

Trial Hearing
WITNESS: CIV-OTP-P-0363

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber 1
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 Geoffrey Henderson and
7 Judge Olga Herrera Carbuccion
8 Trial Hearing - Courtroom 1
9 Wednesday, 13 September 2017
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:29] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:32:38] Good morning. Good morning to
15 everybody in the courtroom, public gallery.
16 The Chamber has taken note of the request by Maître Altit to take the floor to request,
17 for the request, because he wants to request an extension of the page limit to 40 pages.
18 I will not give you the floor because it is granted to all parties, to all Defence teams
19 and to the LRV, the extension of page limits is granted and, therefore, there is no need
20 to waste time, okay.
21 Now I ask the court usher to bring the witness in.
22 And I hope this decision, I hope that this decision does not trigger a leave to appeal.
23 Thank you. The decision not letting you speak I mean, of course.
24 (The witness enters the courtroom)
25 PRESIDING JUDGE TARFUSSER: [9:34:28] (Interpretation) Good morning,

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1 Mr Witness.

2 WITNESS: CIV-OTP-P-0363

3 (The witness speaks French)

4 THE WITNESS: [9:34:47] (Interpretation) Good morning.

5 PRESIDING JUDGE TARFUSSER: [9:34:53] Before starting your testimony and,
6 therefore, before giving the floor to the parties for questioning you, I would ask you
7 to identify yourself completely with your name and surname, date and place of birth,
8 et cetera.

9 THE WITNESS: [9:35:21] (Interpretation) Doumbia Adama, that's my name, born
10 on 10 October 1981 in Agboro, *Divo.

11 PRESIDING JUDGE TARFUSSER: [9:35:25] And can you tell us please your faith
12 and your ethnicity?

13 THE WITNESS: [9:35:40] (Interpretation) I am Malinké, Muslim.

14 PRESIDING JUDGE TARFUSSER: [9:35:57] And you're an Ivorian citizen; is this
15 correct?

16 THE WITNESS: [9:36:05] (Interpretation) Yes.

17 PRESIDING JUDGE TARFUSSER: [9:36:06] Can you tell us what your occupation is,
18 what are you working?

19 THE WITNESS: [9:36:15] (Interpretation) I'm a tailor.

20 PRESIDING JUDGE TARFUSSER: [9:36:20] And what was your occupation at the
21 time of the crisis? And I mean in 2010, beginning of 2011.

22 THE WITNESS: [9:36:33] (Interpretation) I was a tailor.

23 PRESIDING JUDGE TARFUSSER: [9:36:38] Okay. Now, you will testify in French
24 and I will speak English, therefore, we need to understand each other, and to this
25 effect we have interpreters and we have court reporters who have to write down what

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1 we are saying. So please speak slowly. And if I will give you a sign with the hand,
2 it means slow down, okay?

3 THE WITNESS: [9:37:09] (Interpretation) Very well.

4 PRESIDING JUDGE TARFUSSER: [9:37:12] And also speak clearly in the
5 microphone so that we all can hear you well.

6 Now, you know that this Chamber has been established to try the case of the
7 Prosecutor against Mr Gbagbo and Mr Blé Goudé, and you are a witness to this trial
8 and, therefore, you have to answer questions which will be put to you by the Office of
9 the Prosecutor, the Legal Representative of Victims and the two Defence teams, and
10 the two Defence teams.

11 Your duty is to answer and to answer truthfully their questions. And to this effect the
12 law requests you to make a solemn undertaking. Therefore, I would invite you to
13 read out the formula you have in front of you.

14 THE WITNESS: [9:38:14] (Interpretation) I solemnly declare that I will speak the
15 truth, the whole truth, nothing but the truth.

16 PRESIDING JUDGE TARFUSSER: [9:38:35] Thank you very much.

17 You know that giving false testimony is an offence against the Court and as such
18 punishable, do you understand?

19 THE WITNESS: [9:38:46] (Interpretation) Yes.

20 PRESIDING JUDGE TARFUSSER: [9:38:47] Okay. Now, Mr Witness, the Chamber
21 has before it your written statement, the written statement you gave to the Office of
22 the Prosecutor on 17 July 2013. Do you recall to have given a statement to the Office
23 of the Prosecutor?

24 THE WITNESS: [9:39:10] (Interpretation) Yes.

25 PRESIDING JUDGE TARFUSSER: [9:39:12] Okay. For the record, I'm referring to

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1 statement CIV-OTP-0046-0275 with the annexes 0046-0286, 0046-0287, and 0046-0288.

2 So have you had the opportunity in the last days to read, to read again over your

3 statement you gave to the Office of the Prosecutor in July 2013?

4 THE WITNESS: [9:39:58] (Interpretation) Yes, I have read it.

5 PRESIDING JUDGE TARFUSSER: [9:40:06] And you confirm that this is your

6 statement? It's what you said to the Office of the Prosecutor in July 2013?

7 THE WITNESS: [9:40:19] (Interpretation) Yes.

8 PRESIDING JUDGE TARFUSSER: [9:40:20] So the Chamber has decided on 6 June

9 2017, filing 950, that your written statement is suitable to be introduced in the record

10 of the case under Rule 68(3) of the Rules of Procedure and Evidence. This means

11 that rather you having to give the whole testimony orally again here in the courtroom,

12 the Chamber can use your written statement which then goes directly into the record

13 of the case. Nevertheless, you will still be asked questions by the Office of the

14 Prosecutor and by the Legal Representative of Victims and by the Defence teams.

15 So what I would ask you now is if you agree that your written statement goes into the

16 record of the case?

17 THE WITNESS: [9:41:32] (Interpretation) Yes.

18 PRESIDING JUDGE TARFUSSER: [9:41:35] Okay. So in light of the fact that you

19 are here today available to be examined by the parties and in case also by the

20 Chamber, the Chamber notes that all requirements of Rule 68(3) are met and the

21 introduction of the written statement of the witness is allowed. And I'm referring

22 here to the written statement and annexes with the numbers I've just read out. All

23 these items are considered to be submitted.

24 So now I think we can start the questioning by the Chamber if you are ready -- by the

25 Chamber -- by the Office of the Prosecutor I would say, if you are ready. And I give

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1 immediately the floor to the Office of the Prosecutor.

2 MS BERDENNIKOVA: [9:42:34] Thank you, your Honours. And good morning.

3 QUESTIONED BY MS BERDENNIKOVA:

4 Q. [9:42:39] (Interpretation) Good morning, Mr Witness. Thank you for being
5 present in the courtroom here today. My name is Maria Berdennikova. I am the
6 counsel who will be putting a few questions to you this morning on behalf of the
7 Office of the Prosecutor.

8 We had a small opportunity to meet yesterday during the courtesy meeting. And as
9 I mentioned to you yesterday, I have a better mastery of the English language and so
10 I'll be putting my questions to you in English and you will get them through
11 interpretation, which will facilitate our understanding each other. So let me move to
12 English now.

13 (Speaks English) So I'm sure that you have already noticed that I'm calling you

14 "Mr Witness." So please don't take that as any sign of disrespect on my part. It's
15 just a kind of custom that we have here in the courtroom, all right.

16 Now I'm just going to ask you to listen to my questions very carefully. If ever you
17 don't understand something, then please let me know and I will repeat or I will
18 rephrase what I've said to you.

19 Now, as the Presiding Judge already explained, everything that you said in your
20 statement is already on the record of the case, and the parties and the participants
21 have all had the chance to read it, so I will not take you through all the details of what
22 you've said before. I will just ask you very, very few additional questions, all right.
23 Your Honours, at this point I would like to go into very brief private session to cover
24 specific locations.

25 PRESIDING JUDGE TARFUSSER: [9:44:30] Let's go into private session, please.

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- 1 (Private session at 9.44 a.m.)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
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6 (Open session at 9.55 a.m.)

7 THE COURT OFFICER: [9:55:48] We are in open session, Mr President.

8 MS BERDENNIKOVA: [9:56:02]

9 Q. [9:56:02] Now, Mr Witness, I would like to ask you a small clarification question
10 with regards to information that is found in paragraph 25 of your statement. In that
11 paragraph you speak about a man named Koné Moussa, who was injured in his foot
12 on the day that the shells fell. Are you able to indicate to us on the 360, and we're
13 going to display it right now, the location where you saw this man injured?
14 And just while we're waiting for that to come up, if it simplifies matters, we can again
15 slowly go around and you can let me know where to pause, if you can identify the
16 location where you saw this man injured.

17 Do we have the floor? I don't think it works.

18 So we'll start slowly moving the image. If you see the location where Koné Moussa
19 was injured on his foot, please just tell us to pause, all right.

20 (Viewing of said panoramic image)

21 THE WITNESS: [9:58:30] (Interpretation) Yes, around the fence where you have a
22 blue patch.

23 MS BERDENNIKOVA: [9:58:36] So can we take a screenshot of this.

24 Q. [9:58:46] Mr Witness, I'm now going to ask you the same question about two
25 other individuals that you also name in the same paragraph of your statement. And

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1 these two individuals you refer to are Sékou Cissé and another man named Koné,
2 who you described as both being injured on the neck.

3 So if it's all right with you, we'll do the same exercise and you just tell me to pause
4 when you see the location where you saw these two, these two people.

5 (Viewing of said panoramic image)

6 THE WITNESS: [10:00:11] (Interpretation) Right there, after the photographer's studio fence.

7 MS BERDENNIKOVA: [10:00:15] Thank you, Mr Witness. We'll take another
8 screenshot of this.

9 PRESIDING JUDGE TARFUSSER: [10:00:19] Can you mark it, please.

10 MS BERDENNIKOVA:

11 Q. [10:01:06] Thank you, Mr Witness.

12 Now, for my next clarification question I'd like to bring you to paragraph 26 of your
13 statements, where you speak about two young boys and a woman named Nan who
14 were injured also on the day of the shelling.

15 Now, can you describe to us the location where these three individuals were injured?

16 A. [10:01:46] I did not quite understand the question.

17 Q. [10:01:55] No problem. I'll rephrase it.

18 So in paragraph 26 of your statement, you're talking about two young boys and an
19 elderly woman named Nan that were injured by a shell that fell on that day. And
20 essentially I would just like you to explain, describe where is it that you saw these
21 people? Where were they injured? Which location where they injured at?

22 A. [10:02:48] Nan was injured in the other courtyard *where the shell fell. Then
23 there was a woman who was leaving with her child and who was hit, with a young
24 person of 12 years – 10 to 12 years old.

25 Q. [10:03:12] When you're speaking about the woman and the young person of 12,

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1 which location are you speaking about? Can you specify that, please?

2 A. [10:03:20] Where the old lady Nan was affected, there was a gentleman who
3 died there. The one who fell in front of the workshop, that's where the 12 year old
4 died, and the other younger child was seriously injured while being carried by her
5 mother.

6 Q. [10:03:40] So to go back to the elderly woman named --

7 PRESIDING JUDGE TARFUSSER: [10:03:48] You have to wait until the
8 interpretation is finished; otherwise we don't get the whole transcript.

9 MS BERDENNIKOVA: [10:03:55] Of course.

10 Q. [10:04:03] So going back to the elderly woman named Nan, can you confirm that
11 you're speaking about the location where the second shell fell as described in your
12 statement?

13 A. [10:04:16] Yes.

14 Q. [10:04:19] Thank you.

15 Your Honours, just the screenshots have been sent by email.

16 Mr Witness, I would like to now show you two more images, and this will conclude
17 my questioning for you today.

18 If I could ask the court officer to display public document CIV-OTP-0089-0579.

19 THE INTERPRETER: [10:05:10] From the interpreters: Mr President, if the witness
20 could speak louder and closer to the microphone.

21 MR KNOOPS: [10:05:15] Mister --

22 PRESIDING JUDGE TARFUSSER: [10:05:17] Yes, I've seen you.

23 Mr Witness, speak please louder and closer to the microphone.

24 Mr Knoops.

25 MR KNOOPS: [10:05:27] Mr President, the witness is not the author of this

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1 photograph.

2 PRESIDING JUDGE TARFUSSER: [10:05:34] Yes.

3 MR KNOOPS: [10:05:35] Secondly, the photo has no reference to any geographical
4 area. And the photo was not shown to the witness during his examination by the
5 investigators. So we assert that there is no basis to show this photograph to this
6 witness without having any reference to its location. And the relevance of showing
7 the photograph to the witness is not established by the Prosecution, bearing in mind
8 that first the witness is not the author and, secondly, it's not referred in his statement
9 and it's not annexed to his statement.

10 PRESIDING JUDGE TARFUSSER: [10:06:17] So, well, that he is not the
11 photographer, it's quite clear I think that because he's a tailor and not photographer.
12 That it was not shown doesn't prevent the Prosecutor to show it now. And the
13 location, we will see what the witness has to say to this photo.

