'm a

1 national of Côte d'Ivoire.

2 PRESIDING JUDGE TARFUSSER: [9:19:40] Thank you. Can you tell us also your
3 ethnicity and your faith?

4 THE WITNESS: [9:19:47] (Interpretation) I am a Malinké person and of the Muslim
5 faith.

6 PRESIDING JUDGE TARFUSSER: [9:19:56] Thank you. And what was your
7 occupation in time of the crisis between the end of 2010 and beginning of 2011?

8 THE WITNESS: [9:20:10] (Interpretation) I was responsible for communications in
9 a transportation company in Abidjan. Do you want me to repeat? I was
10 responsible for --

11 PRESIDING JUDGE TARFUSSER: [9:20:31] It's fine. I just wait for a translation.

12 THE WITNESS: [9:20:35] Merci.

13 PRESIDING JUDGE TARFUSSER: [9:20:36] Today, what is your occupation today?

14 THE WITNESS: [9:20:39] (Interpretation) I'm now retired, but I take care of various
15 matters in my village.

16 PRESIDING JUDGE TARFUSSER: [9:20:46] Thank you. Now, we will all call you
17 "Mr Witness" here, not with your name, because this is the practice in this courtroom.
18 I have to give you some information, further information. The first one is the issue
19 of interpretation. You are speaking in French. I'm speaking in English. In any
20 case, French and English are the two working languages and, therefore, we need to
21 interpret and to understand each other correctly and, therefore, we have interpreters.
22 We need also to write down everything we are saying in two languages and, therefore,
23 we have court reporters.

24 So if we speak slowly, they can do a better job, a good job, and can make us
25 understood.

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1 THE WITNESS: [9:21:56] Merci.

2 PRESIDING JUDGE TARFUSSER: [9:21:57] So please speak slowly. And when it
3 comes to be questioned in French by some of the lawyers, even more, because there is
4 a big risk to overlap which creates some problems to the interpreters and court
5 reporters. Okay. So if I give you a sign with my hand, just slow down.

6 THE WITNESS: [9:22:28] Okay.

7 PRESIDING JUDGE TARFUSSER: [9:22:29] Okay. Now, you are obviously aware
8 that this is the case, this Chamber has been established to try the case of the
9 Prosecutor versus Mr Gbagbo and Mr Blé Goudé. And in this Court you are called
10 to assist the Chamber, to assist us in the search of the truth. Your only obligation is
11 to respond to the questions which will be put to you and to respond truthfully, okay?

12 THE WITNESS: [9:23:13] Okay, okay.

13 PRESIDING JUDGE TARFUSSER: [9:23:20] To this effect, the law asks you to make
14 a solemn undertaking, and I would ask you to read out the formula you have in front
15 of you.

16 THE WITNESS: [9:23:35] (Interpretation) May I go ahead?

17 PRESIDING JUDGE TARFUSSER: [9:23:40] Oui.

18 THE WITNESS: [9:23:41] (Interpretation) I solemnly declare that I shall tell the
19 truth, the whole truth and nothing but the truth.

20 PRESIDING JUDGE TARFUSSER: [9:23:46] Thank you very much. Obviously, I
21 have to inform you that giving false testimony, or not saying the truth, is an offence
22 against the Court.

23 Now, Mr Witness, the Chamber has before it the written statement you gave to the
24 Office of the Prosecutor on 11 May 2015, and this is CIV-OTP-0081-0380 and annexes
25 CIV-OTP-0081-0392, 0393 and 0394. These documents should also be before you.

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1 Now, can you confirm that you gave this statement to the Office of the Prosecutor on
2 11 May 2015?

3 THE WITNESS: [9:24:58] (Interpretation) Yes. I did give that statement.

4 PRESIDING JUDGE TARFUSSER: [9:25:02] And have you had the opportunity in
5 the last days to read, to go over it, to read it again?

6 THE WITNESS: [9:25:12] (Interpretation) Yes.

7 PRESIDING JUDGE TARFUSSER: [9:25:15] This Chamber has decided on 6 June
8 2017 that this written statement you gave can be introduced in the record of the case
9 on the basis of Rule 68(3) of our Rules of Procedure and Evidence. This means for
10 you that rather than you having to repeat everything on the basis of the questions
11 which would be put to you, the Chamber can use your written statement.

12 Nevertheless, nevertheless, you will still be asked supplementary questions by the
13 Office of the Prosecutor and you will be examined, fully examined, by the Defence
14 teams for Mr Gbagbo and Mr Blé Goudé.

15 THE WITNESS: [9:26:22] (Interpretation) Yes.

16 PRESIDING JUDGE TARFUSSER: [9:26:23] This rule I refer to, Rule 68(3), states that
17 the Chamber can allow the introduction of a prior recorded testimony if the witness,
18 meaning you, do not object and if the Prosecutor and the Defence teams have the
19 opportunity to examine the witness who is here. Therefore, now I ask you, because
20 your consent is needed, if you agree with the introduction of your statement in the
21 record of the case.

22 THE WITNESS: [9:27:03] (Interpretation) Yes.

23 PRESIDING JUDGE TARFUSSER: [9:27:04] Okay. Thank you.

24 THE WITNESS: [9:27:11] Merci.

25 PRESIDING JUDGE TARFUSSER: [9:27:14] So in light of the fact that you are here

1 today and available to be examined by the parties, the Chamber notes that all the
2 requirements of Rule 68(3) are met and the introduction of the written statement of
3 the witness is allowed. And I'm referring to the written statement annexes with the
4 numbers I have just read out. These items are considered to be submitted.

5 The statement refers also to a number of items which are not as such annexed to the
6 statement, but in line with the Chamber's decision are to be considered submitted.

7 And I'm referring to CIV-OTP-0037-0114, 0116, 0117, 0118, CIV-OTP-0039-0044, 45, 46,
8 48, 49, 50, 51, 53, 54, 57, 58, 59, 61, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515,
9 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530 and 617.

10 So now I think we can start with the questioning, and I give for a short time the floor
11 to the Prosecutor for supplementary questions.

12 You have the floor.

13 MS BERDENNIKOVA: [9:30:05] Thank you, Mr President, your Honours.

14 QUESTIONED BY MS BERDENNIKOVA: (Interpretation)

15 Q. [9:30:16] Good morning.

16 A. [9:30:17] Good morning.

17 Q. [9:30:19] Good morning. I am the counsel from the OTP who will be putting a
18 number of questions to you, all right?

19 A. [9:30:24] Yes.

20 Q. [9:30:25] We had an opportunity to meet very briefly last Friday during the
21 courtesy meeting. And since I speak English somewhat better than French, I'll be
22 putting my questions to you in English, and I'll now switch to English.

23 (Speaks English) So, Mr Witness, I will just ask you to listen to my questions very
24 carefully. And if ever you don't understand something, please let me know. I will
25 repeat or I will rephrase my questions.

1 Now, as the Presiding Judge has just explained, everything that you said in your
2 statement is already on the record of the case. So that means that I will not ask you
3 to repeat everything and all the details that you have already explained in your
4 statement. I will, however, ask you a few clarification questions.

5 Now, Mr Witness, in your statement at paragraphs 25 to 27 you speak about what
6 happened to your daughter, Bamba Nachamy. And you explained being informed
7 of what happened to her after the women's march on 3 March 2011 in Abobo.

8 You also explain how you returned home to find her body. Now, as I said, this is
9 already on the record. What I would like to do now is I would like to turn your
10 attention to what happened once you arrived at your house that day.

11 Now, you state at paragraph 18 of your statement that your daughter was buried on
12 the same day, on 3 March. Could you tell us where it was that she was buried?

13 A. [9:32:18] Yes, indeed. When I went back home I found the body of my
14 daughter there. That was about 10.30 or 11 in the morning. I waited until 1.30,
15 after the 1.30 prayer. We prayed over the body at home in Abobo centre, and then
16 after that we buried my daughter at the cemetery in Abobo. But well before that, I
17 did provide, get a document. So we were able to get the burial certificate from the
18 town hall. *I had given money for that. Then we buried her around 2pm, at
19 1:30pm, we prayed, then 2pm, 2:30pm at the city cemetery in Abobo.

20 Q. [9:33:13] Could you give us a little bit more detail about the document that you
21 have just mentioned?

22 A. [9:33:21] Before any burial, you have to go to the town hall to obtain
23 authorisation, and it's called a burial certificate and you provide it at the cemetery,
24 and you have to make a photocopy, because the original goes to the cemetery, and
25 then you can go ahead with the burial.

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1 Q. [9:33:47] And you obtained this document on 3 March 2011?

2 A. [9:33:51] Yes, 3 March 2011.

3 MS BERDENNIKOVA: [9:33:58] Your Honours, I would like to show a document,
4 confidential document CIV-OTP-0039-0044, to the witness at this point. If the court
5 officer could display that, please. It's tab 10 in our list of material.

6 Q. [9:34:36] Mr Witness, do you see the document in front of you?

7 A. [9:34:40] Yes. Yes, that's the burial certificate, the document that I mentioned.
8 You're welcome.

9 Q. [9:34:54] Now, Mr Witness, once this document was obtained, could you
10 provide more information about how the body of your daughter was transported
11 from your house to the cemetery, to the Abobo cemetery?

12 A. [9:35:12] From my house to the Abobo cemetery, we used *an unmarked car. No
13 need for a hearse. Friends in the neighbourhood, well, relatives in the neighbourhood
14 came with us with a vehicle, a car, to take the body to the cemetery.

15 Q. [9:35:37] So who was it that accompanied the body in this vehicle to the
16 cemetery?

17 A. [9:35:45] The relatives *and friends because I couldn't go myself. I just couldn't.

18 Q. [9:35:55] Could you clarify what you mean by conditions that didn't permit you
19 to go to the cemetery; what kind of conditions are you talking about?

20 A. [9:36:04] I was traumatised. I was traumatised. I just wasn't able. I was
21 thinking of suicide. So it was not easy for me that day.

22 Q. [9:36:26] Mr Witness, did you see anything unusual when the vehicle left from
23 your house?

24 A. [9:36:30] Yes. A cargo vehicle *from the Gendarmerie, the Ababo squadron,
25 was following those going to the cemetery. As for me, I stopped. Well, from my place

1 to Sans-Manquer, it's a straight line, 500 or 300 metres. And I saw the armoured
2 battalion vehicle from Camp Commando in Abobo following the people going to the
3 cemetery. And on the way back, I was told that maybe 100 to 200 people who were
4 trying to get to the ceremony, only 15 were able to get there because the vehicle with
5 the body took a different itinerary to get to the cemetery.

6 Q. [9:37:24] And how did you know that this was a vehicle from the gendarmerie?
7 How could you tell?

8 A. [9:37:32] Well, it was written. You can read it on the side of the vehicle.

9 Q. [9:37:37] Did you hear anything when you saw this?

10 A. [9:37:44] There was firing. There was firing.

11 Q. [9:37:48] And do you know where these shots were coming from?

12 A. [9:37:54] I was far away. But I know that if there is firing, that means that there
13 are people out there who are armed. And so the armoured unit from the
14 gendarmerie --

15 Q. [9:38:11] You knew that it was a gendarmerie cargo because something was
16 written on it. What exactly was written on it? Do you recall?

17 A. [9:38:21] It read "gendarmerie d'Abobo," the Abobo gendarmerie.

18 Q. [9:38:32] And did you see this, did you see a gendarmerie cargo later that day?

19 A. [9:38:40] No. The same day. That was all.

20 Q. [9:38:51] Now, Mr Witness, did you visit the grave of your daughter?

21 A. [9:39:06] Yes, one week later with my son, the last one. We went there. We
22 prayed. And I gave blessings as well.

23 Q. [9:39:25] Let me know if you need a pause, Mr Witness.

24 A. [9:39:30] No, no. We can go ahead.

25 Q. [9:39:32] Can you explain to us how did you locate the grave that day?

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1 A. [9:39:38] Well, my son was at the cemetery. And there was a sign on the grave
2 designating -- well, with the name, the first name, the date of burial and all of that,
3 with that information, we were able to find the grave and, well, the grave was there.

4 Q. [9:40:04] I understand that your daughter was buried in an individual grave; is
5 that correct?

6 A. [9:40:12] Yes.

7 Q. [9:40:15] And what happened to the sign with the name and the other details
8 that you just mentioned?

9 A. [9:40:29] After, I think it was, well, some people from the Prosecution came and
10 they wanted to see the grave of my daughter, and they went to the cemetery in Abobo,
11 and the sign wasn't there anymore.

12 Q. [9:40:43] Were you still able to locate the grave after the sign had disappeared?

13 A. [9:40:52] Yes. It's by number and by day. So I take the 1st March, the 2nd, the
14 3rd March; you go through, well, there were other signs there, but the sign for my
15 daughter was not there anymore.

16 Q. [9:41:14] Were you able to recall the exact location of the grave?

17 A. [9:41:25] Yes, we went. We couldn't go elsewhere. The Abobo cemetery is
18 managed in such a way that the body -- well, you see, the numbers are in order. So I
19 went with the investigators the first time, the second time, and then after that I went
20 myself to *the Abidjan district, because, you see, the cemetery is in Abobo but it's the
21 Abidjan authorities who manage the cemetery. I went with the burial certificate *to
22 see the people in charge. Even afterwards, the investigators went there, but to no avail.

23 Q. [9:42:11] Mr Witness, before we change topic, I would just like you to tell the
24 Court what impact the death of your daughter has had on you and on your life.

25 A. [9:42:41] It has been very difficult. It's not the death in and of itself. Everyone

1 dies. But when someone murders your child, when you shell your child using a tank,
2 a combat tank, that's absolutely awful and it hurts.
3 I keep on with my life, but I can't do anything. I'm retired. I had prepared many
4 things for my retirement, but my daughter is dead. She was -- when a child comes
5 into the world, you don't think that you'll bury that child. You think that your child
6 will bury you. So I'm telling the Judges that I am desperate and in a state of
7 complete despair. Thank you.

8 Q. [9:43:51] Mr Witness, we'll change topic now.

9 I would like to ask you a few questions about an organisation called the APAFEMA.
10 Now, at paragraph 13 of your statement, you mentioned that you are the president of
11 this organisation. So is that right?

