

Trial Hearing
WITNESS: CIV-OTP-P-0625

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I - Courtroom 2
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera-Carbuccia and
7 Judge Geoffrey Henderson
8 Trial Hearing
9 Monday, 14 March 2016
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: Good morning. Good morning to everybody.
15 Good morning to the witness, to Mr Witness. We start today with the examination
16 by the Defence of this witness called by the Prosecutor.
17 Before -- I think the Legal Representative didn't ask, okay, so but before doing so we
18 were just considering the possibility in order to try to finish with this witness this
19 week to have extended hours this week which maybe would allow us to finish this
20 week and without going to Monday and/or Tuesday, if this would be also agreeable
21 to the parties, of course.
22 Prosecutor? The extended hours, I mean two, four, six, instead of one and a half, one
23 and a half, one and a half.
24 Obviously, then we will ask also the interpretation and the Registry if this is feasible.
25 MR MACDONALD: We leave it to your discretion, your Honour.

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1 PRESIDING JUDGE TARFUSSER: Thank you very much.

2 Legal Representatives?

3 MS MASSIDDA: We have no problem with that, your Honour.

4 PRESIDING JUDGE TARFUSSER: The Defence?

5 MR ALTIT: (Interpretation) Mr President, we are in the hands of the Court.

6 *According to the experts, the one and a half hour sessions are appropriate, but if we

7 were to take extended hours it would be better to have one and a half hour sessions.

8 PRESIDING JUDGE TARFUSSER: I didn't get the point, probably because of the

9 translation. I know -- I know your -- the concern, which relates obviously to other

10 things and I do know. It would just be for this hour because -- for this week, and not

11 today, of course, but as of tomorrow, with the sort of agreement that we finish this

12 witness by this weekend, otherwise it makes no point and, of course, in the agreement

13 also of the Registry. So please again.

14 MR ALTIT: (Interpretation) Very well. We are not opposed in principle; however,

15 in terms of organisation of the day or even if we're having an extended, we should

16 have such extended days built around one-and-a-half-hour sessions instead of

17 two-hour session. Now, you might add an additional one and a half hours at least

18 per day. That's the idea, Mr President.

19 PRESIDING JUDGE TARFUSSER: Okay. So not two, four, six, but four times one

20 and a half? Okay. Perfect.

21 Mr Knoops.

22 MR KNOOPS: Good morning, Mr President. We are in the hands of the Court,

23 although for our team it will be difficult to assess today, to commit ourselves today to

24 Friday. We don't know how many hours our team will be left with after the

25 examination by the team of Mr Altit, but of course we will do everything what we can

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1 to accommodate the Court, but I hope the Court realizes there for our team it's
2 difficult. We are the second team in the examination. And of course we will
3 prevent overlap with the topics, but at this moment we cannot assure that we, for
4 instance, will not need part of Monday, for instance. And maybe we can re-evaluate
5 the situation tomorrow or Wednesday.

6 PRESIDING JUDGE TARFUSSER: Yes. I do understand that of course, but it
7 would be a sort of an -- it should be an agreement --

8 MR KNOOPS: Yes.

9 PRESIDING JUDGE TARFUSSER: -- between you and you, the both Defence
10 teams --

11 MR KNOOPS: Yes.

12 PRESIDING JUDGE TARFUSSER: -- to try to share half and half the week. But I
13 just wanted to have a sort of an impression because then we have --

14 MR KNOOPS: Yes.

15 PRESIDING JUDGE TARFUSSER: -- in any case to wait also if it's feasible for the
16 Registry to do so.

17 MR KNOOPS: Thank you, Mr President.

18 PRESIDING JUDGE TARFUSSER: So as for today, we do as usual, the three times
19 one and a half, and then we come back tomorrow morning or during the day and try
20 to find out what is feasible or not.

21 So I think the floor is to the Defence for the examination of this witness.

22 MR ALTIT: (Interpretation) Thank you, Mr President. Good morning, ladies and
23 gentlemen.

24 WITNESS: CIV-OTP-P-0625 (On former oath)

25 (The witness speaks French)

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1 QUESTIONED BY MR ALTIT: (Interpretation)

2 Q. Good morning, Witness.

3 A. Good morning, Counsel.

4 Q. I am Emmanuel Altit, as you know, counsel for President Gbagbo.

5 A. Yes, Counsel.

6 Q. How are you?

7 A. I'm fine, thank you.

8 Q. Is everything okay?

9 A. Yes, all is well, thanks be to God.

10 Q. Now, I will be putting a few questions to you on a number of points you raised,
11 particularly during your testimony, in order to understand what you wanted to tell
12 the Court; is that okay?

13 A. Yes, Counsel.

14 Q. That way you will be able to provide useful clarifications from your end and
15 will enable us to have more material to understand the events that are the subject of
16 your testimony.

17 A. Yes, Counsel.

18 Q. You know that we are all listening to you here and listening to what witnesses
19 have to say as a matter of general rule, that is why your testimony is extremely
20 important because nothing is more important than first-hand narration, nothing is
21 more important than the presentation of facts by those who experienced them.

22 A. Yes, Counsel.

23 Q. If in the course of your -- our discussion there is a question or a point which you
24 do not want to deal with in open session, please do not hesitate to point it out. At
25 that juncture, if justified, we will go into closed session, meaning therefore that the

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1 public will not hear what will be said at that time.

2 A. Yes, Counsel.

3 Q. Let me then start, with your leave, by talking about the march on the RTI. On
4 8 March 2016, in your testimony, at number ICC-2/1 -- 11-01/15-T-26 T -- RT --

5 THE INTERPRETER: Too fast for the interpreters. Reference not captured.

6 PRESIDING JUDGE TARFUSSER: Too fast.

7 MR ALTIT: (Interpretation) I repeat, testimony of 8 March 2016 number

8 ICC-02/11-01/15-T-26-FR RT 08-03-2016 T. I will say it and will not repeat, except I'm
9 asked to, at least for this occasion.

10 Q. Now, you say at page 87, line 20, "RTI was attacked several times." Do you
11 remember that?

12 A. Yes.

13 Q. Can you tell us a little more on the attacks, how many attacks there were and
14 what types of attacks there were?

15 A. Thank you, Counsel. Let me explain. When I said that the RTI came under
16 several attacks, I meant that *the RTI had been attacked several times by the military
17 or quasi-military groups. *There was the attack by the -- IB's group, known as the
18 Commando Invisible, or under -- at some point they even almost captured the RTI but
19 were subsequently taken out by the people of the FDS, who repelled these attacks
20 several times.

21 At the time it was very important to note that this was a very sensitive point, a very
22 sensitive place for a country or a nation. If the national RTI is taken over, this would
23 mean that you have captured the national communication service of the country
24 *which would be as good as having taken over the country. So several attacks were
25 carried out on that structure.

1 Q. Very well. To be amply clear, you are saying that, in addition to the march of
2 16 December, which we talked about at length last time, there were several other
3 military-type attacks with the intention of capturing RTI; is that correct?

4 A. Yes. That is what I said.

5 Q. Here we are trying to understand exactly what you mean in detail and
6 understand the unfolding of events.

7 A. Yes.

8 Q. When you say "military-type attacks," are you saying that these were
9 pro-Ouattara military attacks?

10 A. Yes, Counsel.

11 Q. Very well. Now, when you talk about the attacks by the commandos invisibles,
12 can you tell us a little more about that?

13 A. Well, you know Commando Invisible is something we heard in the streets in
14 Abidjan; namely that there was a Commando Invisible in Abobo which was led by IB.
15 Commander IB was the leader of that group. He is said to have planned attacks, first
16 of all, within Abobo against the FDS, and then he also is the one who wanted to attack
17 and capture the RTI.

18 Now, as far as I know, and what we learnt thereafter, when he came to attack the RTI
19 with the intent of taking it over, it was not in support of Ouattara, it was for himself
20 because he wanted to become the president of the transitional government and
21 president of Côte d'Ivoire ultimately. That was his goal. Everybody knew it.

22 *Soro knew it, everybody knew it. Everybody knew about it. And I knew -- we
23 knew about it ourselves. And that is what we knew to be his intent. *And it was
24 his group which was known as the Commando Invisible.

25 Q. Who was IB?

1 A. IB was -- I'm sorry, Mr President, I'll slow down.

2 IB was a soldier who was one of the perpetrators of the first coup d'état against
3 President Bédié and who succeeded in overthrowing him.

4 Q. What year was that?

5 A. I think it was on Christmas day in 1999, on the 24th of 1999. It was Christmas
6 day and one cannot forget that.

7 Q. On whose behalf was this coup d'état against President Bédié perpetrated?

8 A. Counsel, I am not very familiar with these things, but I can talk about rumours
9 which are not founded but which I cannot confirm. It was said that the coup d'état
10 against Bédié was in favour of President Ouattara, but during the coup d'état
11 President Guéï himself took over power and declared himself transitional president.
12 That's all I can say. I can't go any further than that.

13 Q. *Did IB take part in other coup d'états?

14 A. Yes, even against General Guéï. They made two or three attempts against
15 General Guéï I think.

16 Q. In what year?

17 A. I think it was during the same year.

18 PRESIDING JUDGE TARFUSSER: Excuse me. Just I see -- did he take part -- you
19 said did he take part in the coup d'état. If you speak among you, "he" is something,
20 but in the transcript "he" should be -- because otherwise we don't know who you are
21 referring to in a few years, not today.

22 MR ALTIT: (Interpretation) I will rephrase for the record, Mr President.

23 Q. IB, whom we have been talking about, you told us that he took part in a coup
24 d'état against President Bédié at Christmas 1999; is that correct?

25 A. Yes, Counsel. Yes, sir.

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1 Q. This very IB, did he take part in other coup d'état? And what is your answer?

2 A. Yes. I told you that he was part of a coup d'état against General Guéï as well.

3 Q. The same year?

4 A. Yes, the same year.

5 Q. Can you tell us who IB was, where he came from, what was his career profile?

6 A. IB came from Séguéla region, which is about 25 kilometres -- 27 kilometres from
7 Séguéla. His village was in that area and I think it was known as Barrière (phon), or
8 something like that, but I know that it was 27 kilometres from Séguéla. *In terms of
9 his career, I think IB was a soldier, if I remember correctly. But I wasn't familiar with
10 him, he's not somebody whom I -- I visited or whom I knew, but I believe he was a
11 soldier.

12 Q. Very well.

13 MR ALTIT: (Interpretation) Mr President, we would like to show the witness a
14 document with ERN number CIV-D15-0001-3215. It is a photograph.

15 MR MACDONALD: If you allow us just a second so we can retrieve the document
16 before we show. Thank you. What's the -- we didn't get the last three digits.

17 CIV-D15 we got, but -- 001, but the last three digits.

18 MR ALTIT: (Interpretation) The last three digits are 3215.

19 MR MACDONALD: It's okay. Thank you.

20 MR ALTIT: (Interpretation)

21 Q. Now, Mr Witness, you can see a photograph. Can you tell us who is on that
22 photograph?

23 A. That is IB.

24 MR MACDONALD: I'm sorry, I'm going to stand up just to -- we note the picture,
25 we note that the witness recognizes the picture, but then there are editorial comments

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1 which I understand they're not on record except via the testimony. Just to clarify the
2 record. Thank you.

3 MR ALTIT: (Interpretation) Mr President, what I can say to the Prosecutor is that
4 *there is a caption under the photograph, but we are -- took this photograph from *an
5 article in Jeune Afrique bearing this caption "Ten years after: what has become of the
6 leaders of the attempted coup d'état of 19 September 2002?" I don't know what the
7 issue is. I don't know if he has a problem with it.

8 MR MACDONALD: It's just a question of principle, your Honour. I mean, the
9 Defence never asked us if we agreed with that beforehand legends we can admit.
10 We'll come back to you on this one. But the point is it's not because there is a legend
11 that automatic coming from an open source, for that matter, the witness is there, but if
12 the witness confirms or whatever there's the involvement of the witness in those
13 events of 2002, quite fine.

14 PRESIDING JUDGE TARFUSSER: But the witness has not written the legend. Of
15 course, I mean, we do know what we are judging at. I mean, we are not judging on
16 the basis of this legend in any case, so I think it's a little bit of a not very useful
17 discussion. Thank you.

18 Please go ahead.

19 MR ALTIT: (Interpretation) Thank you, Mr President. Now, I would like to show
20 the witness a video excerpt, number CIV-D15-004-1162, timestamp 21.26 to 21.33,
21 counting for seven seconds.

22 THE COURT OFFICER: Mr Altit, is this public information?

23 MR ALTIT: (Interpretation) Yes, it is public.

24 MR MACDONALD: It would be nice, your Honour, just like the Prosecution did
25 and as per your directives, to what is the date, what is the metadata of some of this

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1 information because right now I understand we may have received these documents,
2 but the Chamber or the parties have to -- it slows down the process. We have to go
3 and look at -- before it is shown. I understand it's only seven seconds but when?
4 How? Where?

5 PRESIDING JUDGE TARFUSSER: Yes, please, if you could give full information
6 when you show an exhibit in order for us to retrieve it and then to regularly put it on
7 the record, that would be fine.

8 MR ALTIT: (Interpretation) Yes. Mr President, when possible, we provide the
9 information, but we are using evidence here or material flowing from the witness's
10 testimony. Sometimes it's difficult. But, in any event, in order to reassure you,
11 these documents are in Ringtail and they have been disclosed to the Prosecution for a
12 long time, except I'm mistaken. So this is what we are -- if I can provide additional
13 information, I will. For example, here we have *4 September 2015 and that's the date
14 on which the video was recorded. *By whom? So whenever we have information
15 that can be provided, we provide it.