14 Please go ahead, Madam Prosecutor.

15 MS BERDENNIKOVA: [10:06:38] Thank you.

16 Q. [10:06:40] Mr Witness, do you see the image on your screen?

17 A. [10:06:46] Yes.

18 PRESIDING JUDGE TARFUSSER: [10:06:55] Have you ever seen this photograph
19 before?

20 THE WITNESS: [10:07:01] (Interpretation) No.

21 MS BERDENNIKOVA: [10:07:06]

22 Q. [10:07:06] And do you recognize the person in this photograph?

23 A. [10:07:12] It is a gentleman who was injured.

24 PRESIDING JUDGE TARFUSSER: [10:07:26] A gentleman, has the gentleman a
25 name? I thought he said the name, but it was not translated, I think. It was not

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1 transcribed in English.

2 Do you know the name of the person?

3 THE WITNESS: [10:07:52] (Interpretation) No.

4 PRESIDING JUDGE TARFUSSER: [10:07:58] So excuse me, is this a

5 gentleman -- well, we all can see that it's a gentleman injured, or it seems to be. But

6 what is specific the knowledge, can you be specific the knowledge of this witness to

7 this.

8 MS BERDENNIKOVA: [10:08:20]

9 Q. [10:08:21] Mr Witness, have you seen this person injured on the day of the incident?

10 A. [10:08:29] Yes.

11 Q. [10:08:33] Can you tell us the location where you saw this person?

12 A. [10:08:39] He was lying down on the other side of the road, because I was inside.

13 *When the thing fell, I was inside.

14 Q. [10:08:53] And here we're speaking about the same street that we have just seen

15 on the 360 panorama; is that correct?

16 A. [10:09:04] If you can enlarge the photograph, I may be able to tell.

17 PRESIDING JUDGE TARFUSSER: [10:09:16] I'm afraid a photo cannot be enlarged, I

18 would say.

19 Anyhow do you know, have you ever seen before the person? Did you know the

20 person personally?

21 THE WITNESS: [10:09:46] (Interpretation) No.

22 PRESIDING JUDGE TARFUSSER: [10:09:48] No.

23 MS BERDENNIKOVA: [10:09:51] Your Honours, we'd like to show one last

24 photograph, public photograph, and this is CIV-OTP-0089-0574.

25 MR KNOOPS: [10:10:10] Mr President, I'm sorry, this is the same procedure. I

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1 think it's unfair. I think the Prosecution should first ask the witness to describe the
2 person he allegedly saw before showing him a photograph which is not taken by him,
3 because it's leading the witness.

4 Now, this witness of course says yes, that this is the person. He didn't give any
5 description. It's an unfair methodology to confront the witness with an alleged
6 victim.

7 The Prosecution should first establish that this witness has any recognition of that
8 person before showing the photograph.

9 PRESIDING JUDGE TARFUSSER: [10:10:44] On that person. Which person? He
10 shows a photo. She asks if this is a scene he has ever seen before.

11 MR KNOOPS: [10:10:55] No, no.

12 PRESIDING JUDGE TARFUSSER: [10:10:56] No. The witness himself says I don't
13 know if it was the same place, because I need to enlarge the photo. I mean, I don't
14 think there is any problem to show him a photo and to say if you have seen this scene.

15 MR KNOOPS: [10:11:11] No. Mr President, my point is the witness says that he
16 allegedly saw a person who was being -- a man who has been injured. The
17 Prosecution should first ask "Can you give a description of the person" before
18 showing the photo, that's the point, not the other way around.

19 And it's the same with this photograph. If the Prosecution intends to show a
20 photograph of the person mentioned in his statement who allegedly was injured, the
21 witness should first be asked to give a description before showing the photograph;
22 otherwise it's an unfair confrontation.

23 PRESIDING JUDGE TARFUSSER: [10:11:45] No. Please don't use the word
24 "unfair," don't use the word "unfair," because here nothing is unfair, first of all.

25 MR KNOOPS: [10:11:53] I will say prejudicial.

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1 PRESIDING JUDGE TARFUSSER: [10:11:59] Mr Witness, have you ever seen this
2 scene which is now represented on the photo?

3 THE WITNESS: [10:12:10] (Interpretation) That scene, I think it happened while I
4 was at home.

5 PRESIDING JUDGE TARFUSSER: [10:12:22] Well, but if you were at home, how
6 could you have seen it, if you have?

7 THE WITNESS: [10:12:37] (Interpretation) When the shell fell, I was inside. It
8 was after the noise ended that I went out, because there was panic. I cannot tell you
9 more on this scene, but I recognize the scene because there was a lot of chaos.

10 PRESIDING JUDGE TARFUSSER: [10:13:06] Madam Prosecutor.

11 MS BERDENNIKOVA: [10:13:09]

12 Q. [10:13:12] Mr Witness, do you know where this photograph was taken?

13 MS NAOURI: [10:13:20] (Interpretation) Mr President, asked and answered, and
14 unless the photograph can be possibly enlarged.

15 PRESIDING JUDGE TARFUSSER: [10:13:38] I think the response is implicit in the
16 answer he gave.

17 MS NAOURI: [10:13:45] (Interpretation) It is the same place, even though the
18 photograph is not identical, it is a photograph taken at the same location. The
19 question has already been posed and the witness said he could not identify the
20 location.

21 MS BERDENNIKOVA: [10:14:04] I simply wanted to see if it's easier for the witness
22 to identify a location from another angle, from another photograph.

23 PRESIDING JUDGE TARFUSSER: [10:14:11] Okay. But when the witness says that
24 he remembers this, going out, I mean, going out from where? Okay.

25 MS BERDENNIKOVA: [10:14:31]

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1 Q. [10:14:31] Mr Witness, just my last question for today. Do you know the name
2 of the second person in this photograph?

3 A. [10:14:44] No.

4 Q. [10:14:46] Thank you, Mr Witness.

5 Your Honours, that concludes our questioning for this morning. Thank you.

6 PRESIDING JUDGE TARFUSSER: [10:14:50] Thank you very much.

7 Now the floor goes to the Legal Representative of Victims, Madam Massidda.

8 MS MASSIDDA: [10:15:00] Thank you, your Honour. We have a few questions for
9 this witness. Mr Carnero Rojo will question the witness.

10 PRESIDING JUDGE TARFUSSER: [10:15:06] Thank you.

11 MR CARNERO ROJO: [10:15:22] Thank you very much, your Honour.

12 QUESTIONED BY MR CARNERO ROJO:

13 Q. [10:15:26] (Interpretation) Good morning, Mr Witness.

14 A. [10:15:28] Good morning.

15 Q. [10:15:32] We have already met yesterday evening during the courtesy visit.

16 I'm going to put to you a certain number of questions in English. Do not worry,
17 because there is interpretation. Do you agree? Now I will change into English.

18 (Speaks English) So, Mr Witness, you stated to investigators that on 17 March 2011, a

19 shell landed near your atelier. And I am referring to 0046-0275 at page 0280,

20 paragraph 23. And you said, and I quote in French, (Interpretation) "I went out

21 and I saw injured people lying on the ground. I saw a woman who was carrying a

22 child on her back, and both of them were injured. The child was seriously injured,

23 because he was bleeding profusely."

24 (Speaks English) Mr Witness, do you remember saying this to the Prosecution?

25 A. [10:17:10] Yes.

1 Q. [10:17:12] And do you know if this woman and her baby survived their injuries?

2 A. [10:17:20] What I heard is that the child died, but the mother survived. That is
3 what I heard.

4 Q. [10:17:36] Thank you very much.

5 Well, in your statement to the Prosecution you also said that you saw other people
6 injured and killed as a result of the shelling on 17 March. And I'm referring here to
7 paragraphs 23 to 28 of your statement.

8 Mr Witness, can you tell us what the nationality or ethnic group of these people is, if
9 you know?

10 A. [10:18:10] Moussa Koné is Malinké. The woman carrying the baby is also
11 Malinké. I don't know about the others.

12 Q. [10:18:33] And how do you know that these are the nationalities?

13 A. [10:18:42] I know Moussa Koné very well.

14 Q. [10:18:57] Moving on to the march towards the RTI, you also said in your
15 statement to the Prosecution that several persons were injured, and I'm referring here
16 to 0046-0275 at 0284, paragraphs 41 to 42.

17 Do you know, Mr Witness, if these people were treated for said injuries and if anyone,
18 if any of them survived?

19 A. [10:19:34] During the march, when we went out, the man who was injured was
20 taken into the neighbourhood for treatment. The other one, I do not know where he
21 was taken to. He was injured in the buttocks. But the other one who was injured
22 on the arm, he was taken into the neighbourhood to be treated.

23 Q. [10:20:12] And do you know the nationality of the injured people that you saw?

24 A. [10:20:19] Yes. They're both Malinké.

25 Q. [10:20:29] My last question, Mr Witness --

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1 PRESIDING JUDGE TARFUSSER: [10:20:30] Malinké is not a nationality, I would
2 say, if the translation was correct. The ethnicity, you mean? But it was translated
3 nationality, so I don't know whenever --

4 MR CARNERO ROJO: [10:20:47] Thank you, Mr President.

5 Q. [10:20:48] My last question, Mr Witness. How have all these events impacted
6 your life, have they had an effect on your life?

7 A. [10:21:03] Can you repeat the question, please.

8 Q. [10:21:12] Of course, Mr Witness. In your statement and here today you have
9 told us that you witnessed people being injured and people being killed. My
10 question is have these events had an impact on your life, and if so, which impact?

11 A. [10:21:32] I was touched to see people injured by bullets, to see people shot to
12 death. I was much distressed. I saw people bleeding in a way that I had never seen
13 before, and that shocked me.

14 Q. [10:22:00] Thank you, Mr Witness.

15 MR CARNERO ROJO: [10:22:03] No further questions, your Honour.

16 PRESIDING JUDGE TARFUSSER: [10:22:11] I think you said that you finished the
17 questioning, because it was not taken because you spoke while the translation was
18 going on, so I'm guessing.

19 Now I give the floor to the Defence for Mr Gbagbo, to Maître Altit.

20 MR ALTIT: [10:22:29] (Interpretation) Thank you, Mr President. Mr President,
21 your Honours, the witness will be questioned by Ms Naouri on behalf of the Gbagbo
22 Defence team.

23 PRESIDING JUDGE TARFUSSER: [10:22:43] Thank you very much.

24 Madam Naouri.

25 MS NAOURI: [10:22:50] (Interpretation) Thank you, Mr President.

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1 QUESTIONED BY MS NAOURI: (Interpretation)

2 Q. [10:23:12] Good morning, Mr Witness.

3 A. [10:23:14] Good morning.

4 Q. [10:23:14] My name is Jennifer Naouri, and I'm the one who is going to put
5 questions to you today on behalf of the Defence team of Laurent Gbagbo; is that
6 okay?

7 A. [10:23:26] Yes.

8 Q. [10:23:28] Very well. Mr Witness, in 2010, did you vote during the elections of
9 that year?

10 A. [10:23:43] Yes.

11 Q. [10:23:44] Did you support a candidate during the presidential elections?

12 A. [10:23:54] I voted, I simply voted.

13 Q. [10:24:00] Very well. Can you tell me which candidate you supported?

14 PRESIDING JUDGE TARFUSSER: [10:24:10] No. Which you voted, not, because
15 this is secret, I would say.

16 MS NAOURI: [10:24:15] (Interpretation) Very well.

17 Q. [10:24:19] Mr Witness, the members, are members of your family members of
18 the RDR?

19 A. [10:24:30] I can say that some of them support Ouattara, yes.

20 Q. [10:24:39] Very well. Now, these people who supported Alassane Ouattara,
21 did they organise meetings in your compound during the electoral campaign?