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

13 Q. [9:44:17] And since when are you a part of this organisation?

14 A. [9:44:23] We set up this association in February 2012. And if I remember
15 correctly it was on 12 February; that is when I sent the bylaws to the ministry of the
16 interior. And on the 16th we received sort of an acknowledgment, a slip. I'm still
17 the president. It's a five-year mandate, five years.

18 And my friends, well, you see, I have to explain this association. It is made up of
19 members from seven families. It is not an association that covers all victims. It is
20 for the seven victims. And I'm still a member.

21 Q. [9:45:27] Could you tell us as president of this organisation what are your duties
22 or some of your duties?

23 A. [9:45:33] Well, before I speak about my duties, because the duties of the
24 president of an association are defined by the general assembly and the statutes. The
25 chief of the executive bureau, I'm in charge of the members. And we don't -- I try to

1 help. I try to help the members in their day-to-day lives, in the management and
2 obtaining the administrative documents that they need. But also from a social point
3 of view, every now and then, we try to help them financially, especially when they
4 need it. We don't manage any funds, as I said earlier.

5 Q. [9:46:35] And I also understand that you made a victim application to be part
6 of the proceedings at the ICC as both an individual and as a member of a group. Am
7 I right?

8 PRESIDING JUDGE TARFUSSER: [9:46:48] But there are documents to that effect,
9 right?

10 MS BERDENNIKOVA: [9:46:51] There are victim applications.

11 PRESIDING JUDGE TARFUSSER: [9:46:54] Yes, that's it.

12 Q. [9:46:57] So what role did you play in the group application, in the group victim
13 application?

14 A. [9:47:07] Well, the application to participate as a victim, well, you know, many
15 of us are illiterate, so they needed help, and that's one of the reasons for setting up the
16 association. And even for some of the parents, recognising the meeting places, et
17 cetera, I would contact them to help them, that sort of thing.

18 Q. [9:47:41] You're also listed as one of the contact persons for members of the
19 group.

20 Could you explain how did you come to be a contact person?

21 A. [9:47:53] Well, when you have an association there are certain documents that
22 you fill out. *I'm the president but there is someone else in charge of communication.
23 I'm not in charge of that. So when somebody calls me, I put them in touch with that
24 other person.

25 Q. [9:48:31] Mr Witness, and this will be the last topic from me today, in addition to

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1 some of the documents including the permis d'inhumer that you just saw for your
2 daughter, you have also provided the Prosecution with a number of certificates and
3 identification documents for the other six victims of the women's march.

4 Now, all of these documents are already on record and they are mentioned at
5 paragraph 16 of your statement. So without going into details of each and every
6 single one of them, I would just like you to very briefly explain to us how did you
7 come to be in possession of these documents?

8 A. [9:49:20] Those documents are part of our archives. The parents sent them to
9 us because, when you are in charge of an association, bringing together victims, you
10 need to have the appropriate documents. So these are documents from our archives.

11 Q. [9:49:40] You referred to our archive. Are you referring to the APAFEMA?

12 PRESIDING JUDGE TARFUSSER: [9:49:47] Of course.

13 THE WITNESS: [9:49:49] (Interpretation) Yes, because maybe tomorrow I will no
14 longer be the president. So it's, yes, it's the APAFEMA archives.

15 MS BERDENNIKOVA:

16 Q. [9:49:59] Thank you very much, Mr Witness. I don't have any further questions
17 for you today.

18 A. [9:50:03] Thank you.

19 PRESIDING JUDGE TARFUSSER: [9:50:06] Thank you very much. I give now the
20 floor to the legal representative for victims.

21 MS MASSIDDA: [9:50:10] Thank you, Mr President.

22 QUESTIONED BY MS MASSIDDA: (Interpretation)

23 Q. [9:50:17] Good morning, Mr Witness.

24 A. [9:50:18] Yes.

25 Q. [9:50:19] I have a few follow-up questions for you. Mr Witness, do you know

1 why your daughter wanted to participate in the march that took place on

2 March 3, 2011?

3 A. [9:50:38] Yes. Everybody was tired out, worn out, in Abobo, everybody. We
4 could no longer sleep at night. There was shelling. The death squads came to
5 people's houses. And the women decided to march. The reason my daughter went
6 to march is because she wanted to liberate Côte d'Ivoire. She wanted democracy to
7 be restored.

8 After the elections, she wanted democracy. She wanted the former president to
9 leave power and that the newly elected president take over. And that's why she
10 went to march.

11 Q. [9:51:31] You said it was the women's march. So it was a peaceful march?

12 A. [9:51:36] Yes, yes, of course. They had signs.

13 Q. [9:51:46] Are you familiar with an association called SOS femmes d'Abobo?

14 A. [9:51:55] SOS femmes? Well, I know an association SOS in Paris, not in Abobo.
15 The women say it's called "SOS, Seven Women killed in Abobo." So you need to
16 correct that.

17 Q. [9:52:14] Thank you for that information.

18 So this is an association based in Paris?

19 A. [9:52:22] Yes.

20 Q. [9:52:23] Have you ever met any members of that association after the March 3,
21 2011 march?

22 A. [9:52:33] Well, when the women were killed, my younger brother represented
23 me at a ceremony at the town hall in Abobo. I was working. It was in October, I
24 think, and it was in 2017 in March.

25 Q. [9:53:01] I beg your pardon for interrupting you, but I'd like to go step by step if

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1 you don't mind.

2 A. [9:53:08] Okay.

3 Q. [9:53:09] I'm talking about 2011. Did you ever meet any members of that
4 association, you yourself, that is, in 2011 after the March 3, 2011 march?

5 A. [9:53:22] No, I never met any members of that association.

6 Q. [9:53:26] Did anyone from your family meet any members of that association?

7 A. [9:53:33] No.

8 Q. [9:53:37] Do you know whether any members of your family ever received an
9 envelope from that association with a certain amount of money and a T-shirt?

10 A. [9:53:55] Well, as regards SOS, I have no recollection of that.

11 Q. [9:54:04] Mr Witness, there is a witness that testified recently here before the
12 Court who explained to us, at a given point in time after the March 3, 2011 march --

13 PRESIDING JUDGE TARFUSSER: [9:54:22] Let her finish.

14 MS NAOURI: [9:54:25] (Interpretation) Your Honour.

15 PRESIDING JUDGE TARFUSSER: [9:54:26] -- finish the question, otherwise we
16 don't --

17 MS NAOURI: [9:54:29] (Interpretation) Your Honour, the problem is with the
18 question. It would be preferable to confront the witness with the transcript; it was a
19 public testimony, rather than paraphrasing what the witness said.

20 MS MASSIDDA: [9:54:45] (Interpretation) I'm getting there, I'm getting there. It
21 was just the preliminaries to my question. I'm explaining to the witness what I
22 intend to do.

23 PRESIDING JUDGE TARFUSSER: Please go on.

24 MS MASSIDDA:

25 Q. [9:55:00] Mr Witness, I'm going to read out to you a portion, an extract, of a

1 witness testimony, Witness 172, and this is the transcript from July 7 of this year, 2017.

2 Transcript 174 in the French version, the edited French version, page 20, lines 7 to 20.

3 And I'm quoting.

4 MS NAOURI: [9:55:39] (Interpretation) Could you please tell the witness who this
5 person is.

6 MS MASSIDDA: [9:55:46] (Interpretation) Yes, it is Mr Yacouba Ouattara.

7 Q. [9:55:51] Do you know Mr Yacouba Ouattara?

8 A. [9:55:54] Yes.

9 Q. [9:55:54] Who is this gentleman?

10 A. [9:55:55] He's the person in charge of communication. But at the time, I'm not
11 sure.

12 Q. [9:56:04] Please listen carefully.

13 THE INTERPRETER: [9:56:07] If speakers could avoid overlapping it would be
14 extremely --

15 PRESIDING JUDGE TARFUSSER: [9:56:12] Wait a second, please.

16 MS MASSIDDA: [9:56:23] (Interpretation)

17 Q. [9:56:25] I'm quoting, and this is myself questioning the witness. "Earlier in
18 response to a question from the OTP you indicated that after the march you met with
19 the members of an NGO, SOS femmes d'Abobo. Did you receive an amount of
20 money after the march from that organisation?"

21 The answer from the witness, "After that organisation had come to support us, they
22 came with an envelope with *5000 francs, a T-shirt, and it stated on the T-shirt "March
23 3" and there was a T-shirt for each family". End of quote.

24 Do you remember that?

25 A. [9:57:24] I think there is a bit of confusion, because I told you I wasn't present at

1 that ceremony. When our children were killed, there was an association that came to
2 the house. But I thought you were referring to that. What I said is that at the town
3 hall level, it was my younger brother who represented the family. My younger
4 brother is not myself. I can't speak on his behalf. So that day I wasn't present.

5 Q. [9:58:04] I'm trying to understand. Do you remember this episode, if you will?
6 You yourself were not present but someone else was present. Do you remember
7 that?

8 A. [9:58:14] Yes.

9 Q. [9:58:15] Do I understand correctly that this amount of money was given to the
10 families as a sign of support following the deaths?

11 A. [9:58:39] Well, since the death of our children, but when I use the term "death" it
12 sounds like it's a normal event. No, since our children were killed, money was given
13 to support the families after this terrible loss.

14 Q. [9:59:02] Mr Witness, you explained that you were the president of APAFEMA.

15 A. [9:59:06] Yes.

16 Q. [9:59:10] Does this association commemorate what happened to those women
17 on March 3, 2011?

18 A. [9:59:20] The first time the ceremony took place at my house, in 2012, and since
19 then, each year in a different family we organise Koran readings and blessings for our
20 children. But when we were to go to Mr Coulibaly's house, we went to the cemetery
21 because then we were exhuming the bodies of our children, and so that year we
22 prayed at the cemetery and we organised the Koran readings at the cemetery. It's
23 now the sixth year, this year in 2017, so this year, next year in 2018 there will be one
24 last ceremony.

25 Q. [10:00:18] This year did you receive any amount of money from any

1 representative of Côte d'Ivoire?

2 A. [10:00:27] Yes, the families, not APAFEMA as such, but the families received an
3 amount of money from the representative of the state, but not the association as such.

4 Q. [10:00:39] Can you tell us how much money each family received, if you know?

5 A. [10:00:46] 500,000, and you know, when you give this amount of money, you
6 have to explain. If the person who attended the ceremony is not just an ordinary
7 person; it's madam the minister of families, children and women. So it was a
8 ceremony to commemorate the loss of women and, therefore, when a member of the
9 government comes, they play their official role. They had instructions from the
10 government. If she had not come, she would be not fulfilling her mission.

11 Q. [10:01:36] And we're talking about 500 francs?

12 A. [10:01:41] 500,000 CFA francs per family.

13 Q. [10:01:49] You indicated this morning in response to the OTP that you filed an
14 application to participate as a victim in this trial. Do you remember the
15 circumstances under which the forms were filled out?

16 A. [10:02:14] Well, I'm not really sure because that's not my job.

17 Q. [10:02:22] Well, when you filled in the forms, was there someone there? Was it
18 just the family members or were there other individuals who were present?

19 A. [10:02:37] There were representatives of the registrar.

20 Q. [10:02:42] The participation application was filled out in the presence of
21 representatives of the registrar?

22 A. [10:02:52] Yes, yes, it was on their request that those forms were filled out.

23 Q. [10:02:56] Thank you, Mr Witness. I have no further questions. And thank
24 you.

25 A. [10:03:00] Thank you.

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- 1 MS MASSIDDA: [10:03:03] (Interpretation) Thank you, your Honour.
- 2 PRESIDING JUDGE TARFUSSER: [10:03:05] Thank you very much. Now it's the
3 time for the Defence for Mr Gbagbo and Mr Blé Goudé to question you, and I think
4 the Defence for Mr Gbagbo starts. And I give the floor to Maître Altit.
- 5 MR ALTIT: [10:03:21] (Interpretation) Thank you, your Honour. Mr President,
6 your Honours, Madam Naouri will be cross-examining this witness.
- 7 PRESIDING JUDGE TARFUSSER: [10:03:32] Thank you very much.
8 Madam Naouri.
- 9 MS NAOURI: [10:03:46] (Interpretation) Thank you, your Honour.
- 10 QUESTIONED BY MS NAOURI: (Interpretation)
- 11 Q. [10:03:52] Good morning, Mr Witness.
- 12 A. [10:03:54] Good morning, madam.
- 13 Q. [10:03:56] My name is Jennifer Naouri. I'm going to be asking you questions
14 today on behalf of the Gbagbo Defence team.
- 15 A. [10:04:04] Fine.
- 16 Q. [10:04:07] Mr Witness, could you tell us how long you've been a member of the
17 RDR?
- 18 A. [10:04:16] Since it was set up.
- 19 Q. [10:04:21] What was your role in the creation of the RDR?
- 20 A. [10:04:31] Well, I was the president of a neighbourhood committee.
- 21 Q. [10:04:41] Can you explain what that means?
- 22 A. [10:04:44] Well, committee president means I managed the individuals who
23 joined the movement.
- 24 Q. [10:04:52] Did you organise rallies and meetings?
- 25 A. [10:05:00] Yes, ever since 1994.

1 Q. [10:05:07] What was your neighbourhood?

2 A. [10:05:16] Abobo centre in the commune of Abobo.

3 Q. [10:05:21] Who were the other founding members?

4 A. [10:05:31] Well, in Abobo I can't tell you the names. It's confidential. I can't
5 tell you who the founding members were in Abobo. I can tell you about myself, but
6 I can't give you the other names.

7 Q. [10:05:47] Mr Witness, the RDR is a political movement that is public.

8 A. [10:05:58] Well, I don't know. I don't know if it's public. It's a political
9 organisation.

10 Q. [10:06:03] Very well.

11 Your Honour, I'd like to go into private session for a few moments, if you will.

12 PRESIDING JUDGE TARFUSSER: [10:06:12] Well, Mr Witness, it's public in nature.

13 THE WITNESS: [10:06:15] Oui.

14 PRESIDING JUDGE TARFUSSER: [10:06:16] But let's go into private session. And
15 there is nothing confidential in front of the Court of law. And if it's confidential for
16 the outside world, we can go in private session so it remains inside, but it's not
17 confidential as such.