16 PRESIDING JUDGE TARFUSSER: It's also good for the record to be -- so we have a
17 clear record, otherwise -- as much as you can, please.

18 MR ALTIT: (Interpretation) Of course, Mr President. Yes, that's what I'm saying.
19 When we have prepared material for the cross-examination, that is fine, but when it
20 comes up in the course of testimony, it's a little more difficult.

21 PRESIDING JUDGE TARFUSSER: Of course. Thank you. Please go ahead.

22 (Viewing of the video excerpt)

23 MR ALTIT: (Interpretation) Mr President, it might be useful for Registry to take
24 the timestamp 21.26 to 21.33. That's the excerpt. Thank you.

25 (Viewing of the video excerpt)

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1 THE COURT OFFICER: We played the video, but we don't have the audio. If you
2 want audio, you have to play it yourself.

3 MR ALTIT: (Interpretation) With your leave, Mr President, we will try to run it
4 from here, from this corner of the courtroom.

5 PRESIDING JUDGE TARFUSSER: Yes, but if we continue like this also extended
6 hours are not sufficient, I'm afraid.

7 MR ALTIT: (Interpretation) Well, Mr President, what we can do, with the leave of
8 my learned colleagues, is to simply then accept the seven seconds that have been
9 played. I think they already know the content because this may have been already
10 forwarded to them by transcript, and this was already used in our opening statements.
11 This can help us to go forward.

12 But if they object, then I can continue the cross-examination and then when ready, we
13 can go back to it, but it might be a little bit choppy because it will not be connected to
14 that part of the testimony.

15 MR MACDONALD: And that's what we did when we had technical issues, I moved
16 topics and I came back. I mean, lawyers are accustomed to that. The point is is that
17 I don't know what's said in this seven seconds. I was not given a transcript reference
18 either.

19 And second, the witness needs to accept the content of what will be shown. We
20 cannot just show -- each time we showed videos it was RTI videos, it was -- the
21 witness discussed them beforehand, then confirmed what he had heard in order to
22 get that. Here, I don't know if he knows what is there. I can't commit to something
23 that I don't know about. And even if I knew, I would say the same thing. This is a
24 documentary made by an Italian lady living in Paris which I know is very much
25 pro-Gbagbo so, no, I will not be admitting at this stage the information.

1 PRESIDING JUDGE TARFUSSER: Maître Altit, please go ahead and then we come
2 back to it.

3 MR ALTIT: (Interpretation) Thank you, Mr President.

4 Q. Mr Witness, after this little interruption, you said that there were a number of
5 attacks, that's clear. So there was an attack on the part of the Invisible Commando
6 commanded by IB. I didn't quite understand, but I think I understood that this
7 attack was nearly successful; is that correct?

8 A. Yes, that's right. They nearly managed. They got the upper hand because
9 they took the RTI and that is how the FDS then organised themselves in order to come
10 and take it over again.

11 Q. So they managed to push the FDS and take the RTI over. It's probably because
12 they were well armed; what do you think?

13 A. Yes. Everyone knows that the group of Mr Ibrahim Coulibaly, aka IB, the
14 Invisible Commandos, were very well armed. Everyone knows that.

15 Q. And do you know where those weapons came from?

16 A. Thank you, Counsel. I have always said here that everything regarding
17 weapons, well, I do not want to get into that because I am very far removed from
18 everything to do with arms and violence. I really don't know where those weapons
19 came from and I can't answer that question. I do apologise.

20 Q. You did say so, yes, indeed. You explained to us on a number of occasions that
21 the RTI was a strategic location, which means that were the RTI to be taken by
22 somebody, then they would be taking the power at the same time. Is that what you
23 mean?

24 A. Yes, that is what I mean. And that is true because all over Africa the coup
25 d'états are conducted via television. As soon as you take over the television, you

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1 announce that you are the master reigning over the country and then immediately
2 you become president, ipso facto.

3 Q. And that is, according to you, what can explain *the numerous attacks by the
4 Ouattara camp on the RTI; is that correct?

5 A. Yes, I do believe that that is the case because when you take over the television
6 you have a hand over all the information given to the population.

7 THE INTERPRETER: Overlapping speakers.

8 MR MACDONALD: Sorry, your Honour. Just for the record, I appreciate that my
9 colleague is trying to do his job and get answers and link them to Ouattara, but we
10 were talking about Mr IB. The witness indicated his sources of information. Now
11 my colleague is -- hasn't established a clear foundation that all those coup d'états were
12 at the request or on behalf of Mr Ouattara.

13 MR ALTIT: (Interpretation) Mr President, without a mistake on my part, it might
14 be wishful thinking on my part, but it seems to me that we were talking about attacks
15 launched by the pro-Ouattara camp. We're looking for the reference. It will just
16 take us a few moments. So it's page 6, line 15 -- page 6, line 15. The witness
17 answers yes to the question as to whether there were military attacks launched by the
18 pro-Ouattara camp.

19 MR MACDONALD: Well, yes, but look at the answer.

20 MR ALTIT: (Interpretation) The answer was yes.

21 MR MACDONALD: (Interpretation) It was for him, he wanted to state that he was
22 the transitional president of --

23 THE INTERPRETER: Maître MacDonald is quoting at speed. The interpreter was
24 not able to follow. There were overlapping speakers as well. Could he please be
25 asked to repeat.

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1 MR MACDONALD: (Overlapping speakers)

2 PRESIDING JUDGE TARFUSSER: They are not following you, especially when you
3 quote, when you quote from the record. So you've been asked to repeat.

4 MR MACDONALD: I will slow down, your Honour, to note we're on the topic of
5 coup d'états. We're on the topic of la RTI. There are two things separate. There is
6 during the crisis 2010, 2011. The witness responded in relation to IB, saying that
7 those were taking la RTI on his own. My colleague asked questions in '99 and later
8 on in different coup d'états that would have taken place. The witness gave his
9 opinion. Now my colleague is putting all of that together and saying it's at the
10 behest of Mr Ouattara which is not on the record following this witness.

11 PRESIDING JUDGE TARFUSSER: Yes, but it's up to the counsel now to put
12 questions. And the way he puts this questions and gets his answers is not the
13 business of the Office of the Prosecutor I would say.
14 So please go ahead.

15 MR ALTIT: (Interpretation) I thank you, Mr President. I just want to make a
16 comment if you allow.

17 PRESIDING JUDGE TARFUSSER: And I make another comment: And by the way,
18 I think the Judges are absolutely in a position to understand and to make all
19 these -- to differentiate and to understand what's behind it. So please go ahead.

20 MR ALTIT: (Interpretation) I thank you, Mr President. I'd like to make two
21 comments. Firstly, the intervention of my learned colleague was not really done
22 under the -- in the format of an objection. And secondly, he has given his position to
23 the witness which might influence the witness. That's the first point.
24 And secondly, we wanted to make a difference between the various attacks launched
25 by the Ouattara side, notably that launched by IB, according to the witness, who has

1 given us information on that specific attack.

2 Q. But the other attacks, and I'm turning to you, Mr Witness, you can see just how
3 important it is for us all here present to have information, otherwise we're going to
4 get lost, and also how important it is for you to specify things, for you to provide us
5 with the information that you have.

6 So you can see that there's a little misunderstanding here. Could you please help us
7 to put this misunderstanding to one side, notably by saying how many attacks there
8 were on the RTI, to your knowledge, and how many there were that -- led by the
9 Ouattara side and whether there were attacks led by any other factions and if so, how
10 many.

11 A. Counsel, I do apologise, Counsel. I called you witness. I apologise.
12 I am following you. And as was said earlier, I -- well, you want me to specify?
13 Absolutely. That's why I'm here. But you know that I also find it a little bit difficult.
14 I also want questions to be precise and so that I can answer you in the way that you
15 want. So let's come to the question that you've just put. I did say that RTI come
16 under many an attack, many an armed attack on the part of armed individuals, *but
17 when you want me to specify that these were attacks conducted by IB's men or
18 Alassane's supporters or that the attackers... Mr Guillaume Soro had asked the
19 soldiers to go to the RTI, well, these were the various attacks conducted. *But as to
20 the attacks that were conducted by armed individuals on the television, several times
21 by the Invisible Commando, I can't confirm to you that these several attacks were
22 conducted exclusively with the Ouattara group or the IB group. *But I do know that
23 these multiple attacks on the RTI were done by or launched by armed individuals.
24 *We all knew that these attacks came from IB's side, from the military side of Abobo.
25 The attacks came from Abobo. These were -- everyone knew that in Abidjan. I do

1 apologise, Counsel. You know, when I say things here, everyone's listening to us.
2 If it's false what I say, then everyone will know that. I'm here to know -- or I'm here
3 to state the facts as I experienced them.

4 Q. *So concerning the march on the RTI, as you just mentioned, that was 16 December and
5 you say page 88, *line 15, this is your testimony of *8 March 2016, there was a call by the
6 Ouattara camp to go and install the director general in the RTI who was appointed by
7 Alassane Ouattara. So I'm going to go a little bit further here. People were going to march
8 upon the RTI. Who were those people that you mentioned?

9 A. When I say that people were marching, well, you know there was the RHDP
10 group that was in place, located at the hôtel du Golf, that's what we call the smallest
11 republic. *There was a government there that had been recognized by the
12 international community that was installed there. *And Mr Ouattara took a decree
13 as the president, duly recognized by the international community, saying that this
14 director should be installed as head of the RTI since it was him from that point on (...)
15 the Ouattara supporters were saying that he was the president of the Côte d'Ivoire.

16 Q. Well, with your leave, we have understood that. Absolutely. I am asking you
17 who these people are, those people of 8 March that you mentioned on 8 March.

18 A. You mean those people who were going to march? Those were the RHDP activists.

19 Q. And you talked in your testimony, this is in keeping with what you just said,
20 you talked about a -- an appeal on the part of a young RHDP leaders. Who were
21 those leaders? That's my question to you.

22 A. These were the various leaders belonging to the RHDP group.

23 Q. And who was that?

24 A. *There was (phon), the president of the youth wing of the RDR who is today an MP, Mr
25 Yayoro Karamoko. There was Kakabé (phon) from the PCI. And there were also other young

1 people from various parties which brought together... the RHDP parties, and they were
2 making an appeal to their supporters and to their youth to march upon the RTI.

3 Q. They called upon their youth. What do you mean by "their youth"? Is this an
4 organised structure? Is it a gathering? Could you tell us what it is?

5 A. Well, I'll explain to you. You know, amongst the various parties each party has
6 their own activists. There are youth activists who are organised in a youth structure,
7 so there is the president of that youth structure *and there are various activists who
8 are not youth activists but who are also organized by the various structures of their
9 party. So that's how it is organized. It's the same thing.

10 Q. So if I understand correctly, there are various groups, various factions and each
11 group obeyed a specific leader; is that correct?

12 A. Yes, Counsel.

13 Q. Very well. Now, were these groups armed?

14 A. Well, as to whether these -- this youth was armed or not that's saying a lot
15 because I was not very close to their organisation, I wasn't with them, so I can't say
16 anything about that.

17 Q. But you were in Abidjan, weren't you?

18 A. Yes, I was in Abidjan, Counsel, yes.

19 Q. And people talked didn't they?

20 A. Yes, they did.

21 Q. So you heard people say whether they were armed or not?

22 A. *Well, to say that these youth members were armed, I don't know, but perhaps,
23 they were combatants. The combatants were armed.

24 Q. To be clear, you are saying that there were youths and that amongst this youth
25 there were armed combatants and there might have been some demonstrators or

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1 activists who were not armed; is that correct?

2 A. Yes, that's what I said.

3 Q. And this youth from the RHDP, these various groups that you mention, did
4 they have secure locations in Abidjan where they could not be dislodged?

5 A. Yes, I do believe that they did have strongholds.

6 Q. And where were they?

7 A. For example, Abobo, Treichville, that was theirs, also part of Koumassi, that was theirs.

8 Q. And who commanded in Treichville?

9 A. I don't know. You're talking about the RHDP side. I really don't know. I
10 know nothing about them.

11 Q. And who commanded in Abobo?

12 A. As to who commanded the youth in Abobo I don't know but, as I said to you, *I
13 do know that the President of the RDR youth was Yayoro Karamoko. The PDCI
14 President was Kakabe. As to who really commanded in the various districts and
15 communes, I really don't know because I wasn't with them. I'm not in a position to
16 know that.

17 Q. So what you're saying to us is that the various groups obeyed *their leaders and,
18 in truth, *obeyed the head of the PDCI youth or the RDR youth.

19 A. That's what I'm saying.

20 Q. Very well. That's what you said?

21 THE INTERPRETER: Message from the interpreters: Could they please observe a
22 pause and slow down. Thank you.

23 PRESIDING JUDGE TARFUSSER: Excuse me. The interpreters ask for the pause
24 which I continue to try to implement.

25 MR ALTIT: (Interpretation)

1 Q. So these groups that we were talking about just now, to your knowledge, apart
2 from the attacks on the RTI that you talked to us about, did they launch any other
3 attacks during the post-electoral crisis?