22 A. [10:24:53] No.

23 Q. [10:24:54] Very well. Were there any rallies in Abobo during the election
24 campaign?

25 A. [10:25:03] Yes.

- 1 Q. [10:25:06] Where?
- 2 A. [10:25:09] Everywhere in the commune, quite frequently at the station.
- 3 Q. [10:25:17] Did you go to any of those rallies?
- 4 A. [10:25:19] I did not often go there, because I was occupied.
- 5 Q. [10:25:29] Very well. What were you occupied with, Mr Witness?
- 6 A. [10:25:44] My work.
- 7 Q. [10:25:48] Very well. Now, Mr Witness, let me talk with you about what
- 8 happened on 16 December 2010, the march to the RTI.
- 9 A. [10:26:10] Yes.
- 10 Q. [10:26:12] Can you tell us who announced that march?
- 11 A. [10:26:19] I heard it over the television that people had to march to the RTI.
- 12 PRESIDING JUDGE TARFUSSER: [10:26:33] Who spoke on the television? Who
- 13 spoke on television? Who did you hear speaking?
- 14 THE WITNESS: [10:26:40] (Interpretation) I can say I heard on the radio, if I am
- 15 not mistaken, it was Soro that said that people had to march to the RTI.
- 16 MS NAOURI: [10:27:04] (Interpretation)
- 17 Q. [10:27:07] Very well. And how long was that before the march?
- 18 A. [10:27:13] I no longer remember.
- 19 Q. [10:27:15] One day, two days, three days approximately?
- 20 A. [10:27:23] I cannot give you the precise number of days.
- 21 Q. [10:27:29] Very well. You told us the radio, you mentioned the radio. Did
- 22 you also watch the television?
- 23 A. [10:27:42] Often.
- 24 Q. [10:27:44] Did you see that announcement on the television also?
- 25 A. [10:27:48] No.

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1 Q. [10:27:50] Very well. You frequently watch the television. Did you watch the
2 RTI?

3 THE INTERPRETER: [10:28:09] The witness's answer was not clear. Could he
4 kindly repeat?

5 PRESIDING JUDGE TARFUSSER: [10:28:12] The witness's answer was not clear.
6 Please repeat and speak clear into the microphone. Thank you.

7 THE WITNESS: [10:28:19] (Interpretation) *I did say that I used to watch often the encrypted channels.

8 MS NAOURI: [10:28:43] (Interpretation)

9 Q. [10:28:44] Witness, you said you watched encrypted channels?

10 A. [10:28:47] Yes.

11 Q. [10:28:48] Where was that and which were the channels?

12 A. [10:28:58] Canal, *France 24, Africa 24, football channels, I often watched football channels.

13 Q. [10:29:10] And did you watch the TCI?

14 A. [10:29:15] When I started I watched it frequently.

15 Q. [10:29:19] Very well. And do you remember when they started broadcasting?

16 A. [10:29:27] No, I do not recall.

17 Q. [10:29:32] Very well. And in your neighbourhood, who mobilised people to go
18 to the march?

19 A. [10:29:50] I would say no one in the neighbourhood. Everyone just went out
20 on their own.

21 Q. [10:30:01] Very well. But after the announcement which you heard that there
22 was going to be a march to the RTI, didn't you discuss it with people in your
23 neighbourhood? Were there meetings to discuss it, to know where people would
24 assemble?

25 A. [10:30:21] I did not discuss that with anyone. Each person heard the

1 announcement and they would go out in the morning to go towards the Abobo Gare.

2 Q. [10:30:36] Why the Abobo Gare, Mr Witness?

3 A. [10:30:43] It was the place of our meeting, the assembly point.

4 Q. [10:30:51] How do you know that the Abobo Gare was an assembly point?

5 A. [10:30:56] That was the place where everybody went, when they left their homes,
6 they would go there in order to go to the RTI.

7 Q. [10:31:06] Was that a usual place of assembly or usual meeting place?

8 A. [10:31:12] Most of the time that is where people gathered because it's a vast
9 space.

10 Q. [10:31:20] Very well. Was that a place where the RDR militants used to meet?

11 A. [10:31:30] Often tarpaulins were put up there for people to assemble at that
12 location.

13 Q. [10:31:36] Who would put up those tarpaulins, Mr Witness?

14 A. [10:31:40] Those who organised various demonstrations.

15 Q. [10:31:46] Very well. Very well, Mr Witness.

16 On the day of the march on the RTI, you didn't work; is that correct?

17 A. [10:32:23] Yes.

18 Q. [10:32:25] Can you tell us why you did not work on that day?

19 A. [10:32:31] Because I didn't have enough customers at that time.

20 Q. [10:32:41] Very well. Since when had you not been working?

21 A. [10:32:47] I often went to the workshop and then I didn't go again because of the
22 firing. It's because of the firing, the intense firing that I did not go to work.

23 Q. [10:32:58] So there was already firing in the neighbourhood?

24 Sorry, we'll repeat for the purposes of interpretation.

25 So there was already firing in the neighbourhood according to your testimony; is that

1 correct?

2 A. [10:33:11] Yes. Everywhere in Abobo.

3 Q. [10:33:17] Very well. And the young people of the FRCI, they were already in
4 your neighbourhood, is that correct, at the time of the march on 16 December?

5 A. [10:33:36] Are you talking about the day of the march? Well, on the day of the
6 march I didn't see any FRCIs. It was only us, the youth.

7 Q. [10:33:52] As far as you know, Mr Witness, not on the day of the march, I'm not
8 talking about the day of the march, I'm talking about the gun firing in, the exchange
9 of fire in your neighbourhood. My question is as follows: As far as you know, at
10 that time were there already FRCI youth in Abobo at that time?

11 A. [10:34:13] I don't remember.

12 Q. [10:34:14] Very well. Mr Witness, let me quote an excerpt of your statement for
13 you to you. This is what you say at paragraph 31:

14 "Those FRCI youth were all over the Abobo commune to provide security for the
15 population. One group was based at the gendarmerie because the gendarmes were
16 no longer there. I could see them when I went by the gendarmerie. Others were in
17 the Derrière-Rails neighbourhood and in the 14th and 21st commissariat, but I did not
18 see them. It is those who lived at Derrière Rails and those near the commissariat
19 who said so." End of quote.

20 So you knew that there were FRCIs in the neighbourhood, correct?

21 A. [10:35:56] Yes.

22 Q. [10:35:57] Very well. The FRCI, are they the same as the Môgôba?

23 A. [10:36:09] At the beginning people said Môgôba, Môgôba, at the very beginning,
24 yes.

25 Q. [10:36:17] At the beginning?

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1 A. [10:36:17] Yes.

2 Q. [10:36:18] What beginning?

3 A. [10:36:24] At the beginning of the crisis.

4 Q. [10:36:28] Very well. So at the beginning of the crisis. So my question to you
5 now is as follows: On 16 December 2010 at the beginning of the crisis, were there
6 any Mògòba in Abobo?

7 A. [10:36:40] When you say 16 December, that's the date of?

8 Q. [10:36:48] Let me be more specific. On 16 December 2010, that's the day of the
9 march on RTI, agreed?

10 A. [10:36:57] Yes.

11 Q. [10:36:58] That is shortly after the announcement of the results of the
12 presidential election. That's what we're talking about. So as far as I'm concerned,
13 that is the beginning of the electoral crisis. And my question is as follows: At that
14 time were there Mògòba in Abobo?

15 A. [10:37:14] No.

16 Q. [10:37:17] Very well. How much time thereafter did the Mògòba come to
17 Abobo?

18 A. [10:37:25] What I can say is that when there was a spike in the killings, it is at
19 that time that we saw people providing security for the neighbourhood.

20 Q. [10:37:39] Very well. Okay. Let's hark back to the day of the march on the
21 RTI. At what time did you leave your home on that day?

22 A. [10:37:56] At around 9 or 10 a.m.

23 Q. [10:38:10] Very well. Now, when you leave your home, where did you go?
24 When you left your home, where did you go to?

25 A. [10:38:25] My neighbourhood is not close to the tarmac road, so I went to the

1 tarred road to see whether people had already come out.

2 Q. [10:38:36] Very well. Did you leave your home alone, Mr Witness?

3 A. [10:38:41] Yes, I left my home alone.

4 Q. [10:38:47] Very well. So at what time did your uncle call you on that day?

5 A. [10:39:06] My uncle called me when I had already left.

6 Q. [10:39:16] So you were already out of your home when your uncle called you?

7 A. [10:39:20] Yes.

8 Q. [10:39:20] At about what time?

9 A. [10:39:24] I don't quite know. I cannot say the exact time.

10 Q. [10:39:33] What does your uncle tell you then?

11 A. [10:39:35] My uncle told me that if I had left home, I should go back, but that if I
12 had not left, I should remain in the house, because he was around Adjamé, and the
13 police were lobbing *teargas... grenades at people. That is no longer a matter of
14 firing, that grenades were being lobbed at people. That's what he told me.

15 Q. [10:40:01] Very well. Do you know where your uncle was at that time?

16 A. [10:40:08] He told me that he had just left Adjamé. I don't know from what
17 part of Adjamé, but he said he had just left Adjamé.

18 Q. [10:40:19] Was your uncle part of the demonstration?

19 A. [10:40:26] I cannot tell you whether or not he went out for the demonstration,
20 because I did not ask him. He simply called me.

21 Q. [10:40:37] Is your uncle a member of the RDR?

22 A. [10:40:43] I can say that he's not such a strong supporter of the RDR.

23 Q. [10:40:48] Can you be more specific, Mr Witness, when you say he's not such a
24 strong supporter?

25 A. [10:40:56] What I mean is that he did not attend any rallies or meeting nor

1 anything else.

2 Q. [10:41:06] Did you talk with your uncle about what happened on that day?

3 A. [10:41:09] No.

4 Q. [10:41:12] Did he tell you whether there were any youth defending the
5 neighbourhood who had attended the rally or who were defending the march as
6 well?

7 A. [10:41:26] I've not understood your question.

8 Q. [10:41:30] When you talked with your uncle on the phone and he told you what
9 was happening, did he tell you whether the FRCI or the Môgôba youth were also part
10 of the march and were also defending?

11 A. [10:41:46] No, no. No, he didn't say anything to me about that.

12 Q. [10:41:53] What did you do when your uncle told you not to go there?

13 A. [10:42:02] So when I had reached the tarmac road, I did not go towards the
14 station.

15 Q. [10:42:09] Did you go back to your home?

16 A. [10:42:12] I remained at the tarmac road until a young man was injured in the
17 arm. Then I went back.

18 Q. [10:42:22] We will get to that, but let's proceed step by step.

19 A. [10:42:27] Okay.

20 Q. [10:42:31] Your uncle calls you and you are at the tarmac already, is that correct?

21 A. [10:42:38] No, not yet.

22 Q. [10:42:39] Very well. After your uncle calls you, you continue to walk towards
23 the tarmac road; is that correct?

24 A. [10:42:47] Yes.

25 Q. [10:42:50] Can you tell us, Mr Witness, where you were exactly on the tarmac

1 road, if you are able to do so?

2 A. [10:43:05] It is called *Solibra and in the neighbourhood of Glacier.

3 Q. [10:43:10] Now, is that a sous-quartier called Glacier?

4 A. [10:43:21] Le Glacier is on the highway towards Anyama.

5 Q. [10:43:25] Very well. How much time did it take you to go from your place to
6 Eau Glacier?

7 A. [10:43:30] About five minutes.

8 Q. [10:43:38] Five minutes, okay.

9 Now, on your route, did you come across any demonstrators?

10 A. [10:43:50] Yes. I met some young people who were going to the tarmac road as
11 well.

12 Q. [10:43:56] Very well. How many of them?

13 A. [10:44:00] Many of them.

14 Q. [10:44:05] How much? 100, 200, 300?

15 A. [10:44:09] I cannot give you a figure.

16 Q. [10:44:10] Very well. Had some of them taken any security measures?

17 A. [10:44:22] Everybody was empty handed near the tarmac road.

18 Q. [10:44:30] Very well. How was traffic?

19 A. [10:44:35] Very scanty, very few vehicles.

20 Q. [10:44:37] Okay. And businesses, were they open?

21 A. [10:44:42] No.

22 Q. [10:44:44] So all businesses were closed?

23 A. [10:44:47] Closed.

24 Q. [10:44:51] When you get to the tarmac road, what do you do? Did you
25 continue to walk? Did you stop? Please explain to the Court.

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1 A. [10:45:01] When I got to the tarmac road, I stopped to see people going by
2 towards the gare. Other persons were also stopped, had also stopped at that area.

3 Q. [10:45:14] When you stop at the tarmac road, did you meet up with friends?
4 What were you doing?

5 A. [10:45:21] Many of us had stopped there. Some people were going to the train
6 station while others were also standing there.

7 Q. [10:45:29] Very well. Those who were going to the gare, who was their
8 organizer? Who was organising them?

9 A. [10:45:39] No one.

10 Q. [10:45:43] Nobody was directing them, giving them instructions?

11 A. [10:45:48] Everybody came out. And people said, "Let's go. Let's go, let's go."
12 But I did not see any particular person organising or leading anybody or anything of
13 that nature.

14 Q. [10:46:00] Very well. Now, those who were going to the gare, were there many
15 of them?

16 A. [10:46:06] Yes.

17 Q. [10:46:10] Very well. And you, where you stopped, how many people were
18 there around you at the place where you stopped?

19 A. [10:46:17] Many of us. There were many people.

20 Q. [10:46:23] Very well. Mr Witness, from that position where you were at to the
21 RTI, how much time would it take to walk to the RTI?