18 THE WITNESS: [10:06:42] (Interpretation) Yes.

19 (Private session at 10.06 a.m.)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

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5 (Open session at 10.11 a.m.)

6 THE COURT OFFICER: [10:11:52] We are back in open session, Mr President.

7 PRESIDING JUDGE TARFUSSER: [10:11:56] Madam Naouri.

8 MS NAOURI: [10:12:00] (Interpretation) Thank you, your Honour.

9 Q. [10:12:11] Mr Witness, during the campaign, and I mean the electoral campaign,
10 did you participate in rallies?

11 A. [10:12:24] No.

12 Q. [10:12:28] You didn't attend any meeting or rally during the campaign?

13 A. [10:12:37] No.

14 Q. [10:12:41] We needed to check something in the transcription.

15 Mr Witness, are you familiar with the office of the RDR that is near Camp

16 Commando?

17 A. [10:13:14] I told you I no longer participate in the activities. I live in Abobo.

18 To be familiar with the headquarters of the RDR, for anybody who lives in Abobo,

19 anybody knows exactly where the headquarters is situated. And yes, I live in Abobo.

20 And I am involved in various activities in Abobo.

21 Q. [10:13:41] Mr Witness, I'd like to read out paragraph 12 of your statement. Do
22 you have a copy of your statement in front of you?

23 A. [10:14:02] No.

24 Q. [10:14:05] I'm quoting, paragraph 12, "I am a member of the RDR and have been
25 since its creation in 1994. I am in fact one of the founding members, but I no longer

1 play an active role within the party. It is since the death of my daughter, Bamba
2 Nachamy, who died on March 3, 2011 during the march, during the women's march,
3 that I have no longer played an active role in politics." End of quote.

4 My question is, is this statement correct?

5 A. [10:14:51] Yes.

6 Q. [10:14:54] So you have no longer participated actively in politics since your
7 daughter died?

8 A. [10:15:04] Let me try to explain what I meant in this paragraph. When I say I
9 no longer participate in politics, I mean within the RDR. Of course within the RDR.

10 Q. [10:15:19] Very well.

11 A. [10:15:30] I haven't finished. Now I can see the transcript.

12 Q. [10:15:35] Very well. Tell us.

13 A. [10:15:37] As I was saying earlier on, since the death of my daughter, I've not
14 been involved in politics. But since the RDR, I've been a militant elsewhere. So
15 outside the RDR I've been a militant elsewhere.

16 Q. [10:15:58] Where?

17 A. [10:16:02] MFA, Mouvement des forces de l'avenir.

18 Q. [10:16:10] What is that?

19 A. [10:16:11] It's a political movement.

20 Q. [10:16:14] Can you tell us a little bit more about that political movement?

21 A. [10:16:17] It's like any other political organisation. The movement of the forces
22 of the future, mouvement des forces de l'avenir. It was created not very long ago,
23 but as I was saying, since my daughter died, I've not been involved in politics.

24 Q. [10:16:37] Could you tell us what you were doing within that political
25 movement?

- 1 A. [10:16:42] I was a member. I was a member of that organisation. That's all.
- 2 Q. [10:16:50] Did you organise meetings?
- 3 A. [10:16:59] No. I wasn't an active member.
- 4 Q. [10:17:11] Is that movement part of the *RHDP?
- 5 A. [10:17:19] Yes.
- 6 Q. [10:17:20] Very well. And who is its leader?
- 7 A. [10:17:28] I don't know who currently. I don't know who at the moment.
- 8 Q. [10:17:35] At the time?
- 9 A. [10:17:39] Anaki Kobenan.
- 10 Q. [10:17:49] Witness, did you also work at the town hall of Abobo?
- 11 A. [10:17:54] Never.
- 12 Q. [10:17:58] Were you a volunteer at the town hall of Abobo?
- 13 A. [10:18:10] No. I was the president of the jeunes d'Abobo-centre from '85 to *'95
- 14 and, as such, if you are in that role, then you work with the town hall because it's an
- 15 organisation that's part of the town hall, and it was called the UJCA, the Union des
- 16 jeunes d'Abobo, de centre d'Abobo.
- 17 Q. [10:18:50] Very well. And as president of the youth group, what was your
- 18 role?
- 19 A. [10:18:54] It was to organise the youth, leisure time activities.
- 20 Q. [10:19:07] How many young people?
- 21 A. [10:19:08] I can't tell you. It's a whole district, 120 hectares. You can imagine
- 22 how many young people there were there.
- 23 Q. [10:19:15] Very well. Witness, do you know Sirah Dramé?
- 24 A. [10:19:33] Sirah Dramé worked at the town hall.
- 25 Q. [10:19:37] As? What is the function?

1 A. [10:19:39] I don't know, other than the town hall of Abobo, we're in the same
2 district, but as regards what that person did in the town hall, I'm not really interested.

3 Q. [10:19:53] Do you know the Minister Adama Toungara?

4 A. [10:19:59] I've heard mention of the mayor of the commune, but other than that,
5 I don't have any specific contacts with him.

6 Q. [10:20:17] Do you know Maïmouna Touré?

7 A. [10:20:20] Well, you read about them in the press. I know that she works at the
8 town hall. The name Maïmouna, well, I know "Madam Touré".

9 Q. [10:20:36] Very well. Very well. Witness, I'd now like us to talk about the
10 march on the 3rd of March.

11 A. [10:20:49] Very well.

12 Q. [10:20:53] Did you know that there was going to be a march on 3 March 2011?

13 A. [10:21:00] No.

14 Q. [10:21:01] So nobody told you there was going to be a march on the 3 March
15 2011, nobody from the RDR for instance?

16 A. [10:21:12] Let me explain to you. On that day, 3 March, I didn't know. I told
17 you I wasn't interested in it. I mean, when I mean I'm not interested, I'm not
18 interested. On that particular day when I took my car and I arrived at the
19 roundabout in front of the town hall of Abobo where it was said that the march was
20 to leave from, I saw that the road had been blocked. I was going to pick up a
21 colleague, a lady, and I was told no, you can't get through. So I went all the way
22 around, and I picked my colleague up, and I was at 45 kilometres out of Abobo. Let
23 me explain to you, which means that I didn't know. I was in my office when I heard
24 that there was a march in Abobo.

25 Q. [10:22:02] Witness, what you've just told us, we're going to go through it step by

1 step, if you will. Where were you coming from before you got to that point in
2 Abobo?

3 A. [10:22:26] From my home, around about 300 metres.

4 Q. [10:22:39] What time was it at about that point?

5 A. [10:22:40] Six o'clock, I left my home. I leave my home at about 6 o'clock.

6 Q. [10:22:44] And where were you going?

7 A. [10:22:45] I was going to Vridy, the port area.

8 Q. [10:22:53] And how do you get to Vridy?

9 A. [10:23:06] I had a car; I have a car.

10 Q. [10:23:09] If I correctly understand, you had to go on a detour to pick someone
11 else; is that correct?

12 A. [10:23:19] Yes.

13 Q. [10:23:19] Can you explain the route you took?

14 A. [10:23:24] It's not very far. I came back towards my home and took the back
15 road and picked up my colleague at the Abobo market. I had to go around the town
16 hall. From my house, when you go up to the roundabout, you go in front of the
17 town hall. Because there was the roadblock, I had to go back and went off towards
18 the CEMA, picked up my colleague, and we came out where the zoo is, the Plateau
19 Dokui.

20 Q. [10:24:05] How long did it take you to get to work?

21 A. [10:24:10] Round about 30 minutes.

22 Q. [10:24:15] Did you see your daughter before you left on that day?

23 A. [10:24:20] No.

24 Q. [10:24:24] Witness, your younger brother, he joined the march on that day?

25 A. [10:24:36] I said he worked in the town hall. I'm not in the commune. I don't

1 work within the commune. My young brother works at the town hall of Abobo.

2 Q. [10:24:46] Admittedly. But my question is, did you know that your little
3 brother joined the march on that day?

4 A. [10:24:58] How could I know? I wasn't in Abobo.

5 Q. [10:25:03] Did he tell you afterwards?

6 A. [10:25:08] Afterwards, when my daughter was killed, he said he'd been called to
7 go and collect my daughter's body in le Banco, the district where the women were
8 shelled. He's the one together with his friends who brought the body back to the
9 house on a cart.

10 Q. [10:25:31] We will get there, Witness. Who called him?

11 A. [10:25:37] Madam, he knows people.

12 Q. [10:25:42] He didn't tell you?

13 THE INTERPRETER: [10:25:43] Overlapping speakers.

14 PRESIDING JUDGE TARFUSSER: [10:25:45] Please, Mr Witness, may I ask you for
15 now, I don't know how many times, to slow down.

16 THE WITNESS: [10:25:53] Okay.

17 PRESIDING JUDGE TARFUSSER: [10:25:54] To wait until they finish, but especially
18 there is no need for your animosity. Just keep calm. Respond to the questions.

19 There is a right by the Defence counsel to put questions to you. And you have to
20 answer them. And please, please avoid to this animosity. Thank you very much.

21 MS NAOURI: [10:26:24] (Interpretation) Thank you, your Honour.

22 Q. [10:26:27] Witness, can you tell me what your brother's job was at the town hall
23 of Abobo?

24 A. [10:26:35] He worked in the transport service.

25 Q. [10:26:43] Do you know that he was one of the organisers of the march for the 3

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1 March 2011?

2 A. [10:26:56] I didn't know.

3 Q. [10:27:00] And when he's in charge of security matters, is he armed at that time?

4 A. [10:27:14] *In Abidjan, security for political parties does not involve weapons.

5 Q. [10:27:19] Very well. Do you know how the women were mobilised for the
6 march on the 3 March 2011?

7 A. [10:27:34] Madam, I told you I didn't even know there was a march, so I couldn't
8 know how they were mobilised.

9 They had the means.

10 Q. [10:27:47] Witness, that's clear. But after you created an association, the

11 APAFEMA --

12 A. [10:27:57] Yes.

13 Q. [10:27:59] -- you met the parents of the victims?

14 A. [10:28:03] Yes.

15 Q. [10:28:05] You spoke about things, didn't you, the incidents, what happened?

16 A. [10:28:11] I don't know what you're talking about.

17 Q. [10:28:16] You discussed among yourselves what had happened on 3 March
18 2011, you exchanged information?

19 A. [10:28:24] Yes.

20 Q. [10:28:28] During those discussions, did you learn how the women had
21 mobilised?

22 A. [10:28:37] What I was interested in in those discussions was how the women
23 were killed.

24 Q. [10:28:51] Okay. Witness, was your daughter involved in the electoral
25 campaign?

1 A. [10:29:14] During the campaign, everyone was participating. I'm not really
2 interested in that. I was involved in other occupations.

3 Q. [10:29:29] This morning you told us on page 16, line 9, in answer to the question,
4 the following question, and I quote, "Do you know why your daughter wanted to join
5 the march on 3 March 2011?"

6 And your answer, "Yes, everyone was tired in Abobo. Everyone was fed up in
7 Abobo. We no longer slept in the evenings. There was shelling, death squads. So
8 the women decided to march. If my daughter went it was because she wanted to
9 liberate the Côte d'Ivoire. She wanted democracy to rein. She didn't want
10 democracy to disappear after the elections. She wanted the former president to
11 stand down and to hand over to the person who had won the elections. That's the
12 reason why my daughter helped in the march." End of quotation.

13 How do you know why your daughter went to march on that day if you didn't
14 discuss things with her about the march? So how did you learn this?

15 A. [10:31:00] Could you repeat the question, please?

16 Q. [10:31:07] How do you know why your daughter went on the march that day if
17 you had never discussed the march with your daughter?

18 A. [10:31:17] It's not because of the march. I mean, I spoke to my daughter ever
19 since the day she was born. I spoke to my daughter. I said that I didn't know she
20 was joining the march. But at home every evening when I came back or the
21 weekends when I was there, we would talk.

22 Q. [10:31:37] So you knew that she had political activities?

23 A. [10:31:47] It's not that I knew that she had political activities. I said that she
24 was devastated. She was fed up, as everybody was. And we wanted democracy in
25 Abobo and in Abidjan and in Côte d'Ivoire. I never said anything about political

1 activities. The march was a peaceful march.

2 Q. [10:32:16] Witness, you have another daughter, don't you?

3 A. [10:32:25] Yes.

4 Q. [10:32:28] Did she join the march on that day?

5 A. [10:32:32] She was the one who called me. She wasn't at the march.

6 Q. [10:32:37] But she was at the march?

7 A. [10:32:40] She had -- she was involved in other things. I didn't say she was at
8 the march. She was the one who called me.

9 Q. [10:32:50] Did she tell you how she had got the information concerning your
10 daughter Nachamy?

11 A. [10:33:05] The information was, when the body was brought home --

12 THE INTERPRETER: [10:33:12] Overlapping speakers.

13 MS NAOURI: [10:33:24] (Interpretation)

14 Q. [10:33:26] In paragraph 26 you say, and I quote, "Later that morning around 10,
15 my older daughter called me on the phone to tell me that Bamba Nachamy had been
16 shot. I went back home immediately. I did not know that Bamba Nachamy had
17 been killed. I thought that she was just wounded." End of quotation.

18 So when she called you, your daughter, at 10 a.m., what did she say to you?

19 A. [10:34:11] I think it was right to read that part out, because if she told me there
20 that my daughter had been killed, I don't think I would have been able to drive home.
21 So it was a way of getting me to come home.

22 In times of crisis, I was told that my daughter had been shot. So I was thinking
23 about how to get her to a clinic. It wasn't that easy. And it was when I got home
24 that I saw a crowd and I saw a cart that was covered in blood.

25 Q. [10:34:49] We'll get to that.

1 Did you learn later from your other daughter that she had joined the march that day
2 or where was she when she called you? And how did she hear about this?

3 A. [10:35:16] I've told you that my daughter was at home. She was the one, she
4 was the one who was brave enough among the members of the family to call me.

5 Q. [10:35:34] Very well. So your daughter was at home, your second daughter?
6 Let's be clear on that. How did she hear about what had happened to Nachamy?