4 A. Counsel, really, I really don't recall. Quite sincerely I do not.

5 Q. Well, listen, if you would rather not answer, just tell us, just say "I rather would
6 not answer that," then just say. But if you say that you do not recall, then just say.

7 But I do find it very difficult to believe that everybody -- somebody who has lived just
8 tragic and horrific events as these will find it hard to remember.

9 A. Counsel, I'm very sincere when I say to you that it's not that I'm refusing to
10 answer, I didn't take the oath in order to not say what I know. I'm saying that I really
11 do not remember. You know that I lived throughout this entire crisis, but I can't
12 explain everything. If you want to refresh my memory as to something that I said in
13 the past, then I don't have a problem with that, but sincerely, *I don't remember, after
14 the appeals made over the RTI, I really don't remember whether the youth *from the
15 other side made any further appeals or calls. I remember what we did and what we
16 were up to, but as to what others did I really don't recall. I'm very sincere when I say
17 that to you. All the questions that you will be putting to me I will be providing you
18 an answer to with -- in accordance to my knowledge.

19 Q. Very well. Thank you. You said during your testimony that you did watch
20 the television a great deal. You talked -- and these incidents were talked about over
21 the television, were they not?

22 A. Yes, Counsel. *I watched the news on a daily basis. I really was concentrated
23 on knowing how the situation evolved because I found it very disturbing.

24 Q. So you said to us that that *non-armed activists, armed combatants -- well, were
25 there any mercenaries amongst those groups that you mentioned?

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1 A. I do believe that I answered this correctly, but I do believe that I asked the OTP
2 and you as well. I want to know precisely what a mercenary is. I asked that question
3 before answering *and you told me --- I don't know whether it was you or the OTP ---
4 you said to me, that mercenaries are people who come from another country who
5 come to support somebody. And when you said that to me, I said that, yes, there
6 were some mercenaries present.

7 Q. So in the neighbourhoods * - I'm just trying to understand for the benefit of
8 the Court in general - in the neighbourhoods, in the neighbourhoods that were
9 strongholds, in your opinion, *of the RHDP, that is to say Alassane Ouattara's
10 party, there were youth groups who were organised and who obeyed the orders of
11 the leaders of the pro-Ouattara parties, who might or might not have been in a
12 position to launch attacks and who were accompanied by armed combatants and
13 mercenaries; is that correct?

14 A. Yes, I did understand what you just said.

15 Q. And that is what you said?

16 A. Yes.

17 MR ALTIT: (Interpretation) And for the purposes of the record he answered yes.

18 MR MACDONALD: (Interpretation) I do apologise. I just missed the reference to
19 that, or are we talking about the testimony that was just provided?

20 MR ALTIT: (Interpretation) The witness has just explained a number of things to
21 him. I am summarising in order to ascertain whether I've understood it or not.
22 This is for the benefit of the Court because it is not easy to understand the ins and
23 outs and it's quite a delicate item. We need to take into account his reticence and we
24 need to understand the spirit of what he is saying, the thrust of what he is saying and
25 the information that he is bringing to the Court. I think, Mr President, that I am

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1 being quite clear in this regard.

2 MR MACDONALD: I have no objection to synthesising but, well, it has to be
3 accurate and we can deal with that later.

4 PRESIDING JUDGE TARFUSSER: Yes, I understood it like this, as Maître Altit said,
5 so it was not a reference to a former statement made by the witness. Please go ahead.

6 MR ALTIT: (Interpretation) I thank you, Mr President.

7 Q. So in order to continue in this vein, you spoke to us of attacks launched from
8 Abobo; is that correct?

9 A. Yes.

10 Q. You talked about the Invisible Commando?

11 A. Yes.

12 Q. It might seem a little repetitive to you, but sometimes you can see that there
13 are doubts, so we need to specify things once and for all. Where were, or where was
14 the Invisible Commando based?

15 A. It was based in the commune of Abobo.

16 Q. Very well. And who were in the members of this Invisible Commando?

17 A. I'm not in a position to know that. The only people that we know or person
18 that we know was the person in charge.

19 Q. Very well.

20 A. It was Ibrahim Coulibaly, IB.

21 Q. Perfect. So the members of this Invisible Commando whence did they hail and
22 what did they do?

23 A. Counsel, I'm not in a position to know where they hailed from. I can't answer
24 that and I don't even know who they are.

25 Q. And how long had they been in Abobo, a long time?

1 A. Yes, I believe that they were in Abobo from after the elections. I think we started
2 to hear about their attacks in Abobo after the elections, otherwise they might have
3 been there for a while beforehand, but I don't know, but I think that they came after
4 the elections and that I heard speak of the Invisible Commando after the elections.

5 Q. Were they armed?

6 A. Yes, but *the people we talk about as being the Invisible Commando are the
7 ones who are armed.

8 Q. Did they have heavy weapons? Do you know what heavy weapons are?

9 A. Yes, I do know what heavy weapons are, but I'm not in a position to answer that.
10 I know that they were armed, heavily armed but they -- and they were able to
11 overcome the FDS or overpower the FDS in Abobo.

12 Q. Was it possible to recognize these various members of the Invisible Commando?

13 A. What do you mean recognize them? In pictures?

14 Q. By virtue of their appearance.

15 A. Yes.

16 Q. And how?

17 A. What do you mean? Can you define what you mean by that?

18 Q. Did they have any distinctive traits? Were they wearing anything in particular
19 that might lead you to say, or anybody else to say, oh, that's a member of the Invisible
20 Commando?

21 A. Counsel, I do not know. What I do know is that *people were talking about the
22 Invisible Commandos. They were present in Abobo and they had destabilised the FDS there.
23 *They would come and attack the television station. They were IB's people, and they were
24 called the Invisible commandos, but I don't know what they were like. I can't say.

25 Q. So they destabilised the FDS. What do you mean by that?

1 A. What I said was that they were the ones who were in command in Abobo.

2 They took over power. * The FDS people could no longer they were no longer
3 running Abobo because there were a number of occasions when the FDS lorries and
4 cargo going to Abobo came under attack. They were bombed.

5 Q. So you're saying that they were in command in Abobo. So the Invisible
6 Commando and their chief, IB, were in command in Abobo; is that correct?

7 A. Yes, that is what I said.

8 Q. And you said to us that they overpowered the FDS. And I didn't really
9 understand what you said. Were there any FDS remaining in Abobo?

10 A. Counsel, you know that Abobo is the largest commune of Abidjan, it is extensive, so
11 there were corners where the FDS could no longer gain access to because Abobo really is
12 extensive, it's vast. So there were corners that the FDS could no longer access in Abobo at
13 one point in time *because Abobo is really a very big place. So if they had taken all of Abobo
14 or half of Abobo, but I knew that there were areas where the FDS could no longer set foot. .

15 Q. Very well. So you are painting for us a crisis situation where there were
16 neighbourhoods controlled by pro-Ouattara forces, including IB, for example here,
17 and there were also other neighbourhoods under the control *of the government's
18 defence and law enforcement forces; is that correct?

19 A. Yes, that's what I mean to say.

20 Q. Now, when it comes to Abobo, I have understood what you said about IB and
21 his Invisible Commando, but a short while ago you told us that there were groups of
22 the RHDP or the youth of the RHDP and combatants as well as mercenaries. Now,
23 those groups were they in Abobo or not?

24 A. I am not in a position to know because I was not in Abobo.

25 Q. Let me put the question to you otherwise. Now, according to you and going

1 by what you heard or saw on TV maybe or heard from third parties, various third
2 parties, according to you was there any fighting amongst the rebel factions?

3 A. At what time, what period?

4 Q. During the crisis in Abidjan in general and specifically in Abobo.

5 A. Counsel, I'm really not able to know. What I know is that there were clashes
6 between them after, afterwards, after President Gbagbo was arrested. *And at that
7 time IB did not want to give up and lay down his weapons, that's why there was this
8 clash within the ranks of IB's supporters. That's how I found out. But after that or
9 before that, I don't know what happened.

10 Q. To understand you clearly, there was a clash after 11 April 2011 between rebel
11 factions, particularly between IB and who?

12 A. After 11 April IB continued to be the master since everyone had pledged
13 allegiance to the regime. Whether it be the FDS or the other associations, everybody
14 had pledged allegiance to the new regime except IB. There were negotiations with IB
15 involving the United Nations and other organisations asking him to drop his
16 weapons and I think he didn't want to. I don't know what actually happened and
17 I think a decision was taken at some point to dislodge him, and that is *the forces
18 républicaines went to Abobo to dislodge him and that's where he was killed. I'm
19 sorry, today some people say that he was not the one who was killed and that he is
20 not dead. Others say that he is dead. Myself, I don't know. But in fact, he was killed.

21 Q. Who killed him?

22 A. Counsel, I am not able to answer you because I was not at the war front. I do
23 not know who killed him. I'm not in a position to know. But the idea was to go
24 and dislodge him. Now, who killed him, I don't know. I wasn't there.

25 Q. Were there many deaths during that confrontation?

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1 A. I think so, but I have no clear recollection.

2 Q. You told us a short while ago that the cargo or lorries -- what do you mean by "cargo"?

3 A. I'm referring to the pickups and the lorries, the 22-seaters which are used for the
4 transportation of FDS forces. We call them the cargo or lorries.

5 Q. Military lorries of the government forces were targeted and shot at by rebels; is
6 that what you said a short while ago?

7 A. Yes, that's what I said.

8 Q. Can you tell us whether the gunfire was from automatic weapons or from heavy
9 weapons?

10 A. I don't know. I wasn't there.

11 Q. But you told us, if I remember correctly, that the rebels had heavy weapons, so
12 it could have been heavy weapons that were used?

13 A. Yes, I said that, but I wasn't there and I don't know. I know that the vehicles
14 were shelled and burnt and those who were in it all died because their burials were
15 also conducted at some point.

16 MR ALTIT: We have a document for the witness, number CIV-D15-0004-1161,
17 timestamp minute 39.52 to minute 41, duration 21 seconds. Sorry, let me repeat the
18 timestamp, 39.52 to 41.21. This is an online report published *on 3 April 2014, and
19 it's an open source document.

20 MR MACDONALD: Prosecution makes an objection, your Honour, to this piece of
21 evidence. And we can -- we can discuss this outside the presence of the witness
22 because this piece -- any questions emanating from that video I need to brief the
23 Chamber as to its sourcing, which the Defence is not doing at the moment. But
24 because this is also for the continuity of the cross-examination of this witness or the
25 questioning of this witness, *it may have an impact. So I think it would be wise to

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1 do this outside the presence of the witness.

2 PRESIDING JUDGE TARFUSSER: Please, could you escort the witness out.

3 (The witness stands down)

4 PRESIDING JUDGE TARFUSSER: Mr Prosecutor.

5 MR MACDONALD: This is a recently posted video on the web that was disclosed.

6 It is not dated.

7 PRESIDING JUDGE TARFUSSER: It was disclosed by whom to whom?

8 MR MACDONALD: By the Defence to us, but it was uploaded on YouTube, if I'm not

9 mistaken, very recently. Sorry, 3 April 2014. It's after-the-fact testimony by individuals.

10 PRESIDING JUDGE TARFUSSER: It's after?

11 MR MACDONALD: It's supposedly Commando Invisible members being

12 interviewed explaining certain things which is captured on video. The reliability is

13 so remote at this stage that I submit we cannot show that piece of evidence even to the

14 witness. There is no link to him whatsoever. So it's not a question of submission,

15 it's a question that it has to be -- there has to be some sort of information that the

16 witness can relate to. If he's seen that during the PEV or not somewhere, but at this

17 stage -- and this is where it becomes very important that counsel provide us with

18 accurate information as to timing, filming, content because I will be standing up and

19 it will slow down the proceedings because we're introducing or using sources that we

20 have no clue as to the reliability whatsoever.

21 *When it comes from la RTI during the PEV, we know it comes from la RTI, it was on

22 the news. But here it comes from the YouTube and it was uploaded by who? Where?

23 When? How? We have no clue. And if you look at that you'll see that it's a whole

24 reportage, which is -- it's like an interview of individuals that could be, for all we

25 know, people that are not portraying who they are. Now, if we want, the Defence

1 can call these people to come and testify on Defence eventually.

2 PRESIDING JUDGE TARFUSSER: Please, Mr Altit.

3 MR ALTIT: (Interpretation) Thank you, Mr President. If I understand well,

4 Defence is expected to do everything. Well, it's only an comment, Mr President.

5 It's only a comment that I'm making. But it is -- the onus is on the Prosecution to

6 investigate exculpatory and inculpatory material. But I think this is not what is

7 happening here. Why did the Prosecution not seek all of this in the interests of

8 justice? It would be interesting to do that rather than disregard what we are

9 showing. We don't have the resources that the Prosecution has. The Prosecution

10 has much more significant resources and that's often the case, so -- including

11 cooperation from the States. What we do is investigate and look for who has done

12 what, who has produced what *documentary and I think the Prosecution has the

13 opportunity to do that as well. It's not forbidden. It's actually a duty. Anyway, this is

14 just a comment. *Now, the question is, is that linked to what the witness is saying?