22 A. [10:46:45] Well, it's very far away.

23 Q. [10:46:48] Can you give us approximately how much time it would take to cover
24 that distance?

25 A. [10:46:53] I'm not able to say.

1 Q. [10:46:55] Very well. So how much time did you spend at that location
2 observing the demonstrators before you saw the policemen?

3 A. [10:47:18] Some five to ten minutes.

4 Q. [10:47:23] Now, while you are sitting and you saw the policemen, were you
5 sitting, were you standing, were you having a discussion when you saw the
6 policemen?

7 A. [10:47:35] We were standing.

8 Q. [10:47:37] How many people were there at that time?

9 A. [10:47:41] I've already told you that there were a lot of people there who had
10 stopped at that location.

11 Q. [10:47:48] Very well. From what direction did the car, the vehicle you say you
12 saw come?

13 A. [10:47:58] From my position, the car or the vehicle was passing on the other side
14 of the highway towards the Anyama road towards Avocatier.

15 Q. [10:48:15] Very well. So what you are saying is that the vehicle was going
16 towards the Avocatier market?

17 A. [10:48:24] Yes. Then from there you would come towards us on the side of the
18 gendarmerie.

19 Q. [10:48:30] Very well. Mr Witness, what was the distance between you and the
20 vehicle?

21 A. [10:48:39] Simply the width of the highway.

22 Q. [10:48:42] Can you please explain?

23 A. [10:48:45] The highway is a dual-carriage highway and the vehicle was passing
24 on the other side of the carriage while we were on this side of the carriage. The
25 vehicle was driving on the pedestrian side.

1 Q. [10:49:02] Very well. And did you see only one side of the vehicle or was the
2 vehicle facing you or coming towards you?

3 A. [10:49:12] The vehicle was not facing us. It passed in front of us.

4 Q. [10:49:19] Very well. Can you describe to us the vehicle that you allegedly saw
5 on that day?

6 A. [10:49:24] It was a four-by-four with a siren on its top.

7 Q. [10:49:31] What colour?

8 A. [10:49:33] White.

9 Q. [10:49:35] How many people were in it?

10 A. [10:49:37] I cannot tell you.

11 Q. [10:49:41] The glasses, what was their colour?

12 A. [10:49:46] They were not tinted.

13 Q. [10:49:48] From your position, could you see whether anything was written on
14 that vehicle or not?

15 A. [10:49:55] The police.

16 Q. [10:49:57] Very well. What attire were the policemen wearing?

17 A. [10:50:06] Black uniforms.

18 Q. [10:50:09] Were they wearing any caps?

19 A. [10:50:14] I didn't notice that.

20 Q. [10:50:19] Did they have any insignia on their attire?

21 A. [10:50:25] I didn't notice that either.

22 Q. [10:50:30] Very well. Did the policemen use tear gas?

23 A. [10:50:47] Tear gas had been used well before that time.

24 Q. [10:50:54] Well before what time?

25 A. [10:50:57] Well before the vehicle reached our location, we could smell the tear

1 gas already.

2 Q. [10:51:05] So there was tear gas and smell of tear gas around you at that time; is
3 that your testimony?

4 A. [10:51:11] Yes.

5 Q. [10:51:14] So what did you do when the vehicle came towards you?

6 A. [10:51:21] We stopped, because a young man had told us not to run, but simply
7 to stop, so we had stopped. And then we saw one come out of the other side of the
8 vehicle and position a Kalashnikov atop the vehicle.

9 Q. [10:51:47] Now, Mr Witness, which side?

10 A. [10:51:51] He came out of the other side of the vehicle.

11 Q. [10:51:54] In relation to you, which side would that be, the side you were not seeing?

12 A. [10:52:00] Yes.

13 Q. [10:52:03] Very well. So when you see that, what do you do?

14 A. [10:52:06] We had stopped, and when he pointed the weapon in our direction,
15 then we decided to flee.

16 Q. [10:52:17] Very well. Where did you flee to, Mr Witness?

17 A. [10:52:25] We fled along the corridor toward Eau Glacier and onto the rail tracks.

18 Q. [10:52:34] *So you went back to the neighbourhood...

19 A. [10:52:38] Yes.

20 Q. [10:52:39] ... in a route that went perpendicular to the tarmac road? Is that it? The
21 small streets that lead towards the neighbourhood, are these the perpendicular streets?

22 A. [10:52:44] Yes. We went down those roads back into the neighbourhood.

23 Q. [10:52:51] So in that general chaos you left that location; is that correct?

24 A. [10:52:58] Yes.

25 Q. [10:52:59] Did you go directly back to your home?

- 1 A. [10:53:02] I ran a little bit and then I stopped to see what was happening.
- 2 Q. [10:53:06] Where?
- 3 A. [10:53:07] In the neighbourhood.
- 4 Q. [10:53:11] Can you tell us the exact location in the neighbourhood, Mr Witness?
- 5 A. [10:53:17] Some distance away from my home.
- 6 Q. [10:53:23] When you stopped, what do you do?
- 7 A. [10:53:27] I stopped to find out what was happening, to see what was going on,
- 8 because there was firing.
- 9 Q. [10:53:34] Did you hide somewhere?
- 10 A. [10:53:39] I ran back into the neighbourhood. I didn't hide. I ran right back
- 11 into the neighbourhood.
- 12 Q. [10:53:46] Did you see any Môgôba in the neighbourhood?
- 13 A. [10:53:49] No.
- 14 Q. [10:53:52] What did you say? What did you say?
- 15 A. [10:53:59] We were all youth. There were no Môgôba among us.
- 16 Q. [10:54:04] How much time did you stop to find out what was happening in the
- 17 neighbourhood?
- 18 A. [10:54:08] When I stopped, the gentleman who told us not to run had been
- 19 injured. So people brought him in and we took him to a clinic. And after that I
- 20 decided to go back home.
- 21 Q. [10:54:27] Mr Witness, where were you when you saw the gentleman?
- 22 A. [10:54:34] *I was in the neighbourhood.
- 23 Q. [10:54:41] Can you be more specific?
- 24 A. [10:54:42] I had already gone past the rails. There is a road that goes from there
- 25 towards my home and I stopped somewhere along that road.

1 Q. [10:54:52] How much time did it take for you to stop so that we can have an idea
2 of the distance?

3 A. [10:55:00] I ran.

4 Q. [10:55:01] For how long?

5 A. [10:55:02] *For about one minute, at full speed, because in that corridor... when
6 the car got to the corridor, they started to shoot...

7 THE INTERPRETER: [10:55:07] Mr President, the speakers are going too fast for the interpreters.

8 PRESIDING JUDGE TARFUSSER: [10:55:10] The speakers are going too fast for the
9 interpreters, okay? Please slow down. Thank you.

10 THE INTERPRETER: [10:55:17] And they're not observing the five-second rule
11 either, Mr President.

12 MS NAOURI: [10:55:23] (Interpretation)

13 Q. [10:55:25] Witness, explain to us for how long did you run and what happened?

14 A. [10:55:29] I ran for about one minute and then I stopped after crossing the rails.
15 And there was firing. It's thereafter that I saw the gentleman coming. We had run
16 to the other side while they had run off to the other side. And then when we got
17 back together, we saw that the gentleman had been injured in the arm.

18 Q. [10:55:56] Very well. Now, you see that the gentleman is injured. What do
19 you do?

20 A. [10:56:09] That's when I decided to go back home.

21 Q. [10:56:14] Very well. You don't assist the gentleman?

22 A. [10:56:23] Some people had already taken him to a small clinic for first aid.

23 Q. [10:56:28] So if I understand you very well, at the time that you meet him, he is
24 coming back from a clinic where he had already been treated?

25 A. [10:56:35] No. They were taking him to the clinic at the time.

1 Q. [10:56:44] So is it your testimony that they were taking him to a clinic at that
2 time?

3 A. [10:56:48] Yes.

4 Q. [10:56:48] How do you know that?

5 A. [10:56:51] I saw them carrying him.

6 Q. [10:56:53] What did you see them do?

7 A. [10:57:00] I saw them carrying the gentleman.

8 Q. [10:57:03] My question to you is how did you know that they were taking him to
9 a clinic? Did you have a discussion with them about that?

10 A. [10:57:10] The clinic was nearby.

11 Q. [10:57:12] But you didn't have any discussion with them?

12 A. [10:57:14] *No.

13 Q. [10:57:17] Those youth, were they the young people who were defending the
14 neighbourhood?

15 A. [10:57:25] No. On that day we had all gone out for the march.

16 Q. [10:57:33] Very well. To participate in the march?

17 A. [10:57:37] Yes.

18 Q. [10:57:39] Very well.

19 Now, Mr President, I'm looking at the time. There is a next event which I want to
20 address, but maybe this is a good time for the break.

21 PRESIDING JUDGE TARFUSSER: [10:57:48] Okay. So let's break now. You have
22 a half an hour to rest, and then we come back at 11.30 and we continue with your
23 examination by the Defence for Mr Gbagbo. Thank you very much for the time and
24 see you, the hearing is adjourned to 11.30.

25 THE COURT USHER: [10:58:11] All rise.

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1 (Recess taken at 10.58 a.m.)

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

3 THE COURT USHER: [11:33:27] All rise.

4 Please be seated.

5 PRESIDING JUDGE TARFUSSER: [11:33:45] Bonjour again, Mr Witness.

6 I give immediately back the floor to Madam Naouri so she can continue the

7 questioning on behalf of the Defence for Mr Gbagbo. Yours the floor.

8 MS NAOURI: [11:34:05] (Interpretation) Thank you, Mr President.

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

10 A. [11:34:14] Good morning.

11 Q. [11:34:18] I would like to track back with you to the young people who were

12 defending your neighbourhood. In paragraph 29 of your statement you said, "We

13 referred to them as the FRCI. These were young people who were fighting against

14 the regular army." End of quote.

15 Now, these young people, do you know where they came from?

16 A. [11:35:05] They were in Abobo.

17 Q. [11:35:08] Very well. Who was their leader?

18 A. [11:35:16] I do not know.

19 Q. [11:35:20] Very well. And since when had they been in Abobo?

20 A. [11:35:33] Ever since the crisis intensified. That is when we started seeing them

21 in the area.

22 Q. [11:35:45] Very well. Now, Mr Witness, do you know who is Issa Bokoum?

23 A. [11:36:03] Issa Bokoum, no.

24 Q. [11:36:06] In the sketch that you prepared for the OTP, and I will show you that

25 sketch, it is CIV-OTP-0046-0286. It is annex 1 to your statement. I'll wait for the

1 document to be displayed.

2 Can you see the document, Mr Witness?

3 A. [11:36:44] Yes.

4 Q. [11:36:44] Very well. On that sketch you write "nouvelle mosquée," new
5 mosque. Is that a mosque under construction?

6 A. [11:36:57] Yes.

7 Q. [11:36:58] And who is the owner of that mosque under construction? What is his name?

8 A. [11:37:14] I do not know his name.

9 Q. [11:37:15] Very well. But, Mr Witness, that is where your tailoring workshop is
10 located on that sketch; is that correct?

11 A. [11:37:36] Yes.

12 Q. [11:37:37] Very well. And did you hear any calls to prayer from that mosque,
13 for example, when you were working in your workshop?

14 A. [11:38:04] On that day?

15 Q. [11:38:09] Generally speaking.

16 A. [11:38:11] Yes. I quite often hear the call to prayer.

17 Q. [11:38:17] Very well. Did you hear it, that is calls to prayer, did you hear the
18 expression "bon gain" or "pas bon gain"?

19 A. [11:38:44] They were small loud speakers recently installed. But they were not
20 there before. *As it was under construction, there are small loud speakers.