7 A. [10:35:54] It was my little brother who sent my daughter's body back home.
8 And it's my little brother, his child who is my daughter. So he said that there had
9 been shelling of the women and that my daughter was dead. And my daughter is
10 intelligent. She knew what was going on. She was probably told to call me,
11 because she was the one who called me. That's what I said. I was at home and it
12 was when my daughter's body came back that my other daughter knew that there
13 had been shelling that had killed women. That's what I've said. That's how it was.

14 Q. [10:36:47] Witness, that means that your other daughter, not Nachamy, called
15 you when the body was already at home; is that what you are saying to us?

16 A. [10:37:02] I don't know. I would say it's when the body arrives, the body was
17 there at home.

18 Q. [10:37:09] And she called you at 10; is that correct?

19 A. [10:37:11] I said 10, 10.30. I don't know exactly when. When I said 10, it was
20 round about. I can't be precise on that.

21 Q. [10:37:30] Very well. Witness, did your brother call you on that day, your little
22 brother?

23 A. [10:38:08] No. It was me who called him when I got back to Abobo. I called
24 him, but nobody was answering my cell phone. I called, *one of my brothers, I
25 called Bamba Moussa, I called but nobody was answering until I got home.

1 Q. [10:38:29] Okay. Very well. So when you received the call, what was the
2 route you took to get home?

3 A. [10:38:42] Thank you. From the CHU in Treichville, I took the pont De Gaulle,
4 *the Boulevard Lagunaire, the zoo, because it comes after the Boulevard Lagunaire,
5 up to the Plateau crossroads, the Dokui, Abobo Té, and I came out to Sans-Manquer.
6 *And that was the entry into the main part of the town.

7 Q. [10:39:26] How long did it take you?

8 A. [10:39:36] With the traffic jams, around about 30 to 40 minutes.

9 Q. [10:39:50] What time did you reach your home?

10 A. [10:40:11] Madam, I didn't have time to take a look at what time it was.

11 Q. [10:40:16] Approximately?

12 A. [10:40:16] If I were to say anything, it would be a lie. I know I arrived before *12.
13 We had time for the prayer at 13.30. We prayed over the body and then we left.

14 Q. [10:40:35] Very well. The phone conversation between you and your *daughter,
15 how long did that last?

16 A. [10:40:46] It was just a call to say Mimi -- because that's how we called
17 her -- Mimi has been shot. You can imagine how long that took. I can't really
18 calculate.

19 Q. [10:41:05] And then I was going to --

20 A. [10:41:16] Well, I was in -- I had responsibilities in my company. I had to
21 request permission before I could go anywhere. So I had no idea of the time
22 involved in all of this.

23 Q. [10:41:32] Witness, did you tell your older daughter to go to the hospital?

24 A. [10:41:44] If I had, then I would have told you. It would have been in my
25 statement.

1 A. [10:41:50] Very well. And who transported your daughter back to your home?

2 A. [10:42:04] I've already told you it's my little brother.

3 Q. [10:42:09] On his own?

4 A. [10:42:10] I don't know because there were others there, other young people
5 there. It wasn't possible to be insensitive to that sort of situation, to see a body and
6 not to volunteer to help in taking it back home.

7 Q. [10:42:32] Witness.

8 A. [10:42:50] Yes.

9 Q. [10:42:54] Did your brother explain to you how they transported the body back?

10 A. [10:43:03] It's not difficult to explain. They picked up the body, put it in a cart
11 that was by the roadside and brought it back home. That's it. There is nothing else
12 involved, no ceremony.

13 Q. [10:43:22] Okay. But if it's your brother who explained how the body was
14 brought back, did he explain why he was there?

15 A. [10:43:31] I've already told you, I said I can't answer that. He works for the
16 commune, for the town hall. And he had his friends who were there. So he works
17 there in the commune, and he's in the transport division.

18 Q. [10:43:57] Witness, if your brother was present, for instance, when there were
19 tanks, he must have told you what had happened.

20 A. [10:44:06] I never said my brother was there. I never said that.

21 Q. [10:44:13] But he's the one who brought the body back.

22 A. [10:44:17] He could have been at his workplace, as I was at my workplace, and I
23 was called up. So I cannot say what I didn't see with my own eyes. I just know that
24 my daughter's body was brought back home thanks to my little brother.

25 Q. [10:44:35] And when your brother arrived at your home with the body, was he

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1 accompanied by other young people? And did they remain there?

2 A. [10:45:08] I said earlier on that when I got back from work there were a lot of
3 men gathered at my home.

4 THE INTERPRETER: [10:45:18] Overlapping speakers.

5 THE WITNESS: [10:45:23] (Interpretation) Let me finish. You asked me a
6 question. I couldn't count the number of people out on the road, on the public
7 highway. It was an entire district, a community. I said that I was the president of
8 the youth movement. So I'm not just any old person there, nor is my brother. So all
9 of our relations are family members, friends, they were all there to give the family
10 support.

11 The road was full of people. It wasn't easy for me to find a way to drive home.

12 Q. [10:46:06] So if I understand correctly, you and your brother are well-known?

13 A. [10:46:09] What do you mean well-known?

14 Q. [10:46:12] You're known in the neighbourhood?

15 A. [10:46:13] Yes.

16 PRESIDING JUDGE TARFUSSER: [10:46:19] Time for the break.

17 MS NAOURI: [10:46:20] (Interpretation) Very well, your Honour.

18 PRESIDING JUDGE TARFUSSER: [10:46:22] It's now time for our break, Mr Witness.

19 You can leave the courtroom and have half an hour break and we come back at 11.15,
20 in half an hour. Thank you very much for the time.

21 Can you bring the witness out.

22 (The witness stands down)

23 PRESIDING JUDGE TARFUSSER: [10:46:56] Just for a question. I would like to
24 know how we proceed because if there is need for extended hours or no. So just if
25 one can give me a guess on the timing, I would be very happy.

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1 MS NAOURI: [10:47:30] (Interpretation) Another two hours, I believe, your
2 Honour.

3 PRESIDING JUDGE TARFUSSER: [10:47:43] So in any case we go for extended
4 hours for the next session. We have extended hours and then we see how we
5 proceed. So we come back at 11.15, 20, something like this, and then we go for a
6 two-hour's session, okay, so in order to allow you to conclude. Thank you very
7 much.

8 THE COURT USHER: [10:48:04] All rise.

9 (Recess taken at 10.48 a.m.)

10 (Upon resuming in open session at 11.22 a.m.)

11 THE COURT USHER: [11:22:32] All rise.

12 PRESIDING JUDGE TARFUSSER: [11:22:44] Good morning. Good morning,
13 Mr Witness.

14 Once again I give immediately the floor to Madam Naouri.

15 MS NAOURI: [11:22:58] (Interpretation) Thank you, your Honour.

16 Q. [11:23:07] Mr Witness, why was your daughter not taken to the hospital at
17 Abobo south?

18 A. [11:23:19] On 3 March, that wasn't possible.

19 Q. [11:23:26] Did you know whether other bodies had been taken to Abobo south
20 that day?

21 A. [11:23:34] I was given an explanation. Five bodies were taken to Abobo south,
22 but after that, well, I think you know the rest of the story.

23 Q. [11:23:46] Who told you this?

24 A. [11:23:50] Well, that day my communications person in Abobo south, who went
25 with the five, the five bodies, that's what he explained to me. He told me he was

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1 there with the five bodies, but it was not easy.

2 Q. [11:24:07] Very well. And that was Yacouba Ouattara, your communications
3 man?

4 A. [11:24:19] Yes.

5 Q. [11:24:22] Mr Witness, you got home and your daughter's body was already
6 there; isn't that right?

7 A. [11:24:32] Yes.

8 Q. [11:24:35] Could you tell us what you saw?

9 A. [11:24:39] What I saw?

10 Q. [11:24:40] Yes.

11 A. [11:24:42] At home?

12 Q. [11:24:43] Yes.

13 A. [11:24:45] I got there and I saw all kinds of people in the courtyard, on the road.
14 I went inside, and I went to see my daughter's body.

15 Q. [11:24:54] Very well.

16 A. [11:25:00] And, yes? I went to see my daughter's body.

17 Q. [11:25:09] Could you describe the state of your daughter's body to us?

18 A. [11:25:17] The state of my daughter's body. That's difficult, ma'am, for a father
19 to see his daughter, who has been decapitated. And I haven't finished. And her
20 arm, there was a bullet wound. But her throat, that was absolutely horrific. It's
21 difficult to tell you about that.

22 Q. [11:25:55] So you're telling us she had been decapitated?

23 A. [11:25:58] The impact was at the throat.

24 MS MASSIDDA: [11:26:03] (Interpretation) Your Honour.

25 PRESIDING JUDGE TARFUSSER: [11:26:05] Have we to go into these details? No,

1 no, we have not.

2 MS MASSIDDA: [11:26:10] Thank you, Mr President.

3 MS NAOURI: [11:26:14] (Interpretation)

4 Q. [11:26:15] Mr Witness, you yourself did not see what your daughter was
5 wearing that day on 3 March when she left?

6 A. [11:26:28] She came back --

7 Q. [11:26:31] That wasn't my question.

8 A. [11:26:33] She came back wearing the same clothes as when she --

9 PRESIDING JUDGE TARFUSSER: [11:26:39] The question would have been: Did
10 you know what she was wearing that day?

11 THE WITNESS: [11:26:45] (Interpretation) She was wearing a T-shirt, and that's
12 what the body had on it when she returned, and a pair of jeans.

13 PRESIDING JUDGE TARFUSSER: [11:27:01] But the question is, did you know what
14 she was wearing when she left the house?

15 THE WITNESS: [11:27:09] (Interpretation) No, but I didn't see her in the morning,
16 so I don't know what she was wearing.

17 PRESIDING JUDGE TARFUSSER: [11:27:18] You know what she was wearing
18 because you saw her wearing those things you described when you saw her after,
19 when she was already deceased?

20 THE WITNESS: [11:27:31] Voila.

21 PRESIDING JUDGE TARFUSSER: [11:27:33] Okay. Madam Naouri.

22 MS NAOURI: [11:27:35] (Interpretation)

23 Q. [11:27:45] Mr Witness, who was the photographer who took the pictures of your
24 daughter that day?

25 A. [11:27:52] My neighbour. There is a photographer who lives next door to me.

1 Q. [11:28:02] And when did he arrive at your home?

2 A. [11:28:06] The photographs were taken before I got there.

3 Q. [11:28:16] So you weren't there when he took the photographs?

4 A. [11:28:20] No.

5 Q. [11:28:24] And do you know who sent him there?

6 A. [11:28:27] Well, he was my -- he's my neighbour. He's part of the family. He
7 needed to take the photographs. He's like a family member. He's my
8 photographer.

9 Q. [11:28:43] What do you mean that he's your photographer?

10 A. [11:28:50] He photographs all the families when there is a birthday or a baptism.
11 But that day it was bereavement. So he needed to memorise. He needed to take
12 that picture, capture that image.

13 Q. [11:29:06] Very well. And what kind of camera did he use?

14 A. [11:29:11] He has several cameras. He's not an amateur. He's a professional.

15 Q. [11:29:16] How did you get those photographs?

16 A. [11:29:24] I told you he's my neighbour, and he's my photographer. He's my
17 neighbour and my photographer. And once he had finished, I saw the photographs
18 and I asked him to print, to print out the photographs from various angles, and
19 they've been put on the record as well.

20 Q. [11:29:49] Exactly. They have been placed on the record. And we're trying to
21 understand how you obtained them. You said that you asked him to print?

22 A. [11:29:59] Well, he has a computer. And on the computer I viewed the
23 photographs and I said print them off. I want to keep them. They belong to me.

24 Q. [11:30:14] When did you view these photographs on his computer?

25 A. [11:30:20] Two days after.

- 1 Q. [11:30:23] And did he print them off that very same day?
- 2 A. [11:30:32] Two days after, I told you. I said two days after.
- 3 Q. [11:30:39] My question is this, when you saw them two days later, and you were
- 4 looking on the computer, did he print the photographs off the computer that day?
- 5 A. [11:30:52] *I sent that to the lab, and the same day, he printed them. He sent
- 6 the camera to the laboratory for the pictures to be printed.
- 7 Q. [11:31:05] And once they were sent to the laboratory, when did you get them?
- 8 A. [11:31:14] The same day.
- 9 Q. [11:31:18] And you just got a hard version?
- 10 A. [11:31:25] Huh?
- 11 Q. [11:31:27] You didn't get electronic copies, you just got prints?
- 12 A. [11:31:31] That was later, because I really don't know a lot about electronics.
- 13 Later, I got a key and USB stick and then I put them on, but at first, prints.
- 14 Q. [11:31:46] When did you get that stick?
- 15 A. [11:31:51] Less than a year ago. I gave him a USB stick so he could put the
- 16 pictures on it.
- 17 Q. [11:32:01] You said a year?
- 18 A. [11:32:05] Less than a year ago.
- 19 Q. [11:32:10] Do you still have the USB stick?
- 20 A. [11:32:13] Yes. I mean, they last forever.
- 21 Q. [11:32:18] So we could look at this stick and find the metadata for the
- 22 photographs that were taken?
- 23 A. [11:32:25] Yes. Well, I didn't bring it with me. But if you need that, I have it.
- 24 It's in Abidjan.
- 25 Q. [11:32:32] Very well. Did you have to pay for those photographs?

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1 A. [11:32:42] Yes. He's a professional. He makes his living that way.

2 Q. [11:32:48] How much did you pay for the photographs?

3 A. [11:32:53] It wasn't --

4 PRESIDING JUDGE TARFUSSER: [11:32:58] Is it important how much he paid?

5 MS NAOURI: [11:33:01] (Interpretation) I'm nearly finished with this line of
6 questioning.

7 THE WITNESS: [11:33:07] (Interpretation) You want me to answer?

8 MS NAOURI: [11:33:10] (Interpretation)

9 Q. [11:33:11] Yes, I do.

10 A. [11:33:12] Even if it was a million I would have paid for my daughter's pictures;
11 I would have. *I paid 1000 francs, by card.