15 Yes, there is a direct link because the person interviewed in this documentary

16 introduces himself as a leader of the Commando Invisible, says the following. And,

17 Mr President, with your leave I can quote: "The famous battle at the Agrippa

18 junction was the place -- the main hiding place for the rebel troops. They hid here

19 waiting for pro-Gbagbo soldiers and tanks and that is where *a great many victims

20 were made." So this is a very important piece of crucial information, namely, where

21 the traps were laid for the security forces and the places from which rebels were

22 shooting at lorries, the lorries which the witness talked about. That is why it is very

23 important to ask the witness whether, one, he knows the person interviewed and

24 whether that person is credible to his mind and whether the content of what is said,

25 that is in relation to the location of the trap, was common knowledge or at least

1 something that was known to the witness at the time of the events. The references of
2 the testimony that are relevant to this video, that is the testimony of this witness
3 relating to this video, can be found at page 24, lines 27 and 28.

4 MR MACDONALD: One additional information to know: We received this
5 disclosure, by the way, and notice on 9 March, your Honour. So, no, we didn't have
6 time to go and investigate on the field and verify the content. The content can be put
7 to the witness, your Honour, in terms of before showing, just like we've done before
8 or if --

9 PRESIDING JUDGE TARFUSSER: Do the other parties want to intervene on this?

10 MR KNOOPS: We have no observation, Mr President.

11 PRESIDING JUDGE TARFUSSER: Thank you very much.

12 I really do not understand this objection I must say because I think the first thing to be
13 asked to the witness is if he has ever seen it, if he knows the people which are present
14 in there. If he says no, the questioning on this is over. Otherwise, we will continue.
15 I really do not understand it. I would not like such -- no, please. I would not like
16 always such objections. I think the witness is old enough, wise enough to be
17 questioned and he will -- he will answer as what he knows or what he have seen. So
18 it is also good for the Court to have as much information as possible. So I really I'm
19 not very happy with this.

20 MR MACDONALD: Yeah, but, your Honours, I understand your decision and
21 that's fine, we can ask the witness, but the Defence is saying this comes from open
22 source, does not even indicate the date, doesn't provide us with any information, and
23 now we're going to ask a witness to know if he -- that's fine, but to situate the debate
24 in the record and to evaluate the reliability or weight or anything, that has to be given
25 by the parties.

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1 PRESIDING JUDGE TARFUSSER: But it's an open source and it could be done also
2 through the witness if the witness knows it. I don't know yet, but I think we can
3 then discuss about the content of this material or not. It depends what the witness
4 says. But not prevent the witness from, in any case, saying something on this video
5 because he could also -- the first question could make all this discussion void if he
6 says, "No, I've never seen it, I don't know this person." Full stop. We waste here
7 10 minutes discussing about nothing.

8 MR MACDONALD: But for the next -- well, no, I don't think it's wasted time
9 because we are understanding each other and the limits, but the point is is that we
10 don't know when was it filmed. Remember, I show a video to the witness of
11 weapons in the basement of the palais présidentiel, I don't know when exactly the
12 date is, I am very honest about everything, I am not saying nothing, I'm not
13 remaining silent, I'm volunteering information. We're not getting that from the
14 Defence. And you told me, well, it's very surprising that the Prosecution doesn't
15 know. There's certain things we don't know. Let's say it. Let's put it on the record.
16 That's my point and my sole point. For the process and how to do it, I fully agree with
17 you, your Honour. It's the additional information that is missing to situate the reader.

18 PRESIDING JUDGE TARFUSSER: Yes, but so as you did not know exactly when
19 this video made, maybe also the Defence does not know where the video was made.
20 But anyhow, please, can you reintroduce the witness, please.

21 And I would ask you to give all the information you have and continue with the
22 questioning. Do you know when the film was made? Have you an idea?

23 (The witness enters the courtroom)

24 MR ALTIT: (Interpretation) Mr President, we do not know. All we know is that
25 it was put on line on 3 April 2014. We don't know who recorded it, but we felt that it

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1 was useful and interesting material and we will see what the witness has to say about
2 it.

3 Q. Mr Witness, you will view a video and I'll put a few questions to you thereafter?

4 A. Yes, Counsel.

5 (Viewing of the video excerpt)

6 MR ALTIT: (Interpretation) With your leave, Mr President, we will proceed as
7 with the other video. Unfortunately, we have no sound and I don't know if this will
8 be the case for all the videos. Now, turning to the Registry, what we need is your
9 authorisation to have access to the video so that we can play it from here.

10 THE COURT OFFICER: From which, from which seat are you playing the video?

11 MS NAOURI: Just behind us, the case manager's seat. She has access.

12 THE COURT OFFICER: You can play it on evidence 2.

13 Your Honour, evidence 2 and you have to check the volume.

14 (Viewing of the video excerpt)

15 MR ALTIT: (Interpretation) Mr President, there seems to be a technical problem.

16 I would like to proceed with your leave and I think this must be the position of the
17 Chamber's as well.

18 PRESIDING JUDGE TARFUSSER: Yes. Please proceed, otherwise we are --

19 MR ALTIT: (Interpretation) Let us move as far as possible and when we'll be ready,
20 we'll let you know and then we could view a number of videos at the same time once
21 this is solved. And I want to draw my learned colleague's attention to this point.

22 Q. Witness, we were talking about Abobo, isn't it?

23 A. Yes.

24 Q. Under the control of the Invisible Commando, correct?

25 A. Yes.

1 Q. Now, what was the situation of the population at that time?

2 A. I was not in Abobo and I cannot answer that question.

3 Q. Sometimes you are very concise and specific, sometimes you are less so. Can
4 we understand?

5 A. It all depends.

6 Q. It depends. According to your knowledge, what activities did the Invisible
7 Commando members engage in?

8 A. In Abobo?

9 Q. In Abobo or elsewhere.

10 A. According to information and what we learnt, the Invisible Commando
11 belonged to Commander IB, who declared that he is the one who brought the
12 Invisible Commando to Abobo with the purpose of destabilising Mr Gbagbo's regime.
13 So he did things such as attacking the RTI and several other operations. I cannot get
14 into the details of them because I wasn't in the Abobo commune, I don't know how
15 the population lived there, I don't know what their actions were, but everyone knew
16 that at some point the Invisible Commando made it impossible for the FDS and the
17 *security personnel of the Gbagbo regime to have access to certain neighbourhoods in
18 Abobo. There were areas which could not be accessed by *the FDS.

19 Q. As far as you know, did they attack any particular segment of the population
20 and if so, where? Or did they attack those who -- all those who represented the
21 state?

22 A. As far as I know, most of the official soldiers in Abobo fled, they were driven
23 out, some were even killed. *But whether they were killed or they left, I don't know.
24 But I know that there were government soldiers who were killed in Abobo. Apart
25 from that, most of the Ivorians in Abobo who didn't come from the north or who were

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1 pro-Gbagbo had to flee from Abobo. They did. They fled from Abobo.

2 Q. Let us clarify and explain things *to the Chamber. When you say the official
3 armed forces, who are you referring to?

4 A. I'm talking about the FDS, the police, the gendarmes, people of the forestry
5 department, people of the FDS, so to speak, could no longer live in Abobo.

6 MR ALTIT: (Interpretation) Mr President, we also have a document to show, but
7 I'm a little bit worried. Maybe we can try again. The document is CIV-D15-0001-0578.
8 Time code from the beginning, the very beginning of the video. This is an excerpt of
9 a television news cast of the RTI from the beginning to second 52, so from the
10 beginning to timestamp 52 seconds. Can the Registry try to play that, please?

11 Well, I have been told that we can do it ourselves. Maybe we can try. Mr President,
12 with your leave we will attempt to play the video from this end.

13 (Viewing of the video excerpt)

14 MR ALTIT: (Interpretation) Mr President, with your leave, I think maybe we need
15 to deal seriously with this technical issue through the Registry. For now, maybe this
16 is a good time to take the break, isn't it?

17 PRESIDING JUDGE TARFUSSER: So you have half an hour to deal with these
18 problems. So we break now, have a half an hour break so you can rest and we
19 resume at 11.30. Thank you.

20 THE COURT USHER: All rise.

21 (Recess taken at 10.59 a.m.)

22 (Upon resuming in open session at 11.34 a.m.)

23 THE COURT USHER: All rise.

24 Please be seated.

25 PRESIDING JUDGE TARFUSSER: Good morning again. I was informed that

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1 technology now should work. So we can try and see if it really does.

2 Yours the floor.

3 MR ALTIT: (Interpretation) I thank you, Mr President. So let's put it to the test
4 and let's start with excerpt -- the video excerpt concerning General Guéï. I'd say like
5 to say a word in this regard. The OTP was saying -- the Prosecutor was saying at an
6 earlier stage that *this was a report from an Italian woman living in Paris. In fact, it is
7 a documentary called the force of a fate produced by Henri Duparc, a well-known
8 Ivorian producer, *in 2002. I just wanted to make that clear. So I think we can see it
9 now.

10 (Viewing of the video excerpt)

11 MR ALTIT: (Interpretation) Mr President, thank you.

12 Q. *You have seen this video excerpt. Could you first tell us who appears in this
13 excerpt?

14 A. Which one are you talking about? The soldiers?

15 Q. Yes.

16 A. Yes. Well, it is General Guéï. It is the chief of staff, chief of staff of Côte d'Ivoire.

17 Q. General Guéï. Did you recognize any other soldiers on the image?

18 A. Yes, I do know some soldiers on the image.

19 THE INTERPRETER: Overlapping speakers.

20 THE WITNESS: (Interpretation) It was quickly stopped.

21 MR ALTIT: (Interpretation) Mr President, with your authorisation we would like
22 to make a screenshot of this image.

23 PRESIDING JUDGE TARFUSSER: Yes, please.

24 MR ALTIT: (Interpretation) Thank you.

25 Q. So, Mr Witness, you have before you around the General Guéï at least two faces

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1 appear. Do you recognize them?

2 A. Well, *the two faces that I see here are not very familiar, but I can't see the other
3 faces very well, but to my knowledge I do believe that was Commander Ibrahim
4 Coulibaly who was present and the other person I think is *Boka Yapi.

5 Q. For things to be very clear, therefore, you are saying to us that you know or are
6 familiar with this video excerpt?

7 A. Yes, I am.

8 Q. And that from memory -- well, maybe we might see here -- for the transcript,
9 Mr President, this is a second excerpt for which the video -- for which the screen has
10 been frozen and this second video excerpt is stopped at 21.27.

11 And this is, Mr Witness, the moment at which you recognize individuals you have
12 just mentioned; is that right?

13 A. Yes.

14 Q. Very well. Commander Ibrahim Coulibaly, whom you have just mentioned,
15 who was he?

16 A. Well, he's the one to the right-hand side, that I can see to the right-hand side,
17 that is Ibrahim Coulibaly, aka IB.

18 Q. Aka IB. So at an earlier stage when you were talking about the Invisible
19 Commando you said that it was under the command of IB. Was it the same IB that
20 you were talking about?

21 A. Yes, Counsel, that same person.

22 Q. Do you remember the circumstances surrounding the coup d'état? I apologise.
23 And to be very specific for the transcript, the coup d'état that we are talking about
24 now illustrated by the images that are appearing now is the coup d'état against
25 President Bédié led by General Guéi.

1 A. Yes. Are you attempting to ascertain exactly how the coup d'état occurred?
2 Well, with regard to what I am aware of, I can tell you. Well, first of all, there was
3 still the issue -- Counsel, are you following what I'm saying? There was still the
4 issue to do with internal politics of Côte d'Ivoire between Mr Bédié and Mr Alassane
5 Ouattara and there were a number of issues, internal issues that is, within Côte
6 d'Ivoire where Mr Bédié had even issued a warrant of arrest against Mr Alassane.
7 And Mr Bédié had even requested the arrest of Alassane whilst he was still in Abidjan,
8 whilst he was issuing the warrant of arrest. *And I think that even the Director
9 General of the national police of Côte d'Ivoire --- well, he was a police commissioner
10 in Le Plateau at the time --- was even taken on to Mr Alassane's residence. He was hit
11 there and he was not able to ... but ultimately he was driven out of there. And even
12 during the investigations the regime went yet further by taking Alassane's mother
13 *to the judicial police to testify to the nationality and the very identity of Alassane
14 Ouattara. I think she was 70 or 71 years of age and she spent a whole day being
15 *interviewed there. And of course this created a political crisis because it was not a
16 good situation.
17 And when Alassane left Côte d'Ivoire, * he left and Bédié issued a warrant of
18 arrest against him. I think he did so a day or two before the coup d'état and he went
19 to the national assembly in order to give a speech to the nation. *This speech was
20 rather strong and some FDR supporters, officials such as Ali Coulibaly were arrested.
21 He is now a minister I believe. And also the lady chancellor I believe. Diabaté, I have
22 forgotten her name now. They were all thrown in prison and so *the Ivorians were
23 expecting a peaceful speech from him. He was supposed to free the supporters,
24 pardon them, because Christmas was approaching and he was supposed to pardon
25 them. But he didn't, he stood by his decision, and he was firm in his speech. And on

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1 the next day, well, he was still in Abidjan and there was shooting, people started to
2 shoot in Abidjan and with all of this he was transported from the presidential palace
3 *in a helicopter in order to go to his place in Daoukro in order to celebrate Christmas
4 as he did every year. So for him it was a -- *it was the putschists who were claiming
5 their money. They were from central Africa I believe. There was a war, they were on
6 mission. The coup d'état happened, and he was overthrown by General Guéï. They
7 made the most of the situation.

8 Q. Very well. So what did General Guéï mean when he says that President Bédié
9 is no longer the president of Côte d'Ivoire?