21 Q. [11:38:59] So according to you, there were no loud speakers in that mosque
22 under construction?

23 A. [11:39:05] To my knowledge, *at that time, I don't know if the loud speaker had
24 been installed.

25 Q. [11:39:07] When you say "at that time," which period are you referring to? Do

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- 1 you know whether they were put in place during the post-election crisis?
- 2 A. [11:39:21] Yes.
- 3 Q. [11:39:21] Mr Witness, have you ever heard of d'Amara le Gros?
- 4 A. [11:39:45] Yes.
- 5 Q. [11:39:46] Very well. Do you know that Amara le Gros is the leader of the
- 6 neighbourhood who were fighting the pro-Gbagbos?
- 7 A. [11:40:09] I do not know.
- 8 Q. [11:40:10] Very well. I will show you a photograph, and that is
- 9 *CIV-D15-0004-2635. Can you see the photograph, Mr Witness?
- 10 A. [11:40:43] Yes.
- 11 Q. [11:40:43] Do you recognize the person?
- 12 A. [11:40:50] Yes. It is Amara le Gros.
- 13 Q. [11:40:54] Very well. Thank you. Do you know who is Gros Ouinzin?
- 14 A. [11:41:06] No.
- 15 Q. [11:41:06] And if I tell you Ouattara Djakaridja, also known as Djakiss?
- 16 A. [11:41:20] No.
- 17 Q. [11:41:20] Very well. And the name Bolo, does that name ring a bell?
- 18 A. [11:41:25] No.
- 19 Q. [11:41:25] Very well. Now, these young people, can you tell us where they
- 20 were based?
- 21 A. [11:41:52] I cannot tell you, because it was a union of transporters. I saw them
- 22 pass by in their vehicles.
- 23 Q. [11:42:02] When you say they were a union of transporters, you mean Amara le
- 24 Gros *and Gros Ouinzin, for instance?
- 25 A. [11:42:14] *I can say that I do not know Gros Ouinzin by sight, but I hear his

1 name. But Amara le Gros, I know him by sight.

2 Q. [11:42:26] What was the name of -- the role of Amara le Gros and Ouinzin
3 during the crisis?

4 A. [11:42:36] I do not know.

5 Q. [11:42:37] And the transporters' union, what was their role?

6 A. [11:42:44] They issued tickets, and they gave them to the transporters, and the
7 drivers paid. That is what they did in Abobo.

8 Q. [11:42:52] But did they have a political role during the crisis?

9 A. [11:43:00] That, I cannot say.

10 Q. [11:43:01] Very well. And do you know that Amara le Gros was a security
11 agent or officer at the Abobo town hall?

12 A. [11:43:30] I heard about it.

13 Q. [11:43:34] Did you see him often at the Abobo town hall?

14 A. [11:43:41] Yes. I saw him frequently on the terrace.

15 Q. [11:43:46] And what was he doing, mobilising people?

16 A. [11:43:50] He was frequently seated with his friends from the union.

17 Q. [11:43:56] Did you follow any discussions between Amara le Gros and his
18 friends from the union?

19 A. [11:44:02] No.

20 Q. [11:44:06] And to understand you correctly, the friends from the union, that is
21 the transporters' union; is that correct?

22 A. [11:44:15] Yes.

23 Q. [11:44:15] Very well. Now, let us come back to the young FRCI. Can you tell
24 us where the young FRCI members were based?

25 A. [11:44:32] I can say they were about everywhere in Abobo. I saw them in front

1 of the gendarmerie.

2 Q. [11:44:42] Very well. Which gendarmerie?

3 A. [11:44:51] The Abobo gendarmerie.

4 Q. [11:44:56] The gendarmerie brigade; is that correct?

5 A. [11:44:59] Yes.

6 Q. [11:45:02] And you personally saw them there?

7 A. [11:45:06] Yes. Some of them were there while others were near the pharmacie
8 Étoile.

9 Q. [11:45:15] Very well. So you mean that there was an FRCI base at the
10 pharmacie Étoile?

11 A. [11:45:28] I want to say that it was the same group. Some of them were on one
12 spot while others were near the pharmacie Étoile.

13 Q. [11:45:38] Very well. And the young people that you saw, were they armed?

14 A. [11:45:45] I often saw some with weapons while others were just seated.

15 Q. [11:45:58] The others with the weapons that you mentioned, which group did
16 they belong to?

17 A. [11:46:06] It was the same group.

18 Q. [11:46:11] Very well. And what types of weapons did you see?

19 A. [11:46:18] Small pistols, hunting rifles.

20 Q. [11:46:38] Very well. Now, paragraph 29 of your statement, you said,
21 "Amongst them there were some who were armed with Kalashnikovs while others
22 had calibre 12s"?

23 A. [11:47:00] A few rare times I saw Kalashnikovs with some of them.

24 Q. [11:47:07] And where did you see them armed in that way?

25 A. [11:47:11] When I was coming to the workshop, I would see them.

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1 Q. [11:47:21] Very well. And as from when did you start seeing them there,

2 Mr Witness?

3 A. [11:47:36] I cannot tell you a precise date.

4 Q. [11:47:43] Not the precise date. Approximately when?

5 A. [11:47:48] Approximately I would say -- well, I really cannot tell you a precise
6 date, but it was when the crisis intensified.

7 Q. [11:48:03] Very well. And those young FRCI militants, they set up roadblocks
8 in Abobo; is that correct?

9 A. [11:48:13] Yes.

10 Q. [11:48:14] Where were those roadblocks, Mr Witness?

11 A. [11:48:20] The entrances into the neighbourhoods, there were roadblocks there.
12 And the others were erecting roadblocks on the roads to be able to check the vehicles
13 passing by.

14 Q. [11:48:38] Very well. So the roadblocks were to prevent external people not
15 from the neighbourhood to come in. What was the criteria?

16 A. [11:48:53] People thought that the police could come in to shoot, so they erected
17 roadblocks.

18 Q. [11:49:04] Very well. Who searched the vehicles?

19 A. [11:49:06] The young people who had weapons who were at the gendarmerie,
20 they were the ones who erected roadblocks in order to search vehicles.

21 Q. [11:49:16] Very well. And when you said there were roadblocks on the main
22 roads, you mean it was the FRCI searching the vehicles there?

23 A. [11:49:29] Yes.

24 Q. [11:49:34] And who was the leader of those roadblocks?

25 A. [11:49:37] I do not know their leader.

1 Q. [11:49:41] And to pass through the roadblock, did you need to pay anything?

2 A. [11:49:51] No.

3 Q. [11:49:55] And do you know whether those young FRCI people made rounds or
4 patrols in the neighbourhood to provide security?

5 A. [11:50:15] Yes.

6 Q. [11:50:17] And which were the strategic locations at which they positioned
7 themselves?

8 A. [11:50:31] In the neighbourhood they would move around.

9 Q. [11:50:37] Very well. Coming back to the gendarmerie, were there any Dozos
10 at the gendarmerie?

11 A. [11:50:45] I saw Dozos there at the end of the crisis. That is what I can say.

12 Q. [11:50:56] And with the FRCIs, generally speaking, were they accompanied by
13 the Dozos?

14 A. [11:51:05] *Are you saying with the FRCI? No, the Dozos were in a group.

15 Q. [11:51:12] Very well. And the Dozos that you saw at the gendarmerie, did they
16 have weapons?

17 A. [11:51:21] They did not have weapons. They simply had hunting rifles.

18 Q. [11:51:28] Very well. And how did you recognize the Dozos? How were they
19 dressed?

20 A. [11:51:34] In their traditional way.

21 Q. [11:51:41] Okay. And did the Dozos attack any groups, any segments of the
22 population?

23 A. [11:51:59] Not to my knowledge.

24 Q. [11:52:02] Okay. Mr Witness, the FRCI were also in the 14th and 21st
25 arrondissement commissariat; is that correct?

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1 A. [11:52:20] I heard that from people.

2 Q. [11:52:21] Very well. Do you know that those commissariats were attacked in
3 February 2011, that is one month before the shells were fired?

4 A. [11:52:32] No, I do not know that.

5 Q. [11:52:34] Very well. Mr Witness, to your knowledge, did the FRCI youth
6 search your neighbourhood for weapons?

7 A. [11:53:02] I did not observe any of that.

8 Q. [11:53:08] But you were working close to the gendarmerie brigade; is that
9 correct?

10 A. [11:53:13] Yes.

11 Q. [11:53:17] Yesterday there was a lady who came to testify, and she said the
12 following, let me quote, and it is transcript 180 of 12 September 2017, from page 14,
13 line 28:

14 "Madam Witness, did the Môgôbas come to your neighbourhood and threaten you?
15 Do you remember that?

16 Answer: Yes.

17 And they threatened to shoot you; is that correct?

18 Answer: Yes.

19 Question: Very well. Now, can you tell us why?

20 Because on that day they were *chasing a tank, and the tank hit the fence of the
21 gendarmerie. We heard the noise. So we went to Issa's place and went to the roof
22 to see what was happening at the station."

23 That is what she told us.

24 And on page 16, line 24, she adds, the question was:

25 "And when you said that they captured a tank, do you mean that the Môgôba

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1 captured a security force's tank?

2 We were at home, and we heard some noise. And that is when we climbed to the
3 roof of the mosque to see what was happening at the station. We saw them. They
4 were coming in our direction. So we came down and we fled.

5 Very well. So that attack did not take place -- took place very close to your home?

6 Answer: Yes.

7 *... was near Gagnoa Gare and near the Abobo gendarmerie brigade; is that correct?

8 Yes.

9 And the Môgôba attacked that gendarmerie brigade?

10 In any case there were no longer any brigades -- any gendarmeries in the brigades.

11 That is where they lodged.

12 Who were lodging there, Madam Witness?

13 The Môgôbas."

14 *Since when?

15 I cannot tell you exactly but on that day, that's where we saw that it was the Môgôbas..."

16 PRESIDING JUDGE TARFUSSER: [11:55:54] The question? Did you want to read it all?

17 MS NAOURI: Pardon, pardon. No, no.

18 PRESIDING JUDGE TARFUSSER: Otherwise we stay here.

19 MS NAOURI: [11:56:04] (Interpretation)

20 Q. [11:56:05] "Answer: I do not say precisely, but on that day, that is when we knew it
21 was the Môgôba living there." Very well. Now, does that jog your memory, Mr Witness?

22 A. [11:56:18] Yes, I remember that when the tank was passing and shooting, the
23 young people would attack the tank. But I heard about that while I was at home.

24 Q. [11:56:42] When you talk about a tank, was it a tank passing on the main road?

25 A. [11:56:47] Yes.

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1 Q. [11:56:48] *Were they attacking other vehicles?

2 A. [11:56:51] No.

3 Q. [11:56:54] And did this happen often?

4 A. [11:57:02] Yes. When the tanks passed, they were firing and then they would
5 attack.

6 Q. [11:57:12] Very well. And do you remember approximately when this
7 happened?

8 A. [11:57:16] No.

9 Q. [11:57:19] Before the march, the women's march?

10 A. [11:57:23] I cannot say.

11 Q. [11:57:27] Very well. Do you know whether *the FRCI had arms caches in the
12 neighbourhood?

13 A. [11:57:45] No.

14 Q. [11:57:47] And in PK18?

15 A. [11:57:50] No.

16 Q. [11:57:51] Do you remember whether two days after the incident of 17 March
17 the FRCI youth burned two tanks in Abobo?

18 A. [11:58:06] Yes, I heard of it.

19 THE INTERPRETER: [11:58:08] Correction: The question was whether the FRCI
20 had any weapons caches in the neighbourhood.

21 MS NAOURI: [11:58:18] (Interpretation)

22 Q. [11:58:19] Now, what did you hear?

23 A. [11:58:22] They managed to immobilise a tank around Sans Manquer; that is
24 what I heard. I did not see it.

25 Q. [11:58:35] And who were there, the FRCI?

1 A. [11:58:38] I saw the young people from the neighbourhood who went to look at
2 it, but I did not go there.

3 Q. [11:58:45] Very well. But you have just said they succeeded in immobilising a
4 tank. But "they," you mean the FRCI; is that correct?

5 A. [11:59:14] Yes.

6 Q. [11:59:17] What you really mean is that they succeeded in immobilising a tank?

7 A. [11:59:24] Yes.

8 Q. [11:59:25] Very well. So at one point the FRCI youth became stronger than the
9 regular forces; is that correct?

10 A. [11:59:38] No. I was not with them, so I cannot know that.

11 Q. [11:59:43] I will quote paragraph 34 of your statement to the OTP. And you
12 said, "Progressively the young people had the upper hand over the army. The
13 gendarmerie and the police fled. They were afraid of those young people and that is
14 why they were shooting at random."

15 Is that correct?

16 A. [12:00:08] It is when the tank was coming that they were shooting at random.

17 Q. [12:00:15] Very well. But you said, "Slowly but surely, the young people got
18 the upper hand over the army"?

19 A. [12:00:23] At a given point in time the gendarmerie and the commissariat no
20 longer existed.

21 Q. [12:00:31] What happened?

22 A. [12:00:33] Well, they left and, therefore, they had the upper hand. There was
23 no longer gendarmerie nor commissariat.

24 Q. [12:00:46] But who calls to the gendarmes of the people from the commissariats
25 to flee?

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1 A. [12:00:52] I don't know.