12 Q. [11:33:22] Thank you. Thank you, Mr Witness. Very well. I'd like us to go
13 back to one point you mentioned this morning. And I'll read the transcript. Page 7,
14 line 24 onwards, you said, "Indeed, I went in and there was the body. It was 10.30 or
15 11 in the morning; 13.30 there was the prayers. We took the body to Abobo centre,
16 and then after that we proceeded with the burial at the Abobo cemetery. But well
17 before that, I did get the documents at the town hall and I gave the money for the
18 certificate and perhaps" -- I'm sorry, I'm trying to decipher different parts of the
19 transcript -- "and perhaps after the prayers at 13.30, Abobo. There you have it".
20 End of quote.

21 Now let's focus and sort out what happened, all right, Mr Witness. When did you
22 go to Abobo town hall?

23 A. [11:35:18] I didn't go to the Abobo town hall.

24 Q. [11:35:22] Very well. So how did you get the burial certificate?

25 A. [11:35:31] I sent my younger brother. I sent my younger brother, Bamba

1 Moussa, and Mr Dosso Mamadou, who is also working at the town hall, to have the
2 certificate drawn up for me.

3 Q. [11:35:54] Did you have some sort of legal statement or document for the death?

4 A. [11:36:06] Well, you can't have a burial certificate issued without that document.
5 But I wasn't there. I told you.

6 Q. [11:36:19] Did you call a doctor to issue the death certificate?

7 A. [11:36:25] I entrusted that task to my younger brother. And I was -- I was
8 almost -- I wasn't -- I wasn't myself.

9 Q. [11:36:41] But you personally, you don't remember seeing a doctor by the side of
10 your daughter's body that day?

11 A. [11:36:53] No. I told you I asked my younger brother to do that. He was in
12 charge of everything up until the point that we got to the cemetery.

13 Q. [11:37:04] Very well. And did your younger brother tell you which particular
14 document he *was asked for at the town hall?

15 A. [11:37:22] Well, you can't get that burial certificate without the death certificate.

16 Q. [11:37:33] Very well. And how did your younger brother get the
17 non-contagion certificate?

18 A. [11:37:44] I told you, he took care of all that. That document, the non-contagion
19 document. The point was to get the burial certificate, and for the town hall to issue
20 that, you have to have all this information, these documents.

21 Q. [11:38:02] Very well. And you're saying that your younger brother had all the
22 necessary documents so that the burial certificate could be issued on the 3rd of
23 March 2011?

24 A. [11:38:11] Well, all that was important to me was getting the burial certificate.

25 Q. [11:38:19] So you're saying that the town hall was open that day?

1 A. [11:38:30] Yes, it was not a holiday. It was a working day. It was Thursday.

2 I had gone to work that day. It was a working day.

3 Q. [11:38:40] Very well. And when did your younger brother come back from the
4 town hall, the Abobo town hall, that day?

5 A. [11:38:55] *Ah...10am, 11am, he works until noon. In the afternoon he came. And
6 the lunch break is between noon and 1400 hours. After 13.30 we left with the body.

7 Q. [11:39:13] Very well. Who organised the transportation of the body?

8 A. [11:39:22] My younger brother and his friends.

9 Q. [11:39:27] How long did that take?

10 A. [11:39:32] Ma'am, I don't know how long. How am I to know?

11 Q. [11:39:37] You were there.

12 A. [11:39:40] I don't -- I can't tell you. I don't know how much time. I can't tell
13 you exactly how much time it took.

14 Q. [11:39:48] I'm not asking you exactly. Ten minutes, 20 minutes, an hour?

15 A. [11:39:54] I don't know.

16 Q. [11:39:56] Very well.

17 PRESIDING JUDGE TARFUSSER: [11:40:03] How much time it took what? The
18 transportation or to have the --

19 MS NAOURI: [11:40:06] (Interpretation) The organisation of the transportation,
20 getting the vehicle, et cetera.

21 Q. [11:40:17] Mr Witness, who did the vehicle belong to, this vehicle that was used
22 to transport the body?

23 A. [11:40:25] Ma'am, I wasn't there. I know there was an unmarked car. And
24 you see, we're a community. We live together as a community. At that time, you
25 don't even need to know who it's for. It's Africa.

1 PRESIDING JUDGE TARFUSSER: [11:40:43] Madam Massidda.

2 MS MASSIDDA: [11:40:46] Your Honour, I would like to intervene because I think
3 the witness has already said at least seven times, if I counted well, that he was not in
4 the state of fully appreciating and understanding what was happening to him. And
5 he was not present when all the arrangements for the disposal of a corpse were done.
6 So I really do not understand why this line of questioning is pursued at this point in
7 time. Thank you.

8 PRESIDING JUDGE TARFUSSER: [11:41:19] Yes. I do not understand the line of
9 questioning and the importance of it. I mean, how much time it occurred? I mean.

10 MS NAOURI: [11:41:29] (Interpretation) Your Honour, testimony must provide
11 specific information. We need to be able to piece together an account. And we are
12 seeing some inconsistencies here. That's the first thing. We are being very careful
13 with the witness, but he says that he remembers vehicles at Sans-Manquer. We try
14 to piece together the various elements of information, then he says he wasn't there
15 when the vehicle -- but then he was at Sans-Manquer when he saw GR vehicles go by.
16 We are here to understand what happened and to pinpoint inconsistencies in
17 testimony. That is our duty.

18 PRESIDING JUDGE TARFUSSER: [11:42:17] Yes, I know, but I do know what the
19 duties are, and thank you for the lesson. But I think, if there are inconsistencies, just
20 confront him with inconsistencies. And not to ask him the same time, ten times the
21 same thing when the answer is obvious and foreseeable.

22 MS NAOURI: [11:42:39] (Interpretation) Very well. Thank you.

23 Q. [11:42:43] Mr Witness, did you see the vehicle that transported the body?

24 A. [11:42:50] I wanted to go back to what you said. I didn't say that I didn't see
25 the vehicle that transported the body. It was an unmarked car. You asked me who

1 it belonged to. I didn't know about that. So I think you need to go back to what I
2 said and ask your question.

3 Q. [11:43:12] Very well. That's very clear. Thank you for clarifying.
4 What did the vehicle look like?

5 A. [11:43:18] It was a transportation vehicle. It was urban -- it's called a gbaka in
6 Abidjan, for transportation.

7 Q. [11:43:33] And you saw, you were there when the body --

8 A. [11:43:40] I took part in the prayer and the transportation from the house to the
9 vehicle and --

10 Q. [11:43:48] Very well. That's clear. Thank you. Where was the body to be
11 taken to?

12 A. [11:44:02] Where the body was to be taken to? To the cemetery.

13 Q. [11:44:13] Did you speak to the imam to organise the transportation of the body?

14 A. [11:44:19] He was in charge of praying, praying over the body. *Alassane was
15 a friend of my younger brother, and he's also from the neighbourhood.

16 Q. [11:44:33] Was he at your home at that time on 3 March 2011, the imam?

17 A. [11:44:41] We didn't pray at the mosque. I said we prayed at home. He was
18 at my home.

19 Q. [11:44:52] And did he make any arrangements for the burial of the body?

20 A. [11:45:05] The imam has a role to play, namely, to go along with the body, to
21 pray over the body, to go with the body, and to pray at the cemetery. There are
22 prayers before the burial. Verses of the Koran need to be recited before the body is
23 buried. Fortunately, I was able to obtain the body of my daughter that day.

24 Q. [11:45:35] Very well. Who was driving the vehicle that transported the body of
25 your daughter?

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1 A. [11:45:50] Madam, I really don't know who the driver was. I can't control that.

2 PRESIDING JUDGE TARFUSSER: [11:45:57] Please.

3 MS NAOURI: [11:45:57] (Interpretation) He just said he accompanied the body to
4 the vehicle. Perhaps he knows who the driver was.

5 MS NAOURI: [11:46:08] (Interpretation)

6 Q. [11:46:09] Mr Witness.

7 A. [11:46:10] Let me say I did not see the driver and I do not know who the driver
8 was.

9 Q. [11:46:14] Very well.

10 PRESIDING JUDGE TARFUSSER: [11:46:15] I would add it's not important who the
11 driver was of the car.

12 MS NAOURI: [11:46:26] (Interpretation)

13 Q. [11:46:30] Mr Witness, you referred this morning to the armoured squad of
14 Camp Commando. Do you remember?

15 A. [11:46:41] Yes, I remember. I said I saw that.

16 Q. [11:46:44] Where were you?

17 A. [11:46:45] I was at the intersection. When we put my daughter's corpse into the
18 vehicle -- just some 20 metres away is the main road, and I saw the vehicle drive away
19 with my daughter's body in it. That's when I saw the vehicle. It was just some 20
20 metres from my house.

21 Q. [11:47:09] Very well. Mr Witness, can you describe with further detail the
22 vehicle you mentioned this morning? What did it look like?

23 A. [11:47:35] Which vehicle?

24 Q. [11:47:36] The armoured vehicle of Camp Commando.

25 A. [11:47:42] We called it a cargo, a military cargo. That's how we called it in

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1 Abobo.

2 Q. [11:47:48] What colour was it?

3 A. [11:47:50] It was blue.

4 Q. [11:47:54] Are you sure it wasn't -- what are you, what are you looking at?

5 A. [11:48:07] Just the papers that are here in front of me.

6 Q. [11:48:10] Are you sure it wasn't a *VAB vehicle?

7 A. [11:48:15] Well, I saw a vehicle and it said gendarmerie d'Abobo. That's what I
8 saw. I don't know anything else.

9 Q. [11:48:30] Very well. You didn't attend the burial of your daughter; is that
10 correct?

11 A. [11:48:42] Yes.

12 Q. [11:48:43] Did the imam keep you informed?

13 A. [11:48:45] No, he didn't need to inform me. I've attended numerous burials.

14 Q. [11:49:02] When you met the investigators of the OTP in 2013, you gave them
15 certain documents regarding your daughter, but you did not give them a certificate.
16 Did you have that?

17 A. [11:49:26] The death certificate was handed in with the case file.

18 Q. [11:49:31] Mr Witness, if you have it, it was not put in the file.

19 A. [11:49:40] Check. I remember it was signed April 15th.

20 PRESIDING JUDGE TARFUSSER: [11:49:48] Excuse me. Did you give the death
21 certificate to the investigators, of your daughter? Yes, did you say?

22 THE WITNESS: [11:49:58] (Interpretation) Yes.

23 MS NAOURI: [11:50:01] (Interpretation) Thank you, your Honour.

24 Q. [11:50:07] Mr Witness, I'm going to show you a document. It's a death register,
25 if you will. It's not a death certificate. And that register was in the file. It is

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1 CIV-OTP-0039-0045. And you'll find this on your screen, okay?

2 A. [11:50:30] Okay.

3 Q. [11:50:34]

4 MS BERDENNIKOVA: [11:50:38] Can we just make sure the document is displayed
5 confidentially, please.

6 PRESIDING JUDGE TARFUSSER: [11:50:42] Yes. This is very important because --

7 THE COURT OFFICER: [11:50:49] Just to make sure, we will display the unredacted
8 version, right?

9 MS NAOURI: [11:51:12] (Interpretation)

10 Q. [11:51:13] Do you see the document? Can you read the document, Mr Witness?

11 A. [11:51:17] Yes.

12 Q. [11:51:18] Were you referring to this document when you mentioned death
13 certificate?

14 A. [11:51:23] Yes. That's what I was talking about, because after the certificate for
15 burial, this is a -- with a photocopy of that document, you obtain this one. So it is
16 this document that I gave to the investigators for the case file.

17 Q. [11:51:43] Very well. But before this document, and before the burial certificate,
18 you did not have a death certificate as such?

19 A. [11:51:57] It is with the burial certificate that I was able to obtain this document.

20 Q. [11:52:06] Very well.

21 PRESIDING JUDGE TARFUSSER: [11:52:12] May I ask what is confidential about
22 the public death certificate.

23 This is a public document, right?

24 MS BERDENNIKOVA: [11:52:18] Your Honour.

25 PRESIDING JUDGE TARFUSSER: [11:52:19] I do not understand.

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- 1 MS BERDENNIKOVA: [11:52:21] Your Honours, it's because the name of both
2 parents appear.
- 3 PRESIDING JUDGE TARFUSSER: [11:52:26] Well, is that confidential? Okay.
- 4 MS BERDENNIKOVA: [11:52:29] It has been.
- 5 PRESIDING JUDGE TARFUSSER: [11:52:32] Yes, I know.
- 6 MS NAOURI: [11:52:39] (Interpretation)
- 7 Q. [11:52:40] Mr Witness, when did you obtain this particular document?
- 8 A. [11:52:46] On April 19, 2011.
- 9 Q. [11:52:54] Did you yourself go to the Abobo town hall?
- 10 A. [11:52:58] Yes, for that document.
- 11 Q. [11:53:02] Mr Witness, do you know where the body of your daughter is today?
- 12 A. [11:53:26] No.
- 13 Q. [11:53:29] And the investigation team in Abidjan exhumed the body of your
14 daughter; is that correct?
- 15 A. [11:53:43] I don't know if it was the body of my daughter. I went to the
16 cemetery with them. I signed the document giving them permission to exhume the
17 body of my daughter.
- 18 Q. [11:53:53] Do you still have that document?
- 19 A. [11:53:56] I have it in Abidjan.
- 20 Q. [11:53:58] Very well. So if we were to request it from you, you could give us a
21 copy?
- 22 A. [11:54:04] No problem. *The investigators gave me this signed document.
- 23 Q. [11:54:13] Very well. Thank you very much.
- 24 I would like to go back to the APAFEMA, okay?
- 25 A. [11:54:25] Yes.