10 A. Well, Counsel, that's what I was just explaining to you at an earlier stage. In
11 order to show you just how important the RTI was, when General Guéï managed to
12 take hold of the RTI, even if I was to take over the RTI and I presented myself saying
13 that the government is no longer and the president is no longer the president and that
14 we shall now be moving forward and installing a new transitional government, well,
15 that's what I'm saying to you, that the strategy of taking over the RTI was very
16 important because that was the forum of communication and then you could say that
17 you had the upper hand because the president was no longer in post.

18 Q. So you say that taking the RTI is an essential step in taking power and you said
19 that this was illustrated by the coup d'état led by General Guéï who when taking over
20 the RTI appears as the new person in position of power?

21 A. Well, he became the new master of Côte d'Ivoire if you like.

22 Q. And this coup d'état that we are talking about, that was in January 2001, was it not?

23 A. Yes -- was it -- no, no, no. I --

24 Q. And what date was it?

25 A. It was 1999.

1 Q. 1999? Very well. In 1999 and to your knowledge a little later on was -- were
2 there not further attempts and further attempted coup d'états and attempts to take over RTI?

3 A. Yes, I said that earlier on this morning. I said that during the military
4 transition period on two to three occasions there were attempted coup d'états against
5 General Guéï himself.

6 Q. Do you remember any specific coup d'état?

7 A. Yes, I do believe that I recall a coup d'état where there were deaths and the
8 residence of General Guéï was attacked and he just managed to get away and his
9 white horse in the courtyard was killed. I believe that that's what I recall.

10 Q. And then the RTI was really a stake in the operation?

11 A. Yes.

12 Q. And were there any other attempted coup d'états?

13 A. As I've just said to you there were several coup d'états, two or three failed coup
14 d'états against General Guéï.

15 Q. And who was behind these coup d'états? Who led them?

16 A. Well, I believe according to the information that I had, I can't confirm this, it was
17 still the same group, the IB group.

18 Q. So what you're saying to us is that all of these coup d'états were led by the same
19 individuals and in particular IB; is that correct?

20 A. Yes.

21 Q. And is it also true to say that for the following coup d'états, for example, we
22 know because you have told us about this, that there was a coup d'état in
23 September 2002?

24 A. Yes, because there were also elements in the coup d'état against Bédié who were
25 in that same coup d'état.

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1 Q. Very well. So it's still the same group of individuals who are attempting to
2 overthrow the president in power in Abidjan; is that correct?

3 A. You mean the military *President? Yes.

4 Q. Very well. So we would now like to move on to a video for which the
5 reference number is CIV-D15-0002-0112, time code 14.21 to 14.44 timestamp and it is
6 France 2 news broadcast from mid-May 2001 -- or 8 May 2001.

7 (Viewing of the video excerpt)

8 MR ALTIT: (Interpretation)

9 Q. Were you able to see this video excerpt?

10 A. Well, the beginning of it didn't come out.

11 MR ALTIT: (Interpretation) With your authorisation, Mr President, could we play
12 the beginning again?

13 PRESIDING JUDGE TARFUSSER: Yes.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: Correction from the English booth: This was 8 January 2001.

16 MR ALTIT: (Interpretation)

17 Q. So, Mr Witness, can you see what this report is referring to, what coup d'état it
18 is referring to?

19 MR MACDONALD: (Interpretation) Objection.

20 (Speaks English) I think you said that the witness needs to be asked if he recognizes
21 this video first --

22 PRESIDING JUDGE TARFUSSER: Yes.

23 MR MACDONALD: -- instead of introducing --

24 PRESIDING JUDGE TARFUSSER: You're right.

25 Please, first if he has seen it, if he knows what we are talking about.

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1 MR ALTIT: (Interpretation) Mr President, this was when we were talking about
2 the open source document. Here we are talking about a French news broadcast, so
3 it's very unlikely that he's seen it. We can still put the question to him. My
4 question has a bearing on the images, the contents, not the TV broadcast news itself.
5 And also -- well, maybe he should take his headphones off before I go any further
6 even if he can hear me.

7 Well, but you see the problem at hand here. So we're putting questions to him - and
8 here I'm going to be vague on purpose because he's listening - on what might have
9 occurred at that time and see whether he can furnish us with any details that could be
10 useful to us in the general demonstration of matters.

11 So in other terms, we are attempting to obtain indispensable information that he
12 might have with regard to what happened throughout this Ivorian crisis.

13 PRESIDING JUDGE TARFUSSER: Yes, but it's not very much related with
14 this -- with the -- with this video, I would say. At any case, just go ahead with the
15 question, please.

16 MR ALTIT: (Interpretation) Thank you, Mr President.

17 Q. Well, I'm going to go about things a little bit differently, *more progressively.
18 These images that we have just seen, do they remind you of anything?

19 A. These images, well, I've never seen these images on the television. I did not see
20 them, but I do know that this was the period that I have just described to you, the
21 failed coup d'état, the attacks.

22 Q. And you talked to us of a *succession of coup d'états and you gave us very
23 interesting information. Now, which coup d'état is this one, if you can tell us?

24 A. Well, if I recall, it might have been either the second or the first because I said to
25 you that there were two or three failed coup d'états in the transitional period.

1 Q. So you remember the events and could you tell us who the mutineers were,
2 who the rebels were?

3 A. Well, to my knowledge, they had arrested some individuals so *I think it is still
4 the same people who were leading these coup d'états because there were some people
5 who had been arrested by General Guéi's people. So maybe the gendarmes could tell
6 us more. I don't have the report, but I know that it was still the same people who
7 were conducting or leading these coup d'états.

8 Q. And as an illustration of what you said earlier on it was said in this report that
9 the television and radio stations had been occupied by the mutineers.

10 A. Yes, that's what I told you.

11 Q. So it is your testimony that on each occasion whenever there was a violent
12 attempt to seize power, a coup d'état, it involves occupying the RTI; is that correct?

13 A. Yes, that's what I've been saying from the outset. Whenever you conduct a
14 coup d'état in Africa you have to take hold of the television.

15 Q. Very well.

16 MR ALTIT: (Interpretation) *So there was a second video, Mr President, which
17 should have been -- or will with your leave be broadcast or shown.

18 *PRESIDING JUDGE TARFUSSER: Related to this morning? To the --

19 MR ALTIT: (Interpretation) Yes, yes.

20 PRESIDING JUDGE TARFUSSER: -- first session?

21 MR ALTIT: (Interpretation) Absolutely.

22 MR MACDONALD: And we would like the ERN again because it will be helpful on
23 the record.

24 MR ALTIT: (Interpretation) Yes, of course. CIV-D15-0001-0578. It is and the
25 timestamp is from the beginning to second 52 and it's an excerpt from the RTI news

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1 programme dated 16 December 2010.

2 (Viewing of the video excerpt)

3 MR ALTIT: (Interpretation)

4 Q. Mr Witness, you have just seen these atrocious images. Was that what you
5 were talking about earlier when you said that the armed forces had been driven out,
6 some had fled and some had been killed? Did you have images of this type in your
7 head or this image in particular?

8 A. No, it's not that I was thinking about one image or another. It's just an example
9 *that I gave you like you just said. As I said to you, *there was a moment in time
10 where it was guerrilla warfare. People were organized in groups. They were attacking
11 everybody from the FDS. People had to leave Abobo. But there were other people
12 who were maybe not burnt alive but they were killed. They were police officers living
13 in Abobo. And everyone knows about that, that's the truth.

14 Q. *And these attacks and these murders of policemen or FDS in general, did they
15 also take place outside of Abobo?

16 A. I do not know. You know, there were attacks everywhere. There were lots of
17 attacks everywhere. I can't know -- well, you know, we're talking here about Abobo
18 and I'm telling you how it was that *people who worked for the government and who
19 were living in Abobo, these people were leaving Abobo.

20 Q. Well, things need to be clear because we're going to be reading through this
21 later and we won't necessarily remember all the details.

22 A. Yes.

23 Q. You say to us that there were attacks led by rebels everywhere throughout the
24 city of Abidjan?

25 A. I'm saying throughout Côte d'Ivoire, not only Abidjan. I'm talking about

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1 things in general. I'm talking to you about the crisis in general. You are -- you
2 want to know details. Well, yes, there were problems everywhere because there was
3 a war, there was a crisis throughout Côte d'Ivoire.

4 Q. Very well.

5 MR ALTIT: I think we have to play the third excerpt that we tried to play this
6 morning, with your leave, your Honours.

7 MR MACDONALD: What is again the number again?

8 MR ALTIT: (Interpretation) Yes, of course. It is CIV-D15-0004-1161, timestamp
9 39.52 to 41.21.

10 (Viewing of the video excerpt)

11 MR ALTIT: (Interpretation)

12 Q. You have seen the footage?

13 A. Yes, Counsel.

14 Q. Can you recognize anyone on those images? There are various people there.

15 *Do any of them ring a bell?

16 A. *No, Counsel, but, not all of them. I have seen this footage, but I don't know
17 them. I have never seen them.

18 Q. *So who have you seen before? I'm asking maybe on television. I'm not asking
19 whether you personally know anyone. Are the images familiar to you? Are the
20 faces familiar to you in one way or the other?

21 A. Very well. I have seen these images on social networks, never on television.

22 Q. Very well. I can see five people on this image. Have you ever seen any one of
23 these people elsewhere on pictures or images on television, for example?

24 A. That would be difficult for me. I do not think so. I don't think so.

25 Q. Very well. Let us go back to Abobo.

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1 A. Very well, Counsel.

2 Q. Let us go back to Abobo. A short while ago you mentioned armed combatants
3 and mercenaries in the fiefs of the rebels. Were there also Dozos present as far as you know?

4 A. I have said here the Dozos are traditional hunters and they took part in the
5 Ivorian crisis. They really played an important role and this is not a secret. They
6 are still being seen even up till today. *Today they are in certain villages to provide
7 security for the population. So they are there. It's not something you can conceal.
8 Everyone knows it. The Dozos played a role in the Ivorian crisis.

9 Q. Do you mean that today the Dozos are still present in the villages or even in
10 Abidjan - because this is one of the questions I was asking you - to provide security?
11 In other words, are they playing the role of security forces?

12 A. Whether *they serve as security forces, I really do not know. It is not up to
13 me to say, but what I am telling you is that after the crisis we made political
14 tours, we went to villages, we went to calm down and sooth the Ivorians *and ask
15 them to make their peace with one another. There are still Dozos there.

16 Q. So it is your testimony that there were many, many Dozos present in the fiefs of
17 the rebellion in Abidjan and so on?

18 A. Yes, there were very many traditional hunters from the north and there were
19 many of them. It is a true story.

20 MR MACDONALD: I think the witness need to understand that right now --

21 PRESIDING JUDGE TARFUSSER: Wait a minute. Now.

22 MR MACDONALD: I'm not sure the witness understands the amalgamation (phon)
23 that my colleague just did in his question by mentioning the location. The witness is
24 talking about the villages and my colleague wants to know about a city. *So it has to
25 be clearly spelt out in the mind of the witness. I'm not sure it is and I want to avoid

1 coming back on this in re-examination.

2 PRESIDING JUDGE TARFUSSER: Could you just please clarify these two aspects
3 by questioning. Thank you.

4 MR ALTIT: (Interpretation) Thank you, Mr President.

5 Q. Mr Witness, I wanted to put to you questions of clarification. You have said
6 that even today the Dozos are present in a certain number of villages; is that correct?

7 A. Yes.

8 Q. Are they also present elsewhere? And what I really want to know is are they
9 present in the towns or cities? The villages are smaller, but are they present in the larger towns?

10 A. Yes.

11 Q. Are they present in Abidjan?

12 A. For some time now they are not being seen. It is very rare to see them.

13 Q. Very well. Up till when were they present in Abidjan?

14 A. After the arrest of President Laurent Gbagbo they were still in Abidjan because
15 afterwards they had become private guards in private companies, in private
16 residences and so on. There were people who paid them to provide security, but
17 today given the developments that have taken place, things have -- are back to normal
18 and I no longer see them in Abidjan.

19 Q. Very well. You said in your testimony of 9 March 2016, page 12, lines 27 to 28
20 and page 13, 1 to 10.

21 "You mentioned that when people were wearing gris-gris they were associated with
22 rebels. Why?"

23 And your answer was: "Yes. They were associated with rebels because most of the
24 combatants from the north were Dozos and since everyone knows that Dozos are
25 traditional hunters who use mystical items, these are fetishes or gris-gris. You really

1 do not know what they are, but these are mystical African objects." Now, can you
2 tell me specifically what that meant, that is the gris-gris and the fetishes for the
3 Dozos?

4 A. I think I already answered that to the Prosecutor. I said that the Dozos took
5 part in the crisis. They had taken a position during the crisis. Now, regarding what
6 is the -- are the gris-gris or African fetishes, each person had their own fetishes and
7 they would consider that if you shot at them they would not be hit or they could
8 become invisible. There are others who thought that they can walk through the wall.
9 There were all sorts of mystical fetishes supposed to bring about mystical powers and
10 I know the Dozos very well. They have mystical powers.

11 Q. Very well. About how many Dozos were there in Abidjan, if you can just give
12 us an approximation, that is during the crisis?

13 A. Counsel, there were many of them, many, 2,000, 3,000, 4,000. I really do not
14 know, but there were many of them.

15 Q. Very well. In March 2011 other *rebel troops came from the north. Were they
16 accompanied by Dozos?

17 A. When you said end of March, which year?

18 Q. March 2011 or early April 2011.

19 A. That is towards the end of the crisis. Very well, as I have already told you here,
20 there were many of them. You have the film footage. There were many Dozos who
21 came in to dislodge President Gbagbo. Many of them volunteered to actually come
22 down and dislodge President Gbagbo.