2 Q. [12:00:55] Very well. To your knowledge, did the FRCI search the
3 neighbourhood for uniformed persons?

4 A. [12:01:07] No.

5 Q. [12:01:11] And to your knowledge, was Commando Camp attacked by the
6 FRCI?

7 A. [12:01:34] No.

8 Q. [12:01:37] Now, Witness, have you heard of a group called the Invisible
9 Commando?

10 A. [12:02:03] Yes, I've heard of it.

11 Q. [12:02:07] And who was that, the Invisible Commando?

12 A. [12:02:13] I heard talk of the Invisible Commando.

13 Q. [12:02:18] And what did you hear about it, about the Invisible Commando?
14 Please proceed.

15 A. [12:02:26] I heard that there were young people. It was like the young people
16 who would stand up against the tanks. It was that sort of people that were referred
17 to as the Invisible Commando.

18 Q. [12:02:45] And did they attack certain segments of the population?

19 A. [12:02:57] No.

20 Q. [12:03:00] Very well.

21 PRESIDING JUDGE TARFUSSER: [12:03:07] Do you say "No" or do you say "I don't
22 know"?

23 THE WITNESS: [12:03:18] (Interpretation) As regards what?

24 PRESIDING JUDGE TARFUSSER: [12:03:21] To the question put to you by the
25 counsel, if the Invisible Commando did attack certain segments of the population,

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- 1 you said no. No, because you don't know or no, because they did not attack?
- 2 THE WITNESS: [12:03:42] (Interpretation) No, they didn't attack.
- 3 PRESIDING JUDGE TARFUSSER: [12:03:45] Okay.
- 4 MS NAOURI: [12:03:48] (Interpretation) Thank you, your Honour.
- 5 Q. [12:03:53] Now, who is the leader of the Invisible Commando?
- 6 A. [12:03:58] I don't know.
- 7 Q. [12:04:02] Very well. And have you heard of IB?
- 8 A. [12:04:09] I know that name. I've heard that name.
- 9 Q. [12:04:14] And what have you heard about him?
- 10 A. [12:04:19] Nothing specific.
- 11 Q. [12:04:23] Do you know that the Invisible Commando was active in PK18?
- 12 A. [12:04:33] Yes.
- 13 Q. [12:04:36] And what did it do in PK18?
- 14 A. [12:04:41] Well, combat often took place there.
- 15 Q. [12:04:44] What combat?
- 16 A. [12:04:47] Often the police would go there.
- 17 THE COURT OFFICER: Overlapping speakers, please. Thank you.
- 18 MS NAOURI:
- 19 Q. [12:04:58] Please proceed, Witness. You said the police would often go there?
- 20 A. [12:05:03] Yes.
- 21 Q. [12:05:04] So there were clashes between the Invisible Commando and the police;
- 22 is that what you are saying?
- 23 A. [12:05:09] Yes.
- 24 Q. [12:05:12] And you, Witness, were you a member of the Invisible Commando?
- 25 A. [12:05:28] No.

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1 Q. [12:05:31] Very well. Now, Witness, I'd like to return to the day of the incident
2 of 17 March, okay?

3 A. [12:05:40] Yes.

4 Q. [12:05:42] Now, where were you that morning?

5 A. [12:05:48] That morning I was just at home.

6 Q. [12:05:52] Could you tell us how far your workshop is from your home?

7 A. [12:06:01] I don't know the exact distance.

8 Q. [12:06:05] About how long does it take to walk from one to the other?

9 A. [12:06:11] Twenty minutes by foot.

10 Q. [12:06:15] And what time did you leave your home?

11 A. [12:06:19] I didn't pay attention to the time, but it was in the morning, maybe at
12 about 9 o'clock, something like that.

13 Q. [12:06:34] All right. Now, that morning on your way, did you see FRCI young
14 people patrolling in the neighbourhood?

15 A. [12:06:43] Yes.

16 Q. [12:06:45] How many approximately?

17 A. [12:06:49] Some were walking around, some were on the tarred road, they were
18 walking.

19 Q. [12:06:57] Were there a lot of them?

20 A. [12:07:00] Somewhat.

21 Q. [12:07:03] And what time did you reach your workshop?

22 A. [12:07:09] Around 9 o'clock, maybe 10 o'clock.

23 Q. [12:07:17] Was there anyone in your workshop at that time?

24 A. [12:07:20] No.

25 Q. [12:07:23] Were you working that day?

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- 1 A. [12:07:24] No.
- 2 Q. [12:07:26] So what were you doing?
- 3 A. [12:07:29] I went to charge my mobile phone.
- 4 Q. [12:07:40] So you went to charge your mobile phone. And during that time,
5 what did you do?
- 6 A. [12:07:44] I waited outside.
- 7 Q. [12:07:49] Okay. So you weren't inside your workshop, you were in the
8 courtyard?
- 9 A. [12:07:54] I was on the enclosure. I was on the terrace.
- 10 Q. [12:08:00] Very well. And what did you see? Did you see the FRCI in your
11 courtyard?
- 12 A. [12:08:08] I saw them pass by.
- 13 Q. [12:08:12] And had the FRCI set up roadblocks on that day?
- 14 A. [12:08:24] No. It was the young people from the neighbourhood who had
15 already set up roadblocks at the entrance points to the neighbourhood.
- 16 Q. [12:08:35] Where was that, Witness?
- 17 A. [12:08:40] The tarred road, between the tarred road and the entry to the
18 neighbourhood at the intersection.
- 19 Q. [12:08:50] Very well. And how long did you spend seated in front of your
20 workshop?
- 21 A. [12:09:02] I saw them pass by. I didn't stay outside. I went back in because I
22 was concerned, so I went back inside to sit there.
- 23 Q. [12:09:20] So how long were you outside? How long was there between you
24 leaving the atelier and going back in?
- 25 A. [12:09:32] How much time?

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- 1 Q. [12:09:32] You said to us that you left your workshop to sit outside?
- 2 A. [12:09:39] Yes.
- 3 Q. [12:09:39] And now you said that you went back into your workshop?
- 4 A. [12:09:41] Yes.
- 5 Q. [12:09:42] My question is how much time passed between when you were
- 6 outside and when you decided to go back inside?
- 7 A. [12:09:49] *Not long but I didn't pay attention to the time.
- 8 Q. [12:09:52] Approximately?
- 9 A. [12:09:53] I can't say.
- 10 Q. [12:10:02] And you said that you were concerned. What were you concerned
- 11 about?
- 12 A. [12:10:06] I wasn't working and I had a family to feed.
- 13 Q. [12:10:13] And when you were inside, what did you hear?
- 14 A. [12:10:27] I saw FRCI pass by. I was inside.
- 15 Q. [12:10:35] Mm-mm.
- 16 A. [12:10:39] Yes.
- 17 Q. [12:10:40] But did you hear anything when you were inside or was it silent
- 18 outside?
- 19 A. [12:10:47] *Well, when they went past, they said... because there was gunfire from Commando
- 20 Camp. So, when they went past, they told young people, people to go back to the courtyards.
- 21 Q. [12:11:03] Okay. So there was an exchange of gunfire; is that right?
- 22 A. [12:11:06] Yes, there was gunfire from Commando Camp.
- 23 Q. [12:11:09] Very well, Witness. Now I'm going to show you a photo. It's
- 24 CIV-OTP-0089-0081.
- 25 PRESIDING JUDGE TARFUSSER: [12:11:41] Yes, Madam Prosecutor.

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- 1 MS BERDENNIKOVA: [12:11:42] Could we just have a confirmation of the
2 confidentiality level from the Defence?
- 3 MS NAOURI: [12:11:48] (Interpretation) In our view this photo can be displayed in
4 public.
- 5 MS BERDENNIKOVA: [12:12:01] Your Honours, the same image was discussed
6 previously in private session.
- 7 PRESIDING JUDGE TARFUSSER: [12:12:09] Which image are we talking about?
- 8 MS NAOURI: [12:12:14] (Interpretation) Now, the photo that we're looking at here
9 is not the same photo that the Prosecutor showed this morning. The Prosecutor
10 based her questions on a panorama photo.
- 11 Secondly, the photo that we're showing now is one that we're going to ask the witness
12 to comment upon in a general fashion. However, we are going to put a number of
13 questions to him which we believe can be put in open court.
- 14 THE INTERPRETER: [12:12:49] The interpreter corrects the number of the photo is
15 CIV-OTP-0089-0581.
- 16 PRESIDING JUDGE TARFUSSER: [12:12:56] Yes, but now that we have seen the
17 photos and the witness in the photo, we can take it away and start with the
18 questioning. Is that not a possibility?
- 19 MS NAOURI: [12:13:03] (Interpretation) I have a question regarding another place
20 on this photo, your Honour.
- 21 PRESIDING JUDGE TARFUSSER: [12:13:15] If it's another place on this photo, I
22 don't know what this photo has to do with the other place, I mean, sorry, but --
- 23 MS NAOURI: [12:13:24] (Interpretation) Perhaps I could put my question to the
24 witness and I think that that will clarify matters.
- 25 Q. [12:13:29] Witness, do you recognize the blue frontage on this photo?

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1 A. [12:13:34] Yes.

2 Q. [12:13:36] Very well. Can you tell us what that is?

3 A. [12:13:41] That is a photo studio.

4 Q. [12:13:45] Very well. And do you know the person who runs that photo
5 studio?

6 A. [12:13:51] Yes.

7 Q. [12:13:53] Yes.

8 Your Honour, as he knows the person, I'd like to read to him an extract from the
9 testimony of that person which was entered on the record based on Rule 68(2)(b).

10 PRESIDING JUDGE TARFUSSER: [12:14:22] If this is not redacted --

11 MS NAOURI: [12:14:24] No.

12 PRESIDING JUDGE TARFUSSER: [12:14:26] -- and the person had no in-court
13 protective measures?

14 MS NAOURI: [12:14:30] (Interpretation) That person was not or no request was
15 made for protective measures by the Prosecutor for that person. This testimony was
16 admitted under Rule 68(2)(b), and that testimony should be considered public, and
17 we would like to present it to the witness.

18 PRESIDING JUDGE TARFUSSER: [12:14:49] I don't think what is considered -- it's
19 public as long as the witness when he testified here had no protective measures and
20 was testifying publicly also responding to the questioning by the Defence.

21 MS NAOURI: [12:15:05] (Interpretation) Your Honour, to respond to your
22 question, this is not a witness who testified. This is not a statement that was
23 admitted under 68(3) but under 68(2)(b). But testimony tendered under that rule is
24 not published. There is no reason why the name of the witness should not be known
25 to the public, just as the names of all other witnesses are known to the public in these

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1 proceedings.

2 And there is also no reason why the testimony of such a witness should not be
3 discussed in open session like the testimony of any other witness appearing.

4 PRESIDING JUDGE TARFUSSER: [12:16:07] You've already prepared --

5 MS NAOURI: [12:16:08] Oui.

6 PRESIDING JUDGE TARFUSSER: [12:16:09] Okay, I see.

7 MS NAOURI: [12:16:08] (Interpretation) Yes, I did.

8 PRESIDING JUDGE TARFUSSER: [12:16:09] Yes. Out of cautiousness -- which we
9 are not, we are not in private session? No. Out of cautiousness we go into private
10 session and then we decide if to -- let's go into private session, please.

11 (Private session at 12.16 p.m.)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
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- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Open session at 12.23 p.m.)
- 16 THE COURT OFFICER: [12:23:26] We are back in open session, Mr President.
- 17 PRESIDING JUDGE TARFUSSER: [12:23:30] Thank you.
- 18 Madam Naouri.
- 19 MS NAOURI: [12:23:32] (Interpretation) Thank you, your Honour.
- 20 Q. [12:23:43] Now, Witness, so you heard noise. What did you then do?
- 21 A. [12:23:46] I went back into the workshop. At first I was outside and then I
- 22 went back inside.
- 23 Q. [12:23:55] And my question to you is -- that's absolutely clear, we've understood
- 24 that you went back inside when you heard the noise, the gunfire.
- 25 My question now is, having heard that gunfire, what did you then do?

1 A. [12:24:15] I didn't understand the question.

2 Q. [12:24:37] So having heard the gunfire, what did you do? Did you stay inside?
3 Did you go back out?

4 A. [12:24:43] Well, I just stuck my head outside, and then I went back in to look at
5 my mobile phone.

6 Q. [12:24:55] So you just stuck your head outside; is that right?

7 A. [12:24:59] Yes, just outside of the workshop to see if there were people outside.

8 Q. [12:25:04] What did you see?

9 A. [12:25:05] I saw that people were passing by.

10 Q. [12:25:08] Who?

11 A. [12:25:09] People who I didn't know.

12 Q. [12:25:13] And were the young people still manning the roadblock?

13 A. [12:25:24] They had already gone by.

14 Q. [12:25:26] They were no longer there?

15 A. [12:25:27] No, they were no longer there.

16 Q. [12:25:31] Had they left because of the gunfire?

17 A. [12:25:33] No. They had set up, the young people from the neighbourhood had
18 set up the roadblock to ensure that the police cars or the tanks could not pass by,
19 could not get in.