- 1 Q. [11:54:29] This morning you said -- I'm looking for the exact reference.
2 You said you received a receipt once the association had been formally established?
- 3 A. [11:54:48] Yes.
- 4 Q. [11:54:48] Do you have that receipt?
- 5 A. [11:54:54] Well, I didn't bring it with me. I have it in Abidjan with my papers.
- 6 Q. [11:55:06] It was on page 13 of the transcript where you referred to the receipt.
- 7 A. [11:55:13] I beg your pardon?
- 8 Q. [11:55:16] I meant for the transcription of today's proceedings, it was on page 13.
- 9 A. [11:55:22] Yes. I said I had a receipt.
- 10 Q. [11:55:28] Who decided to found this association?
- 11 A. [11:55:34] It was myself.
- 12 Q. [11:55:37] How did you contact the other families?
- 13 A. [11:55:45] Well, you know, there was the massacre of the women that had taken
14 place, and we were asked to testify. And it was under those circumstances that we
15 began to know the other families. They lived in different neighbourhoods. We
16 didn't know each other beforehand. But since we attended certain ceremonies, we
17 were asked to come in and testify. And that's how we got to know each other.
- 18 Q. [11:56:19] How did you organise yourselves to set up this association?
- 19 A. [11:56:35] Well, I thought you were going to ask me why. Well, you know, it
20 was seven families with modern means of communication. It's pretty easy to contact
21 each other. I use my own cell phone to contact people. I gave my phone number to
22 be the point of contact, if you will. And that's how we got organised.
- 23 The purpose, I don't know, maybe you are going to ask about it afterwards. I
24 thought you were going to ask why we set up the APAFEMA. That to me is the
25 important thing, if we can deal with that.

1 Q. [11:57:22] Go ahead.

2 A. [11:57:24] Well, I refer to it as the massacre of women. You know, we were all
3 depressed. *The mothers of those young girls who were killed, they were traders
4 who were supported by their families. And so when I met the parents, they were in
5 complete despair. They couldn't even -- they didn't have enough money to buy one
6 meal a day. And so there was a question of solidarity amongst all the families.
7 And therefore we set up the APAFEMA to meet occasionally, to provide each other
8 with moral support, but also financial support, material support. It was extremely
9 important. And it really saved lives, because these seven women who were killed
10 also left seven orphans. So APAFEMA was a very positive thing.

11 Q. [11:58:24] Very well. Thank you.

12 Can you tell us who the members of the executive board were and who was the
13 vice-president?

14 A. [11:58:36] Well, before I talk about the vice-president, perhaps I should mention
15 the president. I'm the president, myself. The vice-president is Ouattara Gnele.

16 Q. [11:58:53] Can you tell us what political party Ouattara was a member of?

17 A. [11:59:00] That's, that's confidential.

18 I'm not going to go into those details. *I manage him, as a parent of martyred
19 women. I do not manage his politics.

20 Q. [11:59:11] Who is the secretary-general?

21 A. [11:59:16] N'Guessan Charles. He was a friend. And there was a young
22 fellow that I adopted. He did a lot of various tasks for me. He was really like a
23 family member. My kids love him. He did a lot of things for my children. He's
24 like a family member. He was the secretary-general and he dealt with
25 administrative matters.

1 Q. [11:59:45] And the treasurer, the general treasurer?

2 A. [11:59:48] That was Madam Ouattara. But unfortunately we don't have any
3 money to manage.

4 Q. [11:59:57] Very well. And amongst the members of your association, there
5 were no individuals who were injured on March 3, 2011; is that correct?

6 THE INTERPRETER: [12:00:23] Inaudible.

7 MS NAOURI: [12:00:24] (Interpretation)

8 Q. [12:00:25] Do the members have a membership card?

9 A. [12:00:27] No.

10 PRESIDING JUDGE TARFUSSER: [12:00:28] Excuse me. Do you mean the
11 association APAFEMA?

12 MS NAOURI: [12:00:31] Oui.

13 PRESIDING JUDGE TARFUSSER: [12:00:32] It didn't exist on 3 March.

14 THE WITNESS: [12:00:39] Voila. Well, yes.

15 MS NAOURI: [12:00:43] (Interpretation) That wasn't the question. The question
16 was, were there any members of the association, individuals, who were injured on
17 that day. And the answer was no. The other question was, did members have a
18 membership card, obviously, once the association was set up.

19 PRESIDING JUDGE TARFUSSER: [12:01:05] But the members didn't exist at that
20 time. The members was constituted afterwards, right.

21 MS NAOURI: [12:01:14] Oui, oui.

22 PRESIDING JUDGE TARFUSSER: [12:01:16] So can't be injured because there were
23 no members because there was no association.

24 MS NAOURI: [12:01:21] (Interpretation)

25 Q. What I was trying to say is, there were injured individuals on March 3rd, 2011.

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1 Did those individuals contact the association in order to become members?

2 A. [12:01:37] First of all, you asked about membership card. Well, when you say
3 Bamba, like my name, for example, that was also the name of my daughter. So the
4 birth certificate of my daughter has my name on it. And there are seven families
5 who are members of the APAFEMA, no more. Just those seven.

6 Q. [12:02:13] Very well. So, Mr Witness, before APAFEMA was set up, before it
7 was founded, did the members -- perhaps I should refer to the parents, were they in
8 contact with any other associations?

9 A. [12:02:37] I can't really tell you. I can't say yes or no. I didn't know them
10 before we set up APAFEMA. I didn't know them before the events of March 3,
11 before the women were killed.

12 Q. [12:02:52] Very well. Are you a member of the association la Voie de la
13 jeunesse active, VJA?

14 A. [12:03:04] I'm not even familiar with the name. I'm president of the APAFEMA.
15 That's enough for me. I'm not even familiar with that other organisation.

16 Q. [12:03:22] Did Yacouba Tioté or another member of the VJA organise a reception
17 at the Golf Hotel *3 days after the march?

18 A. [12:03:58] I met him and I found out that he was at the Abobo-Sud hospital the
19 day of the killings. I didn't know Yacouba Tioté before that.

20 MS NAOURI: [12:04:15] (Interpretation) Your Honour, could we go into private
21 session for a few moments, please.

22 PRESIDING JUDGE TARFUSSER: [12:04:19] Let's go into private session, please.

23 (Private session at 12.04 p.m.)

24 (Redacted)

25 (Redacted)

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1 (Open session at 12.09 p.m.)

2 THE COURT OFFICER: [12:09:53] We are back in open session.

3 PRESIDING JUDGE TARFUSSER: [12:09:58] Thank you.

4 Madam Naouri.

5 MS NAOURI: [12:10:00] (Interpretation) Thank you, your Honour.

6 Q. [12:10:03] I'm going to show you another extract. It's the same video from 1.44
7 to 2.08.

8 (Viewing of the video excerpt)

9 MS NAOURI: [12:10:44] (Interpretation)

10 Q. [12:10:46] We stopped at 2.07. Mr Witness, is that you that we can see here?

11 A. [12:10:55] Yes, it's me.

12 Q. [12:10:57] Who is sitting next to you with the orange T-shirt?

13 A. [12:11:00] It's my younger brother.

14 Q. [12:11:03] Very well. I'm going to show you one more extract from 2.22 to 4.10.

15 And I'll stop at one point to ask you if you recognise someone individual, okay?

16 A. [12:11:25] Yes.

17 Q. [12:11:26] Mr Witness, we'll watch the video first and then I'll ask you.

18 A. [12:11:33] Okay.

19 (Viewing of the video excerpt)

20 MS NAOURI: [12:11:55] (Interpretation)

21 Q. [12:11:57] We stopped at 2.40. Do you recognise this gentleman?

22 A. [12:12:02] Yes.

23 Q. [12:12:04] What is his name?

24 A. [12:12:09] I don't really -- I'm not really interested.

25 Q. [12:12:12] Do you know what his function was?

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1 A. [12:12:15] He was someone that I had worked with. We worked together. I'm
2 trying to remember his name. I know he's a politician in Abobo.

3 Q. [12:12:35] If I say that he's the spokesperson of the Abobo town hall, do you
4 remember his name?

5 A. [12:12:40] No.

6 Q. [12:12:42] Let's continue watching.

7 (Viewing of the video excerpt)

8 MS NAOURI: [12:13:52] (Interpretation)

9 Q. [12:13:54] Mr Witness, can you see the man with a light blue shirt and white
10 trousers? Do you know who --

11 A. [12:14:05] Yes.

12 Q. [12:14:05] Do you know who it is?

13 A. [12:14:06] He's a younger brother. He works at the town hall. *He's one of
14 the mayor's deputies. His name is Kennedy.

15 Q. [12:14:12] Very well. We'll continue then.

16 (Viewing of the video excerpt)

17 MS NAOURI: [12:14:46] (Interpretation)

18 Q. [12:14:47] Mr Witness, the woman wearing a red dress, do you know who she
19 is?

20 A. [12:14:51] No, no.

21 Q. [12:14:52] Do you know why she was there that day?

22 A. [12:14:55] I said no. She's a member of the delegation, but that's all I know.

23 Q. [12:15:04] What delegation? The delegation from the Golf Hotel?

24 A. [12:15:07] That's what you're saying.

25 Q. [12:15:11] Well, let's continue watching the video extract.

- 1 PRESIDING JUDGE TARFUSSER: [12:15:15] Excuse me. What delegation?
- 2 THE WITNESS: [12:15:19] (Interpretation) Well, when people come in a group to
3 your house, I call it a delegation. It's a delegation, a group.
- 4 PRESIDING JUDGE TARFUSSER: [12:15:40] Yes. But a delegation is normally sent
5 by somebody. I mean, it has an origin. There is a meaning in a delegation.
- 6 THE WITNESS: [12:15:56] (Interpretation) Your Honour, thank you, yes. I was
7 asked earlier who the man with the blue shirt was, and I said it was a deputy of the
8 mayor of the Abobo town hall. So for me, it was a delegation from the town hall.
9 That's what I call a delegation.
- 10 PRESIDING JUDGE TARFUSSER: [12:16:18] Okay. Thank you.
- 11 MS NAOURI: [12:16:26] (Interpretation) Thank you, your Honour.
- 12 Q. [12:16:29] We're going to show you one other passage, and I would like to ask
13 you to look very carefully, from 4.03 to 4.15.
- 14 (Viewing of the video excerpt)
- 15 MS NAOURI: [12:17:05] (Interpretation)
- 16 Q. [12:17:06] Mr Witness, what is this woman holding in her hand?
- 17 A. [12:17:09] I can't see very clearly.
- 18 Q. [12:17:13] Very well. If I were to say it was an envelope?
- 19 A. [12:17:18] Yes, I would agree with you.
- 20 Q. [12:17:20] Very well. Did you receive an envelope that day?
- 21 A. [12:17:25] Yes.
- 22 Q. [12:17:27] Very well. Can you tell us how much money was in the envelope?
- 23 A. [12:17:33] Well, let me explain. These women, now I remember. It's, you
24 know, African solidarity. They came because my wife belongs to a committee.
25 And when you lose a family member -- the march in fact was organised by a certain

1 structure. And so they came to express their condolences to my wife.

2 If I remember correctly, there was 200,000 in the envelope to contribute, and I was
3 very, very pleased. I wasn't really interested in that. The imams were there. They
4 prayed for my daughter. They prayed for her soul so that she rest in peace. That's
5 what I was interested in.

6 Q. [12:18:39] Very well. Thank you.

7 During a commemoration in March 2017, all of the victims of *3March 2011 received 5
8 million from the ministry of solidarity, Mariatou Koné. Were you aware of that?

9 A. [12:19:09] Five million, the APAFEMA? Well, let's get things clear. There is
10 the association as such and then there is the father of the victim, which is what I am,
11 of the victims. So let's keep things clear.

12 Q. [12:19:27] You're quite right, Witness. And that's why I was going to ask you
13 whether part of that money was paid into the association, that's the first thing, and
14 also whether you as a parent received some of that money. So I let you answer this.

15 A. [12:19:48] Thank you. Yes, he took about 5 million. You just took the amount
16 5 million. You don't know what the break down was.

17 Q. [12:20:00] Yes, that's exactly what I'm asking you.

18 A. [12:20:02] Well, you didn't ask me that. Anyhow, the breakdown is as follows.

19 At the ceremony, the minister for solidarity *was there. They were present at the
20 ceremony. *And it's the mothers of the victims, of the women killed, who brought
21 the invitation. She is allowed, almost required, to attend all women's ceremonies.

22 The 5 million, my family got 500,000. Journalists got some. The security people for
23 the minister got some. So there was the 5 million as total. But 500,000 per family.

24 Add it up, I don't know how much it is. So what about the amounts? I think when
25 the envelope is handed over, it has a meaning. This is what I was saying earlier on.

1 The women were killed and there was seven orphans left as a result.
2 So with that money, it was possible for the mothers of the women who had been
3 killed and left the orphans to send the children to school and to feed them. That's
4 why the minister for solidarity made the donation. And the association, APAFEMA,
5 as I said, does not try to get money from people such as that. We never submitted a
6 request. We've got contributions that come into the association. When that's not
7 enough, the president does what has to be done in order to organise events. So we
8 don't have a fund. It's not like a bank. And we don't go begging.

9 Q. [12:22:06] That's clear, Witness.

10 So you as president of the APAFEMA, did you organise political rallies or meetings or
11 events in order to promote the association; and if so, what?

12 A. [12:22:29] Thank you, madam. The APAFEMA has only one goal to date, as I
13 said earlier on. We have a programme. And each year and in turn at different
14 homes of the parents of the victims we meet. This is the sixth year this year. And
15 we organised our prayer ceremony for prayers and blessings. That is the purpose of
16 everything we organise. And that's done every year.

17 The last year will be in 2018, and we're already preparing for the next ceremony. But
18 it will be the last one, because that will bring us to the end of the rotation among
19 seven families. And then if anything else is to happen, it will be decided by the
20 assembly general.

21 Q. [12:23:26] So as president, are you the middleman between the APAFEMA and
22 the town hall?

23 A. [12:23:34] Since the slaughter of my children, I've never been to the town hall for
24 anything. It's my communications man who deals with that. The town hall of
25 Abobo, I've never even met the mayor since then.

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1 Q. [12:23:57] Okay. You gave a number of documents to the Prosecutor's
2 investigators, documents that don't concern your daughter?

3 A. [12:24:16] Yes.

4 Q. [12:24:17] Where were you when you handed these over to the OTP?

5 A. [12:24:22] It was during a working meeting, *we were with the parents and we
6 said the association had archives, so as president, administrative executive secretary,
7 someone in charge of the administration, then that person is there to gather in the
8 information and the documents, particularly photocopies.