23 Q. So if you consider those who arrived in *late March or early April, that is to
24 Abidjan, about how many of them were there? If you can simply approximate, that
25 would be okay.

1 A. To my knowledge, there were more than 5,000 because that was necessary to
2 dislodge Gbagbo in Abidjan.

3 Q. Very well. Let me ask you another question. If I have understood, 5,000 came
4 from the north, two, three or 4,000 already in Abidjan, that makes about 9,000; is that
5 correct?

6 A. Yes, because even before the crisis there were many Dozos everywhere in
7 Abidjan and they were working as guards and so on. So overthrowing Gbagbo is
8 something that had been prepared for quite a while. They had been there for a long time.

9 Q. Overthrowing Gbagbo had been arranged or prepared for a long time, what do
10 you mean by that?

11 A. I want to refer to the very first attacks ever since France Afrique and Jacques
12 Chirac no longer wanted Gbagbo as president, that is when it began. Everyone
13 knows that in every country in Africa if you do not support France Afrique they will
14 make you leave. President Gbagbo was a real nationalist and so he was taken out.
15 That is clear. Everyone in Côte d'Ivoire knows that in Africa and the entire world,
16 they know that. That is the truth. There is nothing else.

17 Q. If I understand you correctly, and it is very important because that is your
18 testimony today --

19 A. Yes, it is the truth.

20 Q. Let me rephrase to see whether I have -- I understand you correctly. What you
21 are telling us is that there is no leader -- no Francophone leader in Africa who can
22 remain in power without the approval of France and whenever France believes that
23 the leader in question is no longer needed by them or they no longer like him - and
24 you illustrated that with President Gbagbo - they overthrow him. And I would like
25 to say that President Chirac was president from 1995 to 2002, so that is at the very

1 beginning of the Ivorian crisis. So you are saying that during President Chirac's
2 reign it was decided to overthrow President Gbagbo?

3 A. Yes, that is what I am saying. And I said that generally in Francophone
4 African countries the former French colonialists believe that when there is an
5 African -- a Francophone African leader does not please them they overthrow him
6 and that is what happened in Côte d'Ivoire and in other countries.

7 Q. This is a trial.

8 A. If you allow, Counsel, your Honour, I will give you an example. If today
9 President Ouattara in Côte d'Ivoire decides to ignore France or to become
10 independent and they change the CFA franc currency, tomorrow morning he will be
11 accused of being the worst dictator in Africa and he will be accused of everything in
12 order to overthrow him. *Today there is stability, he serves the purpose as far as
13 the international community is concerned. You have seen the crisis that happened
14 in Côte d'Ivoire, everything was destroyed. *But since he is being supported, from
15 a political point of view he has reached out to the other countries. Today he is being
16 supported, resources have been put at his disposal and the country has become
17 stable again, so it all depends on interests. There are no pro-Alassane people, no
18 pro-Gbagbo people, it is only Ivorians who are being manipulated. That is all.
19 That is the truth. That is being honest. I don't think that Ivorians should be told
20 that Ivory Coast is split in two between the pro-Gbagbo and the pro-Alassane
21 factions. I do not believe that because I do not want to see my country divided.
22 We are not pro-Gbagbo or pro-Alassane. We are Ivorians living together and today
23 I wish that Ivorians should forgive each other. We are talking about reconciliation.
24 We should not go back to the past where people were killed and everything
25 happened. So as I am saying, the problem of Gbagbo is that France no longer

1 wanted him. When you listen to the speech of the first lady, you will understand
2 what she meant. That is the problem. There is no other problems. And since
3 Mr Alassane Ouattara and Mr Gbagbo they are just pawns that are being played
4 with and the day that their masters no longer like them, they throw them away.
5 That is the truth. That is what was at the root of the crisis, nothing else. Thank
6 you, Counsel.

7 Q. Thank you. Now, pawns being used by who, being manipulated by who?

8 A. The pawns of those who think that they are our masters, our colonial masters
9 and that is France.

10 Q. A short while ago you mentioned the CFA franc as one of the stakes in the crisis.
11 Can you elaborate?

12 A. Yes, because if I remember correctly there was a plan to create our own currency
13 and leave the CFA franc zone. I believe that was even the root of all the problems.
14 *It was a difficult matter for Côte d'Ivoire to leave the CFA zone.

15 Q. Can you tell the Chamber what is a CFA franc, what is specific about it?

16 A. The CFA franc is shared by many West African countries who have a single
17 currency and which is guaranteed by the French treasury of France itself.

18 Q. Very well. Now, let me come back to the march on the RTI. *We saw the calls
19 issued by the young RHDP leaders that you mentioned, and you talked about them.
20 You also talked about the call issued by the prime minister, and I quote, "the Prime
21 Minister appointed by Mr. Ouattara.". And who was he?

22 A. Mr Soro Guillaume and he is today the speaker of the national assembly.

23 Q. *And before being Alassane Ouattara's Prime Minister, he was the prime
24 minister of whom?

25 A. He was also prime minister for Mr Gbagbo.

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1 Q. In your testimony of 8 March 2016 you said --

2 THE INTERPRETER: And counsel went too fast there.

3 MR ALTIT: (Interpretation) Mr President, we are going to play a video and the

4 ERN is CIV-D15-0001-0570, *2.41 to 3.30, that is the timestamp, and it is an excerpt of

5 the RTI television news of 17 -- or, rather, 30 December 2010.

6 (Viewing of the video excerpt)

7 MR ALTIT: (Interpretation)

8 Q. You have seen the video?

9 A. Yes, Counsel.

10 Q. Very well. Who was speaking there at the beginning?

11 A. Mr Soro Guillaume, the prime minister.

12 Q. Very well. In your opinion, who was he when -- where was he when he made that speech?

13 A. At the Golf hotel.

14 Q. You talked about the Golf hotel a few times. What is it?

15 A. I said here at the very beginning that we had nicknamed the Golf hotel as the

16 smallest republic of the world, so it was a republic for us.

17 Q. Can you briefly explain to us because we imagine a hotel as being a building.

18 Now, how is the layout of the Golf hotel?

19 A. Initially the hôtel du Golf was a normal hotel where visitors lodged, but during

20 the campaign Mr Ouattara had set up his campaign headquarters at the Golf hotel

21 and that was the headquarters for his campaign. And afterwards, when the events

22 happened the way they did, President Gbagbo was proclaimed president and

23 Mr Ouattara was proclaimed president also, the UN had to secure the Golf hotel.

24 That is why they deployed tanks at the entrance, at the exit, and on the main road to

25 provide security for that area because President Alassane appointed a government

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1 from that location. He appointed a prime minister and ministers and started ruling
2 Côte d'Ivoire. That is why the place was nicknamed the smallest republic of the world.

3 Q. How did you understand Soro's call, that is a normal Ivorian, how would a
4 normal Ivorian --

5 MR MACDONALD: (Interpretation) It is the opinion of the witness that is being
6 sought here. (Speaks English) Sorry, your Honours. I'll switch to English. We're
7 asking an opinion of the witness.

8 PRESIDING JUDGE TARFUSSER: I think counsel has switched in the last minute
9 from what is your opinion, I think -- he rephrased the question. And I would like
10 ask you to rephrase the question in order not to get an opinion but a fact.

11 MR ALTIT: (Interpretation) Thank you, your Honour. Just one observation. My
12 learned friend spent a lot of time during the examination-in-chief asking about the
13 perceptions of people and so on and so forth. That is just an observation that
14 I would like to make in passing. Secondly, what I wanted to do here is that all of us
15 here should be able to understand because the cultural context is crucial. We have
16 an intelligent witness here who experienced a certain number of things and who had
17 his own opinion, so we can perceive that speech in a certain way, but that is what I
18 want to know, how this was understood by him and others. It is not an opinion. It
19 is a feeling and how would that speech be personally understood by the others?

20 PRESIDING JUDGE TARFUSSER: How he perceived it is okay. How others
21 perceived it I would say goes a little bit far. How he perceived it, yes, as a citizen.
22 Thank you.

23 MR ALTIT: (Interpretation) Very well.

24 Q. Mr Witness, I will put a question to you on how you felt, what you understood
25 from that speech.

1 A. Thank you, Counsel. I cannot -- I can only answer as to what I understood
2 myself, but what I understood is that it was a call to use all means, that is a call to use
3 all means, force, weapons and so on, to go to the RTI and install the general director
4 of the RTI because President Alassane, who was recognized, had appointed that
5 director and he had to be installed. He himself said "by all means." *Soro even said it.

6 Q. Then afterwards, did you recognize the person in uniform who was speaking?

7 A. There were two of them. The first or the second?

8 Q. There were two? Very well.

9 Let us freeze the image with your leave, your Honour.

10 (Viewing of video excerpt)

11 MR ALTIT: (Interpretation)

12 Q. So the gentleman speaking with his back to us, he has his back to us now but
13 you saw him face on a few seconds ago, do you remember his face? Do you
14 recognize him?

15 A. Yes, it is *Commander Morou. That is Morou.

16 Q. And before, there was another gentleman, who is he?

17 A. He is *Commander Issiaka Ouattara, also known as "Wattao". He was the
18 gentleman who saved my life as I explained to you and he saved many Ivorians lives,
19 those who were close to Gbagbo.

20 Q. So he saved many Ivorians' lives. What do you mean by that?

21 A. *I said that during the crisis when they had arrested President Gbagbo there
22 were senior people who were hiding and they asked...They were staying even at the
23 Golf Hotel. When the people -- the young people -- were beating up the governor of
24 the BCEAO, he is the one who came and picked him up like a baby and brought him
25 up to the room.

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1 Q. So that we understand things correctly, because of course it's important, so that
2 we understand things correctly, what you are saying to us here, do tell me if I
3 misunderstood you, after President Gbagbo was overthrown there were many people,
4 if I understand you correctly, who were pursued, arrested and killed and he -- that is
5 to say supporters of President Gbagbo who were pursued, arrested and killed and he,
6 Mr Wattao, was able to save *a number of these people who were in danger; is that correct?

7 A. Yes, that is what I said.

8 Q. And how many individuals did he save; do you remember?

9 A. *Well, me, myself and I, first and foremost, and the governor, whom everyone
10 saw *when the youths stripped him down to his underpants and he was being beaten
11 up. According to the information that I received there were a number of ministers
12 and a number of people close to President Gbagbo who managed to get out of Côte
13 d'Ivoire thanks to him. I do not have any proof to that, but that's what was being
14 said. And I'd like to thank him for that.

15 Q. And the governor whom you're talking about, without Wattao, would he have died?

16 A. Well, I'm not really God to be able to confirm that, but the conditions were not
17 good. You know, imagine ten people lynching you for hours, you're going to die, aren't you?

18 Q. And where was that?

19 A. It was when they were on their way to the hôtel du Golf.

20 Q. So that was at the hôtel du Golf?

21 A. Yes, it was at the hôtel du Golf.

22 Q. That was the HQ of Alassane Ouattara?

23 A. Yes, indeed.

24 THE INTERPRETER: Could a pause please be observed.

25 MR ALTIT: (Interpretation)

1 Q. Were many people killed at the hôtel du Golf? Were many people killed at the hôtel du Golf?

2 A. Well, I'm not in a position to know because I do not have any information in
3 that regard.

4 Q. So talking of the hôtel du Golf, the soldiers that we saw on the video to whom
5 Wattao was talking, who were they?

6 A. It was the republican force that Mr Ouattara had put in place, the FRCI.

7 Q. And how long had they been at the hôtel du Golf?

8 A. I do not know. I can't tell you exactly the day.

9 Q. No, I don't want the day.

10 A. Well, they had been at the hôtel du Golf since the end of the elections, I believe,
11 and since things started to -- kicked off, if you like.

12 Q. You said in your testimony of 8 March 2016, page 96, line 16 or 25, I can't really
13 read my writing, I do apologise, you said that they were approximately 1,000 or 500.
14 Can you confirm that?

15 A. Yes.

16 Q. So if I understand you correctly, there were between 500 and 1,000 rebel soldiers
17 positioned at the hôtel du Golf; is that correct?

18 A. I said that they had already been named as the republican force.

19 Q. I understand that this is important for you, so there were between 500 and 1,000
20 soldiers from the republican force whom at the time you called rebels; is that correct?

21 A. Yes.

22 Q. Very well. Were they well-armed?

23 A. Well, you can see the images for yourself. They had weapons. As to whether
24 they were well armed or not, I don't know, I wasn't there.

25 Q. And to your knowledge, did they have any heavy weaponry?

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1 A. Well, the -- as to the existence of heavy weaponry there*before the blockade,
2 there were UN arms and there were UN tanks present there, to my knowledge.

3 MR ALTIT: (Interpretation) Mr President, we're going to show a video number
4 CIV-D15-0002-0157, timestamp 0.39 to 1.12 and this is a report or an excerpt from
5 France 24 TV news on the subject of the combatants located at the hôtel du Golf or
6 stationed at the hôtel du Golf.

7 MR MACDONALD: (Interpretation) Could we have the date of the report, please?

8 MR ALTIT: (Interpretation) It was broadcast on 16 December 2010.

9 (Viewing of the video excerpt)

10 MR ALTIT: (Interpretation)

11 Q. So you have seen this excerpt?

12 A. Yes.

13 Q. Yes. And mention is made of Ouattara special forces, Alassane Ouattara
14 special forces who were armed to the teeth.