20 Q. [12:25:48] Very well. Now, at paragraph 20 of your statement you state the
21 following, and I'm going to quote: "When the young people who were providing
22 security asked the people to go home or to go back in, the children went back in. But
23 myself and young people from the neighbourhood stayed outside, because we
24 weren't that afraid. I stayed outside, but I wasn't working with the young people
25 who were providing security. Some of them were armed and others were wearing

1 mixed uniforms." End of quotation.

2 Now, my question is this: Is that correct or did you just pop your head outside to
3 see what was happening?

4 A. [12:27:05] Yes.

5 Q. [12:27:06] Yes what, Mr Witness?

6 A. [12:27:12] At the beginning I wasn't that afraid. That's why I was outside. But
7 then when the gunfire intensified, I went inside.

8 Q. [12:27:22] Very well. So once you went inside, you no longer went back
9 outside, did you?

10 A. [12:27:35] Inside I just sat on my chair to look at my mobile phone.

11 Q. [12:27:42] Very well. And you didn't talk to the young people who were
12 providing security on that day?

13 A. [12:27:53] No.

14 Q. [12:27:56] All right. And when you were in your workshop, what about the
15 windows, did you barricade the windows and door?

16 A. [12:28:31] I just had kept the door open a little bit.

17 Q. [12:28:36] Very well. And you didn't go out again. How much later did
18 you -- how much later was it before you heard *noises again?

19 A. [12:28:46] Just a few moments later.

20 Q. [12:28:50] Approximately?

21 A. [12:28:52] I couldn't say how many minutes.

22 Q. [12:28:56] All right. And how much noise did you hear?

23 A. [12:29:06] I heard about four noises like that.

24 Q. [12:29:14] All right. At paragraph 22 of your statement you state the following,
25 and I quote, "I don't know if other shells landed before or after the three that I heard."

1 So tell me, did you hear three or four?

2 A. [12:29:33] I heard noises. When the one before in front of the workshop fell,
3 that was the closest one, and I heard that one very clearly. And as regards the others,
4 I heard noises, but I thought it was the tank firing.

5 Q. [12:29:56] Very well. And how much time elapsed between each of the noises
6 that you heard?

7 A. [12:30:09] I couldn't tell you exactly how much time.

8 Q. [12:30:16] Very well. I'm asking you the question again, Mr Witness. How
9 many noises did you hear, three or four?

10 A. [12:30:25] To my knowledge, four.

11 Q. [12:30:28] Very well. And after you heard those noises, what happened?

12 A. [12:30:51] It's when the shell fell near the workshop that I understood what was
13 happening and I went out in panic.

14 Q. [12:31:05] When you talk about the one at the workshop, how did you know
15 that a shell had fallen?

16 A. [12:31:19] I heard the noise and then the roof making noises, pop pop pop pop
17 pop.

18 Q. [12:31:27] Very well. And then you went out?

19 A. [12:31:32] I went out in panic. I do not even know where I went before coming
20 back to lock up the shop.

21 Q. [12:31:40] Very well. So did you see anything when you opened the door?
22 Were there any fragments? How did you know that there was a shell that had fallen
23 in front of your workshop?

24 A. [12:32:01] I heard the noise, because the door was closed, and I was not feeling
25 at ease on that day, *so I couldn't talk to anyone on that day.

1 Q. [12:32:19] Very well. Now, you went out. Were you not afraid that another
2 shell would fall?

3 A. [12:32:27] Yes. That is precisely why I went out. I did not even know whether
4 I went left or right. I saw people coming out and going in the direction of a
5 shop -- or, rather, of the church. And there were people lying down, I did not even
6 approach them.

7 Q. [12:32:48] Very well. And you didn't feel more secure inside the workshop?

8 A. [12:32:57] Well, I didn't think that. I was panicking, afraid that another shell
9 would fall.

10 Q. [12:33:06] Very well. Now, you went out. What did you see? Please
11 describe to us what you saw.

12 A. [12:33:18] I saw people lying on the ground.

13 Q. [12:33:30] Nothing else, people were lying on the ground and you saw nothing
14 else?

15 A. [12:33:37] There were people running out of the compounds. They were afraid
16 that another shell would fall. There was a church behind a mosque, and that is
17 where they were going.

18 Q. [12:33:53] Very well. And you did not see any particular damage?

19 A. [12:34:04] Damage on what?

20 Q. [12:34:09] Buildings and so on.

21 A. [12:34:13] Yes, of course. The wall of the compound was practically all
22 destroyed.

23 Q. [12:34:21] Just that?

24 A. [12:34:28] The wall was destroyed and my roof had been pierced. So even all
25 the wood around was broken.

1 Q. [12:34:50] Very well. Mr Witness, did you go to another courtyard or
2 compound on that day to see what had happened?

3 A. [12:35:07] It was afterwards that I went to another courtyard.

4 Q. [12:35:12] Which one?

5 A. [12:35:16] No, it was not on that same day. I believe it was on the day after.

6 Q. [12:35:33] On that same day, you did not go to any other compound, any other
7 courtyard?

8 A. [12:35:39] No.

9 Q. [12:35:40] Very well. Now, Mr Witness, my question is this: You stayed in
10 your compound. And when you left your house, where did you go? What was
11 your itinerary? Did you stop at any particular points?

12 A. [12:36:00] When I locked the workshop.

13 Q. [12:36:03] Did you lock the workshop?

14 A. [12:36:07] I went out first of all and then afterwards I came back to lock the
15 workshop.

16 Q. [12:36:16] Very well. How long after did you come back to lock up your shop?

17 A. [12:36:32] Five minutes.

18 Q. [12:36:34] Very well. Mr Witness, just one moment.

19 Mr Witness, you handed over fragments to the OTP. Do you remember?

20 A. [12:37:17] Yes.

21 Q. [12:37:20] Very well. Mr Witness, at what time did you pick up those
22 fragments alleged to be shell fragments that you picked up?

23 A. [12:37:50] The day after.

24 Q. [12:37:53] Very well. Were you alone or was there someone with you when
25 you picked up those fragments?

- 1 A. [12:38:07] I was alone.
- 2 Q. [12:38:09] Can you tell us precisely where you found those fragments?
- 3 A. [12:38:17] They had pierced the door which was closed.
- 4 Q. [12:38:27] Just a moment, please. There is a fragment that you retrieved from
5 the door; is that correct?
- 6 A. [12:38:39] Yes.
- 7 Q. [12:38:41] On the door or the fence?
- 8 A. [12:38:47] Yes, there were other fragments on the wooden fence.
- 9 Q. [12:38:52] So you mean both on the door and the fence?
- 10 A. [12:38:58] Yes.
- 11 Q. [12:39:02] How did you do that? How did you retrieve those fragments?
- 12 A. [12:39:09] It pierced the door and fell down. They pierced the door and fell
13 down.
- 14 Q. [12:39:15] So it was not in the door itself or in the fence?
- 15 A. [12:39:21] There were some fragments in the wood in the fence. But those that
16 pierced the door actually fell inside.
- 17 Q. [12:39:33] And did you find any other fragments?
- 18 A. [12:39:37] Yes, on the ground.
- 19 Q. [12:39:39] Is that all?
- 20 A. [12:39:43] Yes. There were others on the table where I work.
- 21 Q. [12:39:56] And you were the one who retrieved them, who extracted them?
- 22 A. [12:39:59] Yes.
- 23 Q. [12:40:00] And what did you use to extract them?
- 24 A. [12:40:05] A pair of scissors.
- 25 Q. [12:40:09] And where did you put those fragments?

- 1 A. [12:40:13] On the window where I display clothes.
- 2 Q. [12:40:18] Is that where you kept them?
- 3 A. [12:40:21] Yes.
- 4 Q. [12:40:23] So when the workshop was open, everyone could have access to
- 5 them?
- 6 A. [12:40:28] No, unless I showed them to someone.
- 7 Q. [12:40:35] Very well. And how many pieces did you pick up?
- 8 A. [12:40:41] Quite a good number.
- 9 Q. [12:40:44] Approximately how many?
- 10 A. [12:40:47] Approximately ten.
- 11 Q. [12:40:50] Very well. And to whom did you show the fragments that you
- 12 retrieved?
- 13 A. [12:40:56] Sometimes I would show them to the people who came to see the
- 14 state of the wall.
- 15 Q. [12:41:05] Very well. Did you give any out or did you keep all?
- 16 A. [12:41:12] Some would ask me for a piece of the shell to go and show their
- 17 families what a shell looked like.
- 18 Q. [12:41:21] And you gave them?
- 19 A. [12:41:23] Yes. Often I would give them.
- 20 Q. [12:41:27] Did they return them to you or not?
- 21 A. [12:41:38] I gave quite a few to some people.
- 22 Q. [12:41:40] Do you remember to whom you gave them?
- 23 A. [12:41:43] No.
- 24 Q. [12:41:46] Very well. And now amongst all the fragments that you had, you no
- 25 longer knew where they came from, from the table, from the door and so on and so

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1 forth?

2 A. [12:42:04] No.

3 Q. [12:42:07] Very fine. And the fragments that you gave to the investigator, did
4 you give them all of the fragments that you had?

5 A. [12:42:23] Yes.

6 Q. [12:42:25] Very fine. And so when you gave them to him, where did he put
7 them?

8 A. [12:42:34] I do not know.

9 Q. [12:42:36] So he did not show you where he stored the fragments?

10 A. [12:42:41] No.

11 Q. [12:42:43] Very well. Did the OTP inform you whether they succeeded in
12 establishing whether these were shell fragments, did they inform you of their analysis
13 of the fragments?

14 A. [12:43:00] No, I do not think so.

15 Q. [12:43:05] Fine. Mr Witness, on 17 March, did the photographer take any
16 photographs of what was happening?

17 A. [12:43:26] I did not pay attention to that, because we did not even see each other
18 on that day.

19 Q. [12:43:34] Very well. But did he take any photographs afterwards, do you
20 know?

21 A. [12:43:39] I do not know.

22 Q. [12:43:42] Okay. Now, Mr Witness, on the day that you met with the
23 investigators of the OTP, they were accompanied by ONUCI policemen; is that
24 correct?

25 A. [12:44:02] Yes.

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1 Q. [12:44:03] And how did you get in contact with those ONUCI policemen?

2 A. [12:44:10] When I saw them carrying out investigations, I took the fragments
3 and I asked an apprentice to go and give them. The apprentice refused. The
4 policeman saw me trying to prompt or push the apprentice to go there. That is when
5 he told me that I, myself, I could give them.

6 Q. [12:44:41] Very well. So you are the one who approached the ONUCI
7 policemen; is that correct?

8 A. [12:44:47] No. Really, I did not approach him.

9 Q. [12:44:55] Very well. So you did not speak to them at all?

10 A. [12:45:02] No.

11 Q. [12:45:05] Mr Witness, I will show you a photograph, CIV-OTP-0049-0084. Can
12 you see the photograph, Mr Witness?

13 A. [12:46:10] Yes.

14 Q. [12:46:11] Very well. Do you recognize any one of those men? Are those the
15 ONUCI policemen? Do you recognize them?

16 A. [12:46:24] No.

17 Q. [12:46:28] Very well. Do you remember whether when you met with the
18 investigators of the OTP anyone took photographs?

19 A. [12:46:49] The investigators?

20 Q. [12:46:52] Yes.

21 A. [12:46:53] Yes. They had equipment for such things.

22 Q. [12:47:01] Very well. But they did not take photographs of your workshop?

23 A. [12:47:08] No, I did not observe *that. Otherwise, they had cameras to take photos.

24 Q. [12:47:17] Mr Witness, did you indicate to them the locations to be
25 photographed on that day?

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1 A. [12:47:23] No.

2 Q. [12:47:27] Very well. Thank you, Mr Witness.

3 MR ALTIT: [12:47:31] (Interpretation) Mr President, your Honours, that concludes
4 the questioning by the Defence team of Laurent Gbagbo.

5 PRESIDING JUDGE TARFUSSER: [12:47:41] Thank you very much.

6 MS PACK: [12:47:42] Your Honour, may I ask to deal with an issue in private
7 session very briefly? It doesn't relate to obviously further questions or anything, it's
8 just simply an issue --

9 PRESIDING JUDGE TARFUSSER: [12:47:51] Must we do this now?

10 MS PACK: [12:47:52] If we could, your Honour.

11 PRESIDING JUDGE TARFUSSER: [12:47:54] What is the --

12 MS PACK: [12:47:55] It relates to an order to redact that was rejected.

13 PRESIDING JUDGE TARFUSSER: [12:47:59] No, no. Well, this one? This one I
14 have here?

15 MS PACK: [12:48:03] Yes, because it related to the matters that I raised already in
16 relation to the --

17 PRESIDING JUDGE TARFUSSER: [12:48:07] No, I've already decided on that. It's
18 already decided.

19 MS PACK: [12:48:10] Your Honour, it relates to the issue I raised earlier about the
20 reconsideration of the private session testimony. And it directly relates to that issue,
21 so that was the reason I raise it again.