9 Q. [12:24:49] Very well. So how did that person in charge of the administrative
10 matters get hold of the documents?

11 A. [12:24:57] We're in constant contact with the parents. The parents are in -- the
12 parents are in Abobo. I don't really know how it answer you. If I'm in touch with
13 somebody, a parent, I'll say, do you have a document for the archives?

14 Q. [12:25:18] A member of APAFEMA, did a member make any requests on behalf
15 of certain parents in order to get, for example, death certificates from the Abobo town
16 hall?

17 A. [12:25:32] I'm the one who did that work. The records concerning the parents,
18 because you're talking about records, are you not?

19 Q. [12:25:58] Witness, first of all, I'm waiting before --

20 THE INTERPRETER: [12:26:01] Overlapping speakers.

21 MS NAOURI: [12:26:06] (Interpretation)

22 Q. [12:26:07] Indeed, there is some confusion here. There are the records that you
23 have and there are the official births and deaths register or records that you get from
24 the town hall. So my first question was whether a member of APAFEMA assisted
25 the parents in getting those documents, in other words, the birth or death certificates,

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1 for instance. Is there a member of APAFEMA who helped parents in those
2 administrative tasks; and if so how did they do it, how did they do it, and who was
3 the person?

4 A. [12:26:53] Yes, thank you. I'll give you an answer. You asked whether anyone
5 assisted them. I would say that the association was created precisely for that
6 purpose. You're talking about my document. I'm an intellectual. And I know
7 how to go about things. For instance, the burial certificate, well, I knew what was to
8 be done, but the others were not buried. They were transported to the morgue.
9 And then things got worse in Abidjan. Nobody went to work anymore. So it was
10 afterwards. I mean, I did it in April. But afterwards, we then went to see the
11 person in charge of the official records in Abobo with the relevant documents in order
12 to get the certificates. I said that the documents concerning all of the seven women
13 killed are in our archives. And those concerning the orphans, we've got them all in
14 our archives.

15 Q. [12:28:08] Thank you, Witness. That's clarified things.

16 When you said "we went to see." When you say "we" who do you mean?

17 A. [12:28:18] I did as president of the association on behalf of members of
18 APAFEMA.

19 Q. [12:28:22] Who did you contact?

20 A. [12:28:31] The person in charge of the records at the town hall.

21 Q. [12:28:34] His name?

22 A. [12:28:35] His name is on the records. He signed them. I went to see him in
23 person. It wasn't that easy.

24 Q. [12:28:44] Witness, some of the parents got hold of documents without your
25 assistance?

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1 A. [12:28:50] I don't know.

2 Q. [12:28:52] Let's get this clear. You took steps with the town hall. Are there
3 any other parents who gave you documents that they obtained without your
4 assistance?

5 A. [12:29:25] I don't remember. Perhaps Ouattara, I don't know. Anyhow, we
6 did everything that had to be done to make sure that those who were victims got the
7 documents. We had to do that. If a parent gets a document, then we're interested
8 in it. What's important is to have a document concerning the victims.

9 Q. [12:29:48] Witness, were you present at a meeting at the town hall on 13 July
10 2011 where death certificates were handed out?

11 A. [12:30:28] You're talking about the town hall of Abobo? No, I wasn't there.

12 Q. [12:30:38] Very well. All right. Witness, do you know Maître Konan Koffi
13 Emmanuel, who is a bailiff?

14 A. [12:31:06] A bailiff? I've never seen him.

15 Q. [12:31:12] Do you know Dr Koné Djakaridja?

16 A. [12:31:20] There was a doctor who carried out the autopsy, I think. I don't
17 remember his name. I know that in the documents, though, you'll find it. It was
18 my communications man who did this. I wasn't involved in that directly. But I
19 can't really give you an answer.

20 Q. [12:31:46] Very well. Witness, Yacouba Ouattara, did he give you certain
21 documents?

22 A. [12:32:18] Concerning?

23 Q. [12:32:20] Concerning the parents.

24 A. [12:32:23] I don't know. It was an association. Documents come in. They
25 might have been given by him. I might give documents.

1 Q. [12:32:34] All right. Can you tell us where you keep all of the documents that
2 you have?

3 A. [12:32:44] I have an office at my home.

4 Q. [12:32:51] So you're the only person who has all of the documents of APAFEMA;
5 is that correct?

6 A. [12:32:57] Yes. Each individual has their own documents, but we centralise the
7 archives, and they're at my home.

8 Q. [12:33:06] Witness, did you obtain any documents other than those that you
9 communicated to the OTP?

10 A. [12:33:29] Which documents?

11 Q. [12:33:33] You submitted a number of documents to the OTP. You have reread
12 your declaration, have you not?

13 A. [12:33:41] Well, the OTP can tell you what I gave them. I don't remember. I
14 know that I gave documents concerning the victims, particularly concerning my
15 daughter.

16 Q. [12:33:50] Let me put the question differently. Did you give the Prosecutor
17 everything that you have as president of the APAFEMA?

18 A. [12:34:02] As parent of a victim or as president of the APAFEMA?

19 Q. [12:34:05] As president of APAFEMA, have you given the Office of the
20 Prosecutor all of the documents that the association had?

21 A. [12:34:16] Well, what they asked for they got.

22 Q. [12:34:38] All right. As APAFEMA, did you take any statements or
23 declarations from members of the association?

24 A. [12:34:53] What members, statements, declarations?

25 Q. [12:34:59] Let me clarify. Did you take the testimony of each member of the

1 association?

2 A. [12:35:18] No. As president of the association, I'm not entitled to do that.

3 Q. [12:35:27] All right. Did your association cooperate, collaborate with the
4 investigation unit in Abidjan?

5 A. [12:35:52] It's not really an investigation unit as such. I mean, it's the parents
6 for the victims that were involved with it, not the APAFEMA. APAFEMA is an
7 independent structure. It only concerned us. It doesn't concern the state of Côte
8 d'Ivoire.

9 Q. [12:36:13] Very well. As regards the investigation unit, Witness, you got in
10 touch with that unit, did you not?

11 A. [12:36:40] No. We were invited to come and make a statement.

12 Q. [12:36:48] How were you invited?

13 A. [12:36:50] Well, there were invitations sent to us to come and testify, and our
14 case was particularly serious, because they had to get in touch with us. Seven
15 women killed, seven women killed together; it was unprecedented in history. So
16 they had to get in touch with us. And we went to make our statements, our
17 testimony. It was important that we do this.

18 Q. [12:37:23] When?

19 A. [12:37:26] I think you've probably got the date. Was it 2013, 2012? I don't
20 know. The earlier the better.

21 Q. [12:37:40] Did anyone take notes?

22 A. [12:37:44] Well, you go and see somebody, madam.

23 Q. [12:37:48] Did you sign documents?

24 A. [12:37:52] You can't make a declaration or statement without signing.

25 Q. [12:37:56] Do you have a copy of the statement you made to the investigation

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1 unit?

2 A. [12:38:00] No. We got, sort of, receipts.

3 Q. [12:38:16] Did you subsequently see members of that unit again?

4 A. [12:38:22] Yes. When the children's bodies, our children's bodies were
5 exhumed, some did come for that and got in touch with the investigation unit. And
6 it was in that context that we had signing of documents from that unit in order to
7 authorise the exhumation of our children's bodies.

8 Q. [12:38:45] Witness, were there any meetings with the investigation unit at your
9 home?

10 A. [12:38:49] Yes.

11 Q. [12:38:50] How many?

12 A. [12:38:52] A couple of times.

13 Q. [12:39:09] Witness I would like to show you a document, a seven page
14 document, that the OTP has already shown you, referenced CIV-OTP-0078-0617-RO1.

15 THE COURT OFFICER: [12:39:44] Evidence channel 1.

16 MS NAOURI: [12:40:06] (Interpretation)

17 Q. [12:40:07] Do you see the document, Witness? Do you see it? We can enlarge
18 it if you wish.

19 A. [12:40:18] Yes, please enlarge it. Please zoom in.

20 Q. [12:40:41] As regards this document in paragraph 18, you say and I quote -- I'm
21 not going to give the name of the investigator. "The investigator", I'm not giving the
22 name, "showed me a document of seven pages with each page numbered
23 CIV-OTP-0078-0617 to CIV-OTP-0078-0623. I note that on page CIV-OTP-0078-0620
24 in the section D4, date and place of burial, it's marked April 2011, Abobo cemetery.
25 This information is incorrect because my daughter was buried on 3 March 2011, the

1 very day that she died on, and it was at the Abobo cemetery. I have never seen this
2 document before. What is more, the document does not bear my signature. I can
3 see there is my name and also the name of Touré Lassina. It was Captain Touré who
4 came to see me at my home and to whom I showed the death certificate of my
5 daughter. But I do not know when this document was allegedly prepared." End of
6 quotation.

7 Can you confirm?

8 A. [12:42:24] Confirm what?

9 Q. [12:42:25] Confirm what I've just read out to you.

10 A. [12:42:28] You're talking about April. You're talking about the burial of my
11 daughter in April. It's a typo. I didn't say that, so it shouldn't be here. I said, I
12 always said that my daughter was buried the same day that she died.

13 Can I continue? May I? Now, as for Mr Touré, he was a lieutenant, *today he's a
14 captain. He was the one who was to come and hear what we had to say. *So, if the
15 document mentions my references, I don't see the problem.

16 Q. [12:43:07] Witness, let's be clear on things. In paragraph 18 of your statement
17 to the OTP, it's you who's speaking, and you say you've never seen the document.
18 Okay. And that you don't know when the document was apparently drafted. Is
19 that what you are saying today or are you saying something different?

20 A. [12:43:34] You're showing me a document that Touré, Mr Touré, well, he came
21 to see me. He made this statement or declaration. I don't know whether it was
22 done in his office.

23 May I continue? You asked me before showing me the document that I said it wasn't
24 signed. I mean, can you show us the signature here?

25 Q. [12:44:03] I read out part of your statement.

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1 PRESIDING JUDGE TARFUSSER: [12:44:08] Excuse me, but I think he's confused
2 between one, the statement he gave, and one, the document he has seen, which are
3 two different things. There is a confusion.

4 MS NAOURI: [12:44:20] (Interpretation) Yes, I agree, your Honour. And that's
5 why I was going to ask the usher if she could show the entire document so that the
6 witness can identify the document, and then we'll differentiate between that and the
7 statement that he wrote.

8 Q. Because in this paragraph that I've read out to you, you refer to this document
9 that we're seeing together. So would you be good enough, first of all, to take a look
10 at this document.

11 A. [12:44:46] I'm here for that purpose.

12 Q. [12:44:48] The usher will show you this document.

13 MS BERDENNIKOVA: [12:45:21] Your Honours.

14 PRESIDING JUDGE TARFUSSER: [12:45:23] Yes.

15 MS BERDENNIKOVA: [12:45:24] Might possibly aid to give a hard copy to the
16 witness.

17 PRESIDING JUDGE TARFUSSER: [12:45:28] Yes, yes, can you give a hard copy.

18 MS BERDENNIKOVA: [12:45:30] Just to indicate that the one that we have, you can
19 see through the redactions.

20 PRESIDING JUDGE TARFUSSER: [12:45:35] Well, it doesn't matter.

21 Just to be clear, Mr Witness, there is a statement you gave to the Office of the
22 Prosecutor, and in that statement you are referring to these documents, okay.

23 THE WITNESS: [12:46:00] (Interpretation) Yes.

24 PRESIDING JUDGE TARFUSSER: [12:46:14] Madam Naouri, please ask.

25 MS NAOURI: [12:46:16] (Interpretation) Yes, your Honour.

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1 Q. [12:46:20] Witness, you've looked at the document?

2 A. [12:46:23] Yes.

3 Q. [12:46:24] Now, concerning this particular document, I'd like to read out one
4 part of your statement once again, and this is what you said to the OTP investigators
5 about this document, okay? Are we clear on that?

6 A. [12:46:46] Go ahead.

7 Q. [12:46:49] Paragraph 18, you said this, "The man showed me a seven-page
8 document, and each page was numbered from CIV-OTP-0078-0617 to CIV-OTP-0078-0623.
9 I can see that at page CIV-OTP-0078-0620, in the section entitled D4, date and place of
10 burial, it is recorded as saying April 2011, Abobo cemetery. That information is not
11 correct because my daughter was buried on 3 March 2011, the same day that she died,
12 at the Abobo cemetery. I have never seen this document before. What is more, this
13 document does not contain any signature. I can see that my name is shown there as
14 well as the name of Touré Lassina. It was Captain Touré who came to see me at my
15 home and I showed him the excerpt from, well, the death certificate of my daughter, but I
16 don't know how this document was drawn up." Can you confirm that's what you said?

17 A. [12:48:22] I don't confirm that because this document has a link *to my
18 declaration to Touré Lassine. But, you see, I never signed it. That's a very
19 important point.

20 Q. [12:48:35] Very well.

21 A. You don't refer to the signature.

22 Q. [12:48:45] That's why we're putting the document to you.

23 A. [12:48:47] In April, as well I said, I corrected that error. Everyone knows my
24 daughter was buried on 3 March, 2011. It wasn't in April. I corrected that.

25 Q. [12:49:03] Very well. Thank you, Mr Witness. We've finished with this

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1 document.

2 Mr Witness, now, was it the people from the investigation unit who put you in touch
3 with the OTP investigators from the ICC?

4 A. [12:49:50] I no longer recall. I do know that the OTP, well, had a visit from the
5 OTP before the investigation unit people.

6 Q. [12:50:08] Very well. But for the DNA samples, it was the investigations unit
7 that contacted you?

8 A. [12:50:24] Yes.

9 Q. [12:50:26] And it was there on the premises of the investigation unit, that's
10 where the DNA samples were taken?

11 A. [12:50:32] Yes.

12 Q. [12:50:32] Who was there?

13 A. [12:50:34] The people who came to collect the DNA, that's all.

14 Q. [12:50:42] And were you told how they were going to go about attempting to
15 identify your daughter's body?

16 A. [12:50:49] Well, when you're talking about DNA and you're talking about a
17 parent who has lost his daughter, well, that's not my area of expertise. That's not my
18 area. *Why did they come from Europe, because there are none in Africa, I really -- I
19 wanted everyone to know, internationally, that my daughter had been killed.