15 MR MACDONALD: First question, your Honour: Has the witness seen
16 this -- these images before? It doesn't matter that it's France 24 or anybody, but it's
17 the same process.

18 PRESIDING JUDGE TARFUSSER: Yes, but he might have seen or not seen. Here
19 in question is what was said, if he knows things which were reported by the reporter
20 I would say.

21 Please, go ahead.

22 MR ALTIT: (Interpretation) Yes, I do thank you, Mr President. That is it indeed.

23 Now, in order to go a little faster because we're trying to speed things up here, I was
24 basing myself on a statement, a clear statement made by the witness who said in his
25 statement of 15 December 2014 that he was watching France 24 regularly. And I can

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1 from memory give you an excerpt. And he talked about this earlier in his testimony
2 saying that he often watched French television, including France 24. So it didn't
3 seem to us that it was useful and indispensable to talk about this here, and as you said
4 yourself, it is not a question as to whether it is this report itself that we're talking
5 about, but it is the mention of the Force Spéciale.

6 MR MACDONALD: In that case, your Honour, I'm going to stand up again. Why
7 don't you just ask the question before showing a video? Why do we have to show
8 the video? Why don't we just be suggestive because we can lead without being
9 misleading in this courtroom. Why show the video? That's my question. Then
10 we need to ask him then if he recognizes these images. *We cannot introduce
11 evidence that way, your Honour, because then we bring the journalist or we bring the
12 cameraman or we bring -- that's the way it's being done. Or we do a Bar table.
13 But right now if we want to go on the content of what happened there, the witness is
14 on the stand and can be cross-examined on that -- or can be questioned on that topic
15 without showing a video.

16 Now we're doing a video, we're trying to do exactly what the Prosecution was not
17 permitted of doing. I understand we're the opposing party here and we can do that,
18 but we're trying to instill information in his brain by having shown the video, exactly
19 what we were prevented from doing, and rightly so. So it's the same technique.
20 Just go straight to the question.

21 PRESIDING JUDGE TARFUSSER: Please, Mr Altit, go ahead.

22 MR ALTIT: (Interpretation) Well, yes, I'm going along those lines. I'm not going
23 to spend much time on this, but it would seem to me that you accepted that the OTP
24 present videos in this vein and there is a difference of nature of the two stages
25 between the examination and cross-examination.

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1 Now let me come back to my questions here that I've forgotten. So -- oh, yes.

2 Q. Mr Witness, so firstly, you've already seen these images, have you not?

3 A. Yes, I have already seen them.

4 Q. Very well.

5 A. On France 24.

6 Q. Very well. That's solves our problem.

7 So the comment is as follows, this is the comments made by the journalist and I'd like
8 to remind you of this:

9 "The situation is very confused. We are waiting for Ouattara and his government.

10 All his supporters are here. They are very wound up. They want to knock heads
11 with the security forces. The Ouattara forces have come out of the hotel." We
12 understand that they mean here the hôtel du Golf. "They are armed to the teeth in
13 order to fray a passage. This is the current situation."

14 And the journalist goes on to add a little later on:

15 "The supporters are following behind, bringing up the rear and we see images of
16 men."

17 So "armed to the teeth," you know what that means. Do or did you know at the
18 time - this report dates back to 16 December - that men, I quote, "armed to the teeth,"
19 end of quote, were attempting to push through and gain access to the RTI?

20 A. Yes, that is what was already said in this courtroom and I explained it, that the
21 strategy was for *people to come from the hôtel du Golf and that the republican forces
22 that the youth called the special forces would open the way, that is to say that they
23 would put themselves in front of the *marchers because there were certain roadblocks
24 or blockades that were stopping the *marchers from moving forward. So they had to
25 open the way. And how could they open the way? Well, otherwise, you know,

1 *you're going to come up against other soldiers face on and there will be a military
2 confrontation and then, maybe, the person with the upper hand would be able to
3 open the way and enable the marchers to move forwards. But they were not able to.

4 Q. So all of these soldiers whom you were talking about, that is numbered 500 to
5 1,000 that you are talking to the -- you say were the rebels at the time or the FRCI
6 today, we saw one of their chiefs. You say he was Wattao. Were there any other
7 chiefs at the hôtel du Golf? Or I put the question differently: Who did all these
8 soldiers answer to or obey?

9 A. Well, Counsel, it is true that it's all very technical and judicial in nature, but
10 things are simple in people's minds. Ouattara was recognized or acknowledged as
11 president and these people in charge, the captains, the second officers, et cetera,
12 were -- *Mr Issiaka Ouattara, aka Wattao, Moro (phon.), the people in charge, were all
13 obeying Mr Ouattara.

14 Q. I'm going to put the question to you again. With the exception of Mr Wattao,
15 were there any other warlords or commanders obeying Mr Ouattara and present at
16 the hôtel du Golf?

17 A. Well, those are the two people I saw. There was Mr Moro and Mr Wattao. If
18 there were any others, I do not know. I was not at the hôtel du Golf. I was not in a
19 position to know who was there.

20 Q. And for the transcript, when you say that there was Mr Ouattara, you mean Wattao?

21 A. Yes. Mr Wattao Issiaka, aka Wattao.

22 Q. And what did Wattao say in his speech? For somebody like yourself who was
23 listening to him over the television, how did you take what he said?

24 A. Well, what I understood from what he said, my analysis is that the two
25 commanders talked, that is to say the president of the republic, Mr Ouattara, and the

1 PM, Mr Guillaume Soro. And they had talked and that there was nothing further to
2 be said and that the two leaders had spoken, that there was nothing further to be said,
3 *no further amusement.

4 Q. It would seem to me that they said something else?

5 A. Well, maybe I didn't understand correctly.

6 Q. Well, from memory I heard "take your war equipment."

7 A. Yes, that's what he said. Was it him or was it Moro? Well, it was one them of
8 who said "take your war equipment and be ready for Thursday."

9 Q. And why was it Thursday? Thursday was what? What was special about Thursday?

10 A. Thursday was the day that they were supposed to march on the television.
11 I think it was the 16th.

12 Q. So the 16th was the Thursday -- Thursday was 16 December 2010, that was the
13 day of the march on the RTI?

14 A. Yes, Counsel.

15 Q. So when you hear a warlord saying to you "take your war equipment" and you
16 know that there are 500 to 1,000 soldiers present, what effect does that have you on?

17 A. Well, in this military context when a highly ranking individual requests that his
18 soldiers prepare their equipment, it is with a view to going into war. That's what it
19 means. I believe in military terms that's what it means, if I understand things
20 correctly. If a military leader asks his officers to prepare themselves for tomorrow,
21 this means that they prepare all of their equipment to go to the front and to wage war.

22 Q. So wage war?

23 A. That's what I believe it means.

24 Q. So that is your testimony?

25 A. That is my opinion.

1 Q. You are an inhabitant of Abidjan, are you not?

2 A. Yes, Counsel.

3 Q. And were you afraid when you heard those words spoken?

4 A. Well, war is a frightening thing, Counsel. It's not a good thing. That's what
5 I've always said here. War is a frightening thing. It's not good. It only brings
6 misery, death and, you know, it's frightening to hear that people are going to war.

7 Q. You said to us that these images were filmed a day or two before the march
8 because it is said -- well, mention is made of next Thursday, the day of the march, as
9 you explained. When did you see these images yourself?

10 A. I saw them over France 24, either one or two days before the march, I believe.
11 Counsel, with your leave, you know, during the crisis we had reached a time where
12 the international journalists, everybody was over-involved in this crisis, *so even if
13 you said that you were going to go to the loo, people were filming you. You know,
14 nothing escaped anything or anybody to what was going on in Côte d'Ivoire.

15 Q. So there was not much that would have escaped the journalists' attention if they
16 had wanted to say anything about it?

17 A. Yeah.

18 Q. You said, and this is still on 8 March, your testimony 8 March, in answer to the
19 question put to you, which I quote: Question: "Do you know whether the blockade
20 occurred before or after the march on the RTI?" That was the question.

21 To which you answered, and I quote you: "I believe that it was when -- it started
22 when -- it was when -- the blockade was set up when the march was due to occur."
23 I do apologise. I'm misreading what I wrote down.

24 Answer: "I do believe that it was when it was announced," that is to say the march,
25 "that then the roadblock or blockades were set up."

1 So you told us that the blockades were set up just before the march in order to block
2 the progress of said march. Have I understood you correctly?

3 A. As I said to you, I believe in my statements and even to you I said that the
4 blockades were set up before the march, but not only because of the march. This
5 was done with a view to blocking off all the entry or the access and exits points to the
6 hôtel du Golf.

7 Q. Very well. But that's not what you said, you know?

8 A. What did I say?

9 Q. I shall repeat your answer to you. Quote, "I think it was when it was
10 announced that the march was due to take place that the roadblocks were set up or
11 blockades were set up." End of quote.

12 And what did the Prosecution say to you at the time? He congratulated you saying
13 that you had a good memory. That's what he said.

14 A. Well, Counsel, that's exactly what I've just said to you.

15 Q. Very well. And on 8 March, line 94, line 13 -- page 94, line 13 you said, and I
16 quote:

17 "The leaders of the RHDP" and I go a little further on "also sent out messages for
18 people to come and march upon the RTI." End of quote.

19 That's what you said to us at an earlier stage, so I shall not come back to that, but I
20 would like to put a question to you that comes to mind. Who financed the leaders of
21 the RHDP?

22 A. Counsel, I'm not a member of the RHDP. I'm not aware of the source of said
23 funding. I do not know where it comes from. I never talked to you about this if my
24 memory serves me correctly.

25 Q. Very well. So we're still talking here about the march of 16 December. You

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1 said to us on page 94, still of your testimony of 8 March, a few days ago now, line 16,
2 quote:

3 "People came from everywhere. That is to say they were answering the call from the
4 leaders of the RHDP."

5 And I quote again: "And others also came, those who were at the hôtel du Golf."
6 End of quote.

7 So I'm going to put a question to you. I'm attempting to understand. So they were
8 moving en masse towards the RTI, people coming from different locations, you say
9 from everywhere, if I understood you correctly?

10 A. Yes, Counsel.

11 Q. And from where exactly?

12 A. I explained here, I said the people especially came from Abobo, from Yopougon
13 and I believe that others came from Treichville, from other communes. And there
14 was a group, people who were supposed to come from the hôtel du Golf with the
15 announcement that have been made. They were supposed to march.

16 Q. And to your knowledge, was one of those groups to go anywhere near the
17 presidential residence?

18 A. I did not know what the itinerary was, but it was a little bit far afield, you know,
19 from the hôtel du Golf. I don't see why they would have gone that way to go past
20 the president's residence. I think that when you come from the hôtel du Golf you go
21 straight ahead to go to the RTI.

22 MR ALTIT: (Interpretation) Mr President, it's nearly 1 o'clock and I am in your
23 hands, of course.

24 PRESIDING JUDGE TARFUSSER: I was just waiting for you to stop somewhere
25 where you consider it opportune and so I think we make the break now and we come

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1 back at 2.30 for the third session. Thank you.

2 THE COURT USHER: All rise.

3 (Recess taken at 1 p.m.)

4 (Upon resuming in open session at 2.31 p.m.)

5 THE COURT USHER: All rise.

6 Please be seated.

7 PRESIDING JUDGE TARFUSSER: Good afternoon. Before giving the floor to the

8 Defence again for the continuing of the witness questioning, I just wanted to come

9 back one minute to the extended hours issue, which I -- which we discussed this

10 morning.

11 The Chamber suggested the parties to sit extended hours in order to finish with this

12 witness's testimony, if possible, this weekend and therefore allow him also to return

13 to his country, home country and also to release VWU's duties as regards his stay

14 here in The Hague.

15 However, I note with regret I must say that Registry staff is not willing to

16 accommodate the request to start at 9 a.m. to accommodate Mr Gbagbo's request to sit

17 no longer than one hour and a half, which means also regret -- a request on which, by

18 the way, all other parties agreed upon. And I say that I mention it with regret

19 because since 9 a.m. is an official working hour of this court.

20 Accordingly, the Chamber will sit as usual this week and the next week Monday and

21 Tuesday, as we already said today, and this gives us an additional day. The

22 testimony of this witness must conclude latest on Tuesday, 22 March.

23 And I apologise to the witness for having to stay one more weekend away from the

24 family, but I want to also guarantee him that he will be back next week.

25 Accordingly, the counsel are directed to discuss the timing of their questioning,

1 including any need for re-examination ahead of time. I repeat we will adjourn and
2 release the witness latest Tuesday, 22 March. Thank you.

3 So now I give the floor to the Defence of Mr Gbagbo to continue his questioning.

4 MR ALTIT: (Interpretation) Thank you, your Honour.

5 Q. Mr Witness, we were talking about the march on the RTI.

6 A. Yes, Counsel.

7 Q. You said still in your testimony that at the time that the soldiers which you
8 called rebels at the time, they came out of the hôtel du Golf *and came up against, if I
9 understand correctly, the FDS check point that had been set up there, there was a very
10 serious skirmish; is that what you said?

11 A. Yes.

12 Q. What do you mean by a very strong confrontation or serious confrontation?

13 A. Counsel, I was not on the ground so I saw the images on the television, so the
14 images that I saw on the television showed that *the republican forces attacked the
15 FDS so as to open up the road and the FDS responded by shooting at the republican
16 forces. That is what I saw on television. There was shooting and heavy weaponry
17 was used. That is what we saw live on television. That is what I saw and that is
18 why I say there was confrontation, a skirmish to prevent people from leaving the
19 hôtel du Golf to the RTI.

20 MR ALTIT: (Interpretation) *CIV-D15-0001-0919, that is the next footage I want to
21 play, that is RTI playing video from TF1, that is a French television station, on what
22 the witness has just been talking about. Timestamp 0.21 to 0.40 seconds.

23 In anticipation of any questions, we do not have the date on which this footage was
24 *broadcast on RTI. On the other hand, the images from the French TV station TF1
25 were broadcast on 16 December 2010.

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1 With your leave, Mr President.

2 (Viewing of the video excerpt)

3 MR ALTIT: (Interpretation)

4 Q. Did you see those images?

5 A. Yes.

6 Q. Are those the same images that you were referring to a short while ago?

7 A. Yes, that is correct. Yes, Counsel, that is correct.

8 Q. Can you describe to us what is on those images? Can you comment on them?

9 A. That is what I told you, I was not on the ground and these were the images that
10 I saw. There were rocket launchers and heavy weaponry. There was a
11 confrontation. That is what I saw. That is what I told you and confirmed to you
12 even *before you introduced the film. I even said it to the OTP.

13 Q. So that is the confrontation you were referring to as shown in the images?

14 A. Yes.

15 Q. In your testimony of 8 March 2016, page 91 you state, line 4 and I quote, "Since
16 they were not able to capture the RTI, the international community found another
17 way, that is to set up the TCI, another television station."

18 Can you tell us about that other television station? What was it?

19 A. Yes, Counsel. That is what I said. I even have that in my statement. I said
20 that since they were not able to seize the RTI station, it was decided -- and that is why
21 we always called the hôtel du Golf the smallest republic because they had everything
22 that is in a republic. I think they set up satellite or an antenna, I don't know the
23 technical name, and then afterwards they started broadcasting footage from the TCI.
24 I don't know the exact procedure that they used, but they blacked out the RTI. They
25 provided *another number or another channel that could be watched, but I believe

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1 that is what happened.

2 THE INTERPRETER: Microphone, Counsel.

3 MR ALTIT: (Interpretation)

4 Q. To simplify matters, there was the RTI, the government station, and then there
5 was the TCI that you can refer to as the rebel station; is that correct?

6 A. Yes.

7 Q. Very well. As from when did the rebel station, that is the TCI, start, when did
8 it start broadcasting to your knowledge?

9 A. *There, I think it was around... around the 20th, maybe during the month of
10 March, I don't know exactly, or towards the end. I really do not know. I cannot
11 give you a precise date, but it was during that period.

12 Q. Do you have the slightest idea of the location from which this station was
13 broadcasting, where it was set up?

14 A. As we know, when the materials were sent to set up the station, everybody was
15 already aware, that is everybody was aware that the international community was
16 setting up a television station at the hôtel du Golf.

17 Q. So to your knowledge, based on what you heard, it was at the hôtel du Golf?

18 A. Correct.

19 Q. And you said that the people that were being sent, which are -- who are these
20 people who set up this station?

21 A. I do not know, but it was the people who set up the station, but I cannot tell you
22 that it was a white man or a black man, French or Belgian. I just said that there were
23 people who set up the station.

24 Q. Did you watch TCI programmes?

25 A. Yes.

1 Q. Frequently?

2 A. Yes.

3 Q. The answer was yes. And what were the programmes they were broadcasting?

4 A. Sometimes when I watched them there were debates on Côte d'Ivoire on the
5 Gbagbo regime and then they would try to explain things to the population. There
6 were also ministers who were on mission outside of Côte d'Ivoire, ministers who had
7 been appointed by President Ouattara. They explained to the people what the
8 Gbagbo regime had done, what was happening in town. They said everything, it was
9 the same thing. It was their turn to explain things.

10 Q. Can we say it was a political station broadcasting political messages?

11 A. Yes, during that period at that time one can say it was politics because we were
12 in the midst of the political crisis, so everything they were saying related to politics.

13 Q. Did that rebel radio television station broadcast calls to assemble to demonstrate
14 or to intervene anywhere?

15 A. To be frank with you, I did not watch that station all the time and when I
16 watched them, I saw members of government who came and spoke. *I would often
17 see... the young people by chance, they were showing women marching in Bassam
18 saying "Gbagbo get out." Things like that. And they showed other marches. That is what I saw.

19 Q. In your opinion, could it be said that this television station was used to mobilise
20 pro-Ouattara people against the pro-Gbagbo people?

21 A. Yes. As I said, it was their turn to speak because we had had the RTI. It was
22 the same thing. They were mobilising people. As I have said, there was a march in
23 Grand-Bassam and in other neighbourhoods where they went and filmed and
24 broadcast the footage.

25 Q. Did they broadcast calls to march or not?

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1 A. I cannot confirm that I saw anyone calling on the young people to march. As I
2 have said, when I watched that station, I saw that they had already filmed marches in
3 various neighbourhoods against the Gbagbo regime and they were calling on the -- on
4 the Gbagbo regime to get out.

5 Q. So when there were marches, this television station would send reporters; is that correct?

6 A. Yes.

7 Q. Systematically?

8 A. Yes, because it was broadcast over their TV station. Normally there would be
9 reporters to do that.

10 Q. Very well. And do you remember some of those marches, apart from the one
11 at Grand-Bassam?

12 A. I know very well that there was a march in Grand-Bassam and then in certain
13 locations in Koumassi. I believe there was also Abobo and in other towns. The
14 images should be available.

15 Q. You said that "we had the RTI and they had the TCI," but if I understood what
16 you said recently, the RTI was shelled?

17 A. Yes.

18 Q. And it stopped broadcasting?

19 A. Yes.

20 Q. When?

21 A. I do not remember very well, but it was towards the end, around March, April
22 the station was no longer broadcasting. But afterwards, it was re-established, it
23 started broadcasting again and then stopped once more, but I do not know how.

24 Q. To your knowledge, who shelled or bombarded the RTI?

25 A. As far as I know, it must have been the Licorne because they were the ones who

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1 had helicopters.

2 Q. It was bombing by helicopter?

3 A. Yes, that is what I heard because I was not there. They said there were
4 helicopters that shelled.

5 Q. You have just said the helicopters were from the Licorne, so they were French
6 helicopters; is that correct?

7 A. Yes.

8 Q. Were there any victims, any dead people?

9 A. I believe, but I do not know. *One can't have a 'good' memory in places where
10 there are dead people, where there are military positions and the like. I think people
11 died but I don't know how many.

12 Q. So it is your testimony that French helicopters shot at the staff of *a foreign
13 television station, notably Ivorian, and there were deaths, is that right?

14 *Have I understood you correctly?

15 PRESIDING JUDGE TARFUSSER: May I not admit this question because he already
16 replied. It's useless to say -- he has already answered this question or said this. I
17 mean, it's useless to dwell into it. It's on the record what he said.

18 MR MACDONALD: Because the answer was (Interpretation) "I believe, I do not
19 know. There were locations with people who died, military positions."

20 (Speaks English) It was never mention of civilian --

21 PRESIDING JUDGE TARFUSSER: There is -- no, excuse me. There is -- the witness
22 has said something on this issue and that's it.

23 So please go ahead but without dwelling or restarting the same question on this -- on
24 this issue because I think this is -- the witness has already answered the question.

25 MR ALTIT: (Interpretation) Thank you, your Honour.

1 Q. So at one point the RTI stopped broadcasting and from that moment on did the
2 Ivorians have any choice on the programmes that they could watch or were they able
3 to watch only the TCI?

4 A. I believe that that is what I said a short while ago. After the shelling, the RTI
5 stopped broadcasting but the TCI was broadcasting, but I have told you that later on,
6 three days, four days, maybe one week, the RTI started broadcasting again. I myself,
7 *I did not know how,, but after that it was blacked out once again and that was the last time.

8 Q. So at that time the Ivorians could only watch the TCI; is that correct?

9 A. Yes, of course.

10 Q. Let me move on to another topic. In your testimony of 7 March, that is your
11 first day of testimony, you stated, page 34, line 6 that before the elections you made,
12 and I quote you, "many tours in the north to talk about reconciliation and President
13 Gbagbo." Your sentence is not very clear. We understand that you were talking
14 about reconciliation. Are you talking about reconciliation by President Gbagbo since
15 he wanted peace *or you are talking about reconciliation on the one hand and
16 President Gbagbo on the other? Do you understand me?

17 A. Yes, I have understood your question. I was among all the delegations that
18 went to the north, probably the only one. I was talking about reconciliation and
19 Gbagbo's message on reconciliation. Mr Gbagbo wanted reconciliation. That is
20 what I said. I have never said the contrary. So he was the president of Côte
21 d'Ivoire and in several meetings he accepted decisions to the point of being
22 humiliated. He accepted to go to the Ouagadougou -- to accept the Ouagadougou
23 agreements because all the other agreements in France and elsewhere were not
24 appropriate, were not clear, so they had to go back to the -- to where the root of the
25 problem was. It was in Ouaga with President Blaise Compaoré. And this is what

1 we refer to as the Ouagadougou agreements and it included disarmament, the rebels
2 making part of -- becoming part of the government, they would have the prime
3 minister and then there would be elections. There were dates that were even
4 indicated. So that is how it was possible to go and organise rallies in the north
5 because *everything was open to everybody. The confidence corridor was done away
6 with. So this was as a result of an agreement between President Gbagbo and the
7 representative of the Forces Nouvelles, Mr Soro and his team, and that is why after
8 the Ouaga agreement things went very well.

9 Q. Why did you say that everything arose from Ouagadougou, it had its root in
10 Ouagadougou?

11 A. Everybody knows, it is not a secret, everyone is aware that the rebellion came
12 from Ouagadougou. Ivorians from the north went and prepared themselves there
13 most probably and they came from Burkina Faso. And they received support from
14 Burkina Faso. So everybody is aware of that. That is why I'm saying that
15 everything was prepared in Burkina Faso. And so the president was wise enough to
16 say that we should deal with the issue where it started and that is why I said that after
17 the Ouagadougou agreement everything went well because northerners could come
18 to the south and southerners could go to the north. So the corridor, the safe corridor
19 was eliminated so everybody could go anywhere.

20 Q. You have said we know that, and I quote you, "We know that the rebellion came
21 from Ouagadougou, that means Ivorians from the north of the country probably went
22 and prepared themselves there with the support of Burkina Faso. Everyone knows
23 that." When you talk about the rebellion coming from Ouagadougou, are you
24 talking about 2010 or the earlier rebellion in 1999 and so on?

25 A. I don't know whether it was '99, but it was from 2002. *It was when the country

1 was partitioned. I think it was from then on. Otherwise, if it was from a long time ago,
2 I don't know. If you are talking about '99, it is the coup d'état against President Bédié,
3 but I do not know whether that came from there. Quite frankly, I do not know.

4 Q. Now, if I understand you, what you're saying is that the background for the
5 2002 rebellion and its successive attacks is Burkina Faso; is that correct?

6 A. Yes, everyone in Côte d'Ivoire and even people in Burkina Faso know that fact.

7 Q. You have told us that in order to attain reconciliation President Gbagbo
8 humiliated himself, so to speak, and you explained to us how saying that he did so by
9 signing the Ouagadougou accords; is that correct?

10 A. No, not necessarily. I said that there were several meetings in several countries,
11 including South African, *Uganda and France, which did not come up with any
12 solution simply because the agreements were not fair and balanced and that is why
13 there was need for the Ouaga agreements. And he humiliated himself in signing those
14 agreements because what happened? He was dealing with people who had taken
15 up arms to fight Côte d'Ivoire. Now, to accept them into the government was a
16 matter of great sacrifice, so it was a way of humiliating himself and making
17 significant sacrifices for his country, Côte d'Ivoire. That's what I meant.

18 Q. Thank you.

19 A. Thank you, Counsel.

20 Q. You said that people took up arms to attack Côte d'Ivoire. Who are those people?

21 A. Ivorians, Ivorians who may have been frustrated in Côte d'Ivoire.

22 Q. Who are they?

23 A. People from the north. They didn't operate in hiding. The secretary general
24 of Forces Nouvelles, the secretary general of Forces Nouvelles was Mr Soro
25 Guillaume. These are the people I'm talking about, Counsel.

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1 Q. So you are talking about the rebels?

2 A. Yes.

3 Q. Thank you. So what you're telling the Court now is that by accepting all the
4 rebel demands for reconciliation was for Mr -- for President Gbagbo an extraordinary
5 act which you have referred to as some form of humiliation for the good or
6 Côte d'Ivoire; is that correct?

7 A. Yes, that's what I've been telling you.

8 Q. Is that it?

9 A. Yes.

10 Q. You say that he agreed to have Guillaume Soro, the chief of the rebels, take up
11 the position of prime minister?

12 A. Yes, that's what I said. He was prime minister.

13 *Q. Yes, that rebels joined the government -- the army? The army? The government?

14 A. The government.

15 Q. Yes. What else did he say?

16 A. It's in your questions, Counsel.

17 Q. Very well. In return for accepting those who had launched attacks into the
18 government, as was the case -- as was done by Mr Gbagbo, what did the rebels
19 commit themselves to