22 PRESIDING JUDGE TARFUSSER: [12:48:20] Yes. But you cannot, you cannot
23 think, because otherwise I mean -- no. Really that -- well, we will deal with this
24 later.

25 I give now the floor to Mr Knoops and then we deal with it, but it's --

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1 MS PACK: [12:48:43] Thank you, your Honour. I would just ask for
2 reconsideration of that specific one because, of course, there is delays of 30 minutes,
3 and it's just directly related to issues that I addressed separately.

4 PRESIDING JUDGE TARFUSSER: [12:48:53] Yes. But there is no name.

5 MS PACK: [12:48:54] No.

6 PRESIDING JUDGE TARFUSSER: [12:48:55] There is just a very general reference to
7 something which some person --

8 MS PACK: [12:48:56] Yes, okay.

9 PRESIDING JUDGE TARFUSSER: [12:48:57] -- in any time said.

10 MS PACK: [12:48:59] Okay.

11 PRESIDING JUDGE TARFUSSER: [12:49:00] So I really think it's not, it's not -- it will
12 not be reconsidered.

13 MS PACK: [12:49:06] Okay. Thank you. Thank you very much, Mr President.

14 PRESIDING JUDGE TARFUSSER: [12:49:11] Mr Knoops.

15 QUESTIONED BY MR KNOOPS:

16 Q. [12:49:37] Good afternoon, Mr Witness. My name is Alexander Knoops. I'm
17 an attorney admitted to the bar of the Kingdom of The Netherlands. I'm counsel for
18 Mr Blé Goudé.

19 My first question relates to your statement given to the investigators of the Office of
20 the Prosecution. That's statement CIV-OTP-0046-0279, paragraph 16.

21 You say that an investigator, whose name I will not mention in the statement, did
22 arrive at Abobo with a team of police officers of the UN, and they came to see the
23 place where the alleged projectile did fall before your shop.

24 My question to you is, sir, did this investigator take photographs of the locations on
25 which you say that traces were to be found of a projectile?

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1 A. [12:51:25] Yes, they had cameras to take photographs.

2 Q. [12:51:33] Did they actually take photographs of the locations where you say
3 that your shop was hit by shrapnel?

4 A. [12:51:52] No, I did not observe them take photographs. It was the location
5 where the object fell and then the wall.

6 Q. [12:52:06] Did you point to the investigators of the Office of the Prosecution
7 those locations?

8 A. [12:52:19] No.

9 Q. [12:52:20] Why didn't you?

10 A. [12:52:25] I did not even approach them.

11 Q. [12:52:33] But you knew they were interested in the investigation where the
12 alleged projectile was hit. So you didn't say to them where your shop was hit?

13 A. [12:52:55] No.

14 Q. [12:53:00] It's true, Mr Witness, that when they arrived on 11 July 2013, you say
15 that still traces of that alleged impact was visible on your shop, such as the fence and
16 the table, where you say shrapnel impacted upon; it's true, isn't it?

17 A. [12:53:40] Yes.

18 Q. [12:53:43] And still you were not inclined to show them where these traces were
19 to be found. Can you give us any reason why you did give them those pieces, but
20 you didn't show them the exact locations?

21 A. [12:54:16] Well, I did not show them the damage on the wood, on the workshop.
22 But when I saw them, I knew that they were investigating the shells. That is why I
23 asked my apprentice to give them the fragments.

24 Q. [12:54:39] Right. Did you say, Mr Witness, that those pictures were made at
25 your neighbour's place, (Redacted)?

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1 A. [12:54:56] I didn't understand your question.

2 Q. [12:54:59] Did you see that investigator who came to investigate the location of
3 the Office of the Prosecution on 11 July 2013 did take photos of your neighbour's
4 place?

5 A. [12:55:27] That, I do not know.

6 Q. [12:55:32] In your statement given to the investigators of the Office of the
7 Prosecution, you say that you handed over five pieces of alleged shrapnel. Can you
8 describe the colour of those pieces?

9 A. [12:55:53] I cannot give you an exact colour, but it is like iron mixed with rusted
10 sand, brownish colour, I believe.

11 Q. [12:56:30] In your evidence, in your statement given to the Office of the
12 Prosecution, paragraph 17, you say that one piece was more big. You say, I will
13 translate (Interpretation) "One piece was larger, the four other pieces were smaller."
14 (Speaks English) Give us the size of those pieces, Mr Witness. What was the size of
15 this first piece, which you qualify as more big than the other four?

16 A. [12:57:15] When I say big --

17 PRESIDING JUDGE TARFUSSER: [12:57:23] How big was it? So big or so big
18 (indicating)? Just to have an idea.

19 THE WITNESS: [12:57:30] (Interpretation) Just small like this.

20 THE INTERPRETER: And the witness shows up his hand.

21 MR KNOOPS: [12:57:39]

22 Q. [12:57:40] Are we talking about those four pieces you qualify as plus petit or the
23 big one? The big one first, what size was the big one in your estimation?

24 A. [12:57:51] The big piece was about this size (indicating), if I remember correctly,
25 and the others were smaller than that.

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1 Q. [12:58:04] Right.

2 PRESIDING JUDGE TARFUSSER: [12:58:06] A few, a few square centimetres --

3 MR KNOOPS: [12:58:09] Yes.

4 PRESIDING JUDGE TARFUSSER: [12:58:10] -- one can say, if we translate it in
5 words.

6 MR KNOOPS: [12:58:15]

7 Q. [12:58:16] Thank you, Mr Witness.

8 My second question to you relates to your statement where you say, and also your
9 evidence today, that the young people were armed. That's in paragraph 20 and 29 of
10 your statement. Do you know how they received their weapons, these young men
11 who were in your evidence protecting the area and the civilians and fighting the
12 regular army, how did they receive their arms?

13 A. [12:59:07] That, I do not know.

14 Q. [12:59:10] Do you have any idea what type of armoury they were equipped
15 with?

16 A. [12:59:25] I have said they were hunting rifles, and some had machetes, and
17 very rarely you would see some with Kalashnikovs.

18 Q. [12:59:50] Any other arms you can recall?

19 A. [12:59:55] No.

20 Q. [12:59:58] You can remember that you, when you gave your statement to the
21 Office of the Prosecution, mentioned any other arms than Kalashnikov and a
22 machete?

23 A. [13:00:15] No.

24 Q. [13:00:19] You cannot remember it or you say I did not mention any other type
25 of armoury?

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1 A. [13:00:32] I did not mention any arms, any other arms.

2 Q. [13:00:35] Right. In your statement, Mr Witness, to the investigators of the
3 Office of the Prosecution, paragraph 29, you say the following, I will pronounce this
4 in French: Speaking about those young men who were fighting the regular army in
5 those days, you say: (Interpretation) "Amongst them there were some who were
6 armed with Kalashnikovs while others had calibre 12s."

7 (Speaks English) So you did say to the investigators in your statement that amongst
8 those young people who were fighting the regular army were equipped with calibre
9 12; is that correct? You did say something else than a Kalashnikov, yes?

10 A. [13:01:49] When I say calibre 12s, I'm actually referring to hunting rifles.

11 Q. [13:02:00] Mr Witness, you have a background in the army. You served in the
12 army or not?

13 A. [13:02:12] No.

14 Q. [13:02:16] So how were you able to qualify this rifle as a calibre 12? You have
15 experience with arms?

16 A. [13:02:30] No.

17 Q. [13:02:31] Have you ever shot with an arm, with a rifle?

18 A. [13:02:38] Never.

19 Q. [13:02:40] So how were you able to describe these rifles as calibre 12? What is
20 the basis of this statement to the Prosecution that the weapons you saw were of
21 calibre 12?

22 A. [13:02:59] I often heard people referring to calibre 12s. That's how they were
23 called, calibre 12s, calibre 12 rifles.

24 Q. [13:03:16] Right. Have you ever heard, Mr Witness, that those young people
25 who were *fighting the regular army got their arms from -- retrieving those arms from

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1 the gendarmes which were abandoned, the gendarmerie stations which were
2 abandoned?

3 A. [13:03:44] No, I didn't hear that.

4 Q. [13:03:50] Speaking about the young people, you say in paragraph 18 of your
5 statement, paragraph 18, that those young people belonging to the FRCI --

6 PRESIDING JUDGE TARFUSSER: [13:04:16] Mr Knoops.

7 MR KNOOPS: [13:04:18] Yes.

8 PRESIDING JUDGE TARFUSSER: [13:04:18] It's 1 o'clock.

9 MR KNOOPS: [13:04:20] I probably need 5 minutes, if the Court allows, I can finish
10 soon.

11 PRESIDING JUDGE TARFUSSER: [13:04:24] Okay. That's what I wanted to know.
12 Okay, fine.

13 MR KNOOPS: [13:04:26] Just a few finalising questions, Mr President. I can stop if
14 the Court wishes, but --

15 PRESIDING JUDGE TARFUSSER: [13:04:33] That's okay. I just didn't
16 know what --

17 MR KNOOPS: [13:04:37] Right. Thank you.

18 Q. [13:04:38] So, Mr Witness, in your statement to the investigators of the Office of
19 the Prosecution, you say that those young people fighting for the FRCI against the
20 army were having barricades. You were staying in Abobo from November till April.
21 Did you during this time frame from November till April observe those barricades?

22 A. [13:05:22] Yes.

23 Q. [13:05:28] My last question relates to your statement given to the investigators,
24 paragraph 33 of your statement, where you say, and I will quote for the translators in
25 French, it's the first sentence of the paragraph 33 of your statement, Mr Witness:

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1 (Interpretation) "During that period, the security situation in Abobo had
2 deteriorated because there was no longer any gendarmerie nor police in the
3 commissariats. There was only Commando Camp."

4 (Speaks English) Would you agree with me, Mr Witness, that the civilian population
5 in light of this situation you describe had to resort to its own protection, had to take
6 care for their own protection? You can agree with that observation?

7 A. [13:07:20] Yes. The roadblocks had been set up to provide security to ensure
8 that no tank or police vehicle could enter.

9 Q. [13:07:37] My final question is, do you have any knowledge whether Camp
10 Commando was attacked by the young people of the FRCI?

11 A. [13:07:54] No, not to my knowledge.

12 MR KNOOPS: [13:07:57] Thank you, Mr President. That concludes our
13 examination.

14 PRESIDING JUDGE TARFUSSER: [13:08:00] Thank you. I revert to the Prosecutor
15 just to ask if there is need for re-questioning?

16 MS BERDENNIKOVA: [13:08:11] No, no re-questioning.

17 PRESIDING JUDGE TARFUSSER: [13:08:13] Thank you very much.

18 So I can tell you now that your testimony is over, Mr Witness. Thank you for having
19 been here and for answering the questions by counsel of the OTP, the LRV and the
20 Defence.

21 And I wish you a safe trip back home. Thank you very much. You can now leave
22 the Court with the help of the court usher. Thank you.

23 THE WITNESS: [13:08:45] (Interpretation) Thank you.

24 (The witness is excused)

25 PRESIDING JUDGE TARFUSSER: [13:09:11] We have now the same situation as

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1 yesterday I think. No?

2 (Trial Chamber confers)

3 PRESIDING JUDGE TARFUSSER: [13:09:25] No. 297 is ready. I didn't receive the
4 communications, so we adjourn --

5 MS NAOURI: [13:09:33] (Interpretation) Monsieur le Président.

6 PRESIDING JUDGE TARFUSSER: [13:09:36] Yes. We adjourn the hearing, we
7 adjourn the hearing at 2.30 to listen to Witness 297, to start with the questioning of
8 Witness 297.

9 MS NAOURI: [13:09:48] (Interpretation) Your Honour, the Defence has not had a
10 courtesy visit with 297. Such a visit is planned at 4.40 this afternoon.

11 MS PACK: [13:10:08] The same applies, in fact, to the Prosecution, of course, the
12 same time, approximately.

13 THE INTERPRETER: [13:10:18] Interpreter corrects the time.

14 PRESIDING JUDGE TARFUSSER: [13:10:22] VWU made a mistake, so now we go to
15 tomorrow morning at 9.30. The hearing is adjourned.

16 THE COURT OFFICER: [13:10:30] All rise.

17 (The hearing ends in open session at 1.10 p.m.)