20 Q. [12:51:14] But you no longer knew exactly where your daughter had been
21 buried?

22 A. [12:51:19] She was buried in the Abobo cemetery. She's the only one who was
23 buried at the Abobo cemetery on 3 March.

24 Q. [12:51:28] Yes.

25 A. [12:51:30] How could I not know where my daughter was buried?

1 Q. [12:51:33] But you didn't know exactly where the body lay in the Abobo
2 cemetery?

3 A. [12:51:40] Well, you'd have to ask the people who are running the cemetery. I
4 don't know. Well, I didn't have the DNA results either. If you tell me that my
5 daughter was not found, well, that would be news to me. Otherwise I would have
6 known.

7 Q. [12:52:01] Yes, that was one of the questions I wanted to ask you. Did the OTP
8 investigators from the ICC tell you that the DNA samples had failed and that the
9 body of your daughter had not been identified? They didn't --

10 A. [12:52:15] No, this, this is the first time I've heard that.

11 Q. [12:52:19] Now, today you told us, page 12 of the transcript, in response to the
12 question, line 1 onwards: "Were you able to find the exact location of the grave?

13 Answer: If we went, well, we couldn't go anywhere, the Abobo cemetery is
14 managed. You see, in the case of the bodies, the numbers come one after another.
15 So I went with the investigators once, twice, and then after that I went to the Abidjan
16 district, because it is the Abobo town hall that manages the cemetery. So I went with
17 the burial certificate. I spoke to the officials there. The investigators went there, but
18 they were unsuccessful."

19 Can you exactly, can you explain what you meant by that, they were not successful?

20 A. [12:53:20] Thank you for the question. I think you must realise the
21 circumstances of my daughter's burial. If the investigators weren't able to find my
22 daughter's body, I think the question lies -- is there unanswered. Events have gone
23 far beyond me. And the cemetery, well, the cemetery is managed. And I do not
24 sleep in the cemetery by my daughter's grave. I don't go there all the time. I don't
25 know what happened to the body of my daughter. I'm not talking about the grave,

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1 but, rather, the body.

2 Q. [12:54:10] Mr Witness, did you help some people become ICC witnesses?

3 A. [12:54:28] Some people?

4 Q. [12:54:29] Did you put some people in touch so that they could testify for the
5 OTP?

6 A. [12:54:37] I managed the APAFEMA and I managed my family. Why would I
7 be helping the investigators? I have a lot of things to do.

8 Q. [12:54:46] Very well. Could you tell us how you were informed of the various
9 formalities to be handled so that victims could make applications to be part of the
10 proceedings?

11 A. [12:55:06] It was people from the OTP who take interviews, and then they ask
12 you if you want to take part. I agreed to come before you and give testimony about
13 everything that happened in relation to the killings of our children. And I am here
14 in flesh and blood. I am not an animal. I am a person.

15 Q. [12:55:32] Mr Witness, your testimony is one thing. But being part of the
16 proceedings as a victim is another thing, all right? I'd like to ask you this, how did it
17 come to be that you yourself or as president of APAFEMA obtained the forms to take
18 part in the proceedings as a victim, the forms that you filled out to be officially
19 recognised as victims for the purposes of the proceedings?

20 A. [12:56:07] I think it was the Office of the Prosecutor who came to take statements
21 from the victims. I remember. And the forms, if all the victims were to fill out the
22 forms, well, we wouldn't be there.

23 Q. [12:56:29] Mr Witness, at page 22 of the transcript, you said in response to the
24 question: "Did you fill out the form? Was someone there? It was just family
25 members or were there other people there, too?"

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1 And your answer was this: "There were people from the Registry. We filled out
2 those forms in front of those people.

3 Question: So your forms for participating were filled out in the presence of people
4 from the Court?

5 Answer: Yes, yes. In the presence of Registry staff." End of quote.

6 Do you remember saying that?

7 A. [12:57:30] You're talking about participation? It was at my request.

8 Q. [12:57:32] At your request?

9 A. [12:57:34] At my request.

10 Q. [12:57:36] That's what you say. Very well. And as part of this cooperation
11 you were the ones who introduced the APAFEMA members?

12 A. [12:57:51] The APAFEMA members are victims. How can I introduce them?
13 The parents who lost their children, as victims, they come.

14 Q. [12:58:13] Very well, Mr Witness. So I'd like to show you a document. This is
15 a confidential document, Mr Witness. CIV-OTP-0082-0024-R03.

16 Madam court officer, if you could kindly zoom in on section 4 of the document.
17 Can you see the document?

18 A. [12:59:32] Yes.

19 Q. [12:59:32] Very well. Could you tell us what we see here at point 4?

20 A. [12:59:38] I can't see the entire document.

21 Q. [12:59:41] Do you recognise -- well, we'll zoom out. First of all, we determine --

22 A. [12:59:47] I don't even recognise this.

23 Q. [12:59:50] Do you recognise the kind of form? Does this look like the kind of
24 form you filled out?

25 A. [12:59:56] I didn't fill it out.

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1 Q. [12:59:58] No?

2 A. [13:00:00] I didn't get a form to -- that's not my writing. You're showing me a
3 document and it's not my writing. And then it says "I hereby give my consent."
4 That's not my writing.

5 Q. [13:00:13] It's not your writing but it's your name?

6 A. [13:00:16] Yes.

7 Q. [13:00:17] Since your name is on this document, and it says here "I hereby give
8 my consent to Bamba Mamadou in his capacity as contact person for the filing of this
9 request", and I won't say anything other than that, because we are in open court, my
10 question is this: Did you help this person become a victim and take part in the
11 proceedings?

12 A. [13:00:47] This is what I'm telling you. And now you're showing me the
13 document. You have to show me the whole document. The person who gave the
14 name is responsible.

15 Q. [13:00:56] Very well. Mr Witness.

16 A. [13:01:03] Yes.

17 Q. [13:01:04] I'll show you another document now also confidential,
18 CIV-OTP-0082-0018-R03. Can you see the document, Mr Witness.
19 Madam court officer, could you kindly zoom in a bit.

20 A. [13:01:59] Are you -- you asked me if I --

21 Q. [13:02:02] I'm showing you a new document now.

22 A. [13:02:04] I can see it. But I can't see the writing that has been blacked out. I
23 don't know what that's all about.

24 MS BERDENNIKOVA: [13:02:15] Would it aid to give a hard copy again to the
25 witness?

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1 PRESIDING JUDGE TARFUSSER: [13:02:19] Yes. I do not understand also the
2 reason for these questions.

3 MS NAOURI: [13:02:44] (Interpretation)

4 Q. [13:02:46] To answer your question, sir, the black parts have been redacted. It's
5 information redacted by the OTP.

6 A. [13:03:17] I don't know that. Can we go back to the question for the second
7 document?

8 Q. [13:03:21] Wait. I've shown you a document. This is your form to take part in
9 the proceedings as a victim.

10 A. [13:03:31] Yes.

11 Q. [13:03:31] Now we'll go on to the next document, which is the first one, in actual
12 fact, CIV-OTP-0082-0024-R03. And this is a confidential document. So we won't
13 say who the form is from. But your name is here. Did you help this person?

14 A. [13:03:57] It's me myself.

15 Q. [13:03:59] I think there is a bit, there is some confusion here.

16 PRESIDING JUDGE TARFUSSER: [13:04:03] Can we not just pose a question. Did
17 you help other people from the association, from the APAFEMA to fill in the
18 déclaration individuelle? Did you help other people to do so?

19 THE WITNESS: [13:04:27] (Interpretation) Well, the applications were individual.
20 If the person in question says that I give my consent to Mr Bamba Mamadou as
21 president, well, that's what is written there, but I myself saved my -- correction, I
22 signed my statement, but all the individual statements were signed by the individuals.
23 *It is not the APAFEMA which signs it.

24 PRESIDING JUDGE TARFUSSER: [13:04:47] You signed yours and you helped
25 others to do so, and they signed theirs.

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1 And I think this is clear now. And I don't know the relevance, but we have cleared
2 the record. Good.

3 MS NAOURI: [13:04:59] (Interpretation) Thank you, your Honour.

4 Q. [13:05:05] Mr Witness, on 2 March 2013, when you met with the OTP, Mr Zoro
5 Bi Ballo Épiphané was present as well, wasn't he?

6 A. [13:05:20] Who is that? I've seen him on the television, but to say that he was
7 present, I don't know who you're talking about.

8 PRESIDING JUDGE TARFUSSER: [13:05:37] Who was present when you met with
9 the OTP on 2 March 2013? Who was present, other than yourself of course and
10 representatives of the OTP.

11 THE WITNESS: [13:06:02] (Interpretation) Well, I'll have to backtrack a bit. Now,
12 when I mention the representative of the OTP, well, are we talking about the
13 Prosecution of the Court or of the Abidjan Prosecution office or this Court or was it in
14 Abidjan?

15 PRESIDING JUDGE TARFUSSER: [13:06:20] This Court, the Prosecution of this
16 Court.

17 THE WITNESS: [13:06:23] (Interpretation) Oh, I wasn't present. I don't remember.
18 I really don't remember.

19 PRESIDING JUDGE TARFUSSER: [13:06:33] You were present but you don't
20 remember, this would be -- you can't say you weren't present.

21 THE WITNESS: [13:06:40] (Interpretation) I don't remember. But it was 2013,
22 2017, you see. It's too long ago.

23 PRESIDING JUDGE TARFUSSER: [13:06:45] Madam Naouri.

24 MS NAOURI: [13:06:46] (Interpretation) Thank you, your Honour.

25 Q. [13:06:49] Mr Witness, we have a document, CIV-OTP-0041-0451. These are

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1 investigator's notes. You see, investigators take notes when they meet with people
2 and here we see persons present during the interview, legal representative *of the
3 Victims working with the ICC OPCV. Epiphane Zoro—do you remember seeing
4 this person, Zoro?

5 A. [13:07:35] Which day?

6 Q. [13:07:36] The day that you spoke with people from the OTP Prosecution.

7 A. [13:07:40] I don't know that person, honestly. I don't know, I don't know.

8 Q. [13:07:44] Very well. Mr Witness, did you see Yacouba Ouattara in the weeks
9 preceding your testimony here at the ICC?

10 A. [13:07:58] Ouattara? When I need him, I call him. But we didn't see one another.

11 Q. [13:08:05] Did you see other members of the APAFEMA?

12 A. [13:08:08] Since 3 March there have been no further meetings because I myself, I
13 wasn't in Abidjan. I was in the countryside. I got there just in time for the month of
14 fasting. It was after that I'll call all the people from the association to give them an
15 account.

16 Q. [13:08:34] You mean 3 March 2017?

17 A. [13:08:37] Yes.

18 Q. [13:08:41] And did you listen to Yacouba, his testimony here?

19 A. [13:08:52] When did he appear?

20 Q. [13:08:53] I think you've answered the question. Thank you, Mr Witness.

21 A. [13:08:59] Thank you.

22 MR ALTIT: [13:09:03] (Interpretation) This concludes questioning of the witness
23 by the Defence team of Mr Laurent Gbagbo.

24 PRESIDING JUDGE TARFUSSER: [13:09:10] Thank you very much.

25 Now before, obviously, breaking for the lunch, I would ask the Defence for

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1 Mr Blé Goudé if they can give an estimate on how long it will take, so in order to find
2 out if we have to extend the hours or not.

3 MR KNOOPS: [13:09:33] Mr President, we don't have questions to this witness.
4 Thank you.

5 PRESIDING JUDGE TARFUSSER: [13:09:38] Good. So I would ask now, because
6 we have still five minutes, if the Office of the Prosecutor asks for re-questioning.

7 MS BERDENNIKOVA: [13:09:54] No re-questioning.

8 PRESIDING JUDGE TARFUSSER: [13:09:56] Thank you very much, Mr Witness.
9 This concludes your testimony here at the International Criminal Court. Thank you
10 very much for having been here and giving your answers to the lawyers who have
11 put you questions. I wish you a safe trip back home. Thank you very much.

12 THE WITNESS: [13:10:19] (Interpretation) Yes, thank you, your Honour. I would
13 like to thank you, and I would like to thank the OTP for allowing me to come to this
14 Court. I wanted to come back to one point that I heard here at the beginning to the
15 effect that the women who were killed on 3 March, that it was a set up.

16 MR ALTIT: [13:10:48] (Interpretation) Your Honour.

17 THE WITNESS: [13:10:51] (Interpretation) The blood that was shed that day, the
18 blood that flowed --

19 PRESIDING JUDGE TARFUSSER: [13:10:57] Let me please stop you here. The
20 testimony is over. You have answered the questions. But we cannot -- you cannot
21 spontaneously reopen it. So if you have something general to say, please do so.
22 But we do not go into the facts again here. Okay. We have heard.

23 THE WITNESS: [13:11:20] (Interpretation) Thank you, your Honour. I thank you.
24 Before I leave this courtroom, I would like to thank everyone, greet everyone, and
25 may God bless Côte d'Ivoire. And I pray for a united and prosperous emerging Côte

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1 d'Ivoire. I thank you, your Honour.

2 PRESIDING JUDGE TARFUSSER: [13:11:40] Thank you very much. You can leave
3 the Court now. Thank you.

4 (The witness is excused)

5 PRESIDING JUDGE TARFUSSER: [13:11:56] So we will not sit in the afternoon, and
6 this because the next witness, 88, has this morning undergone the preparations, and
7 he arrived last night. So we will go tomorrow in any case, tomorrow morning.

8 Before starting with the witness tomorrow morning, I would ask the parties,
9 obviously, except the Defence for Mr Blé Goudé to give their opinion on the filing
10 which arrived today related to the following Witness, 87. It's a request from the
11 Defence for Mr Blé Goudé. So this tomorrow morning before we start with the
12 Witness 88, okay, orally. Tomorrow morning orally, short.
13 Thank you very much. The hearing is adjourned to tomorrow morning 9.15. I hope
14 I recall.

15 THE COURT USHER: [13:13:05] All rise.

16 (The hearing ends in open session at 1.13 p.m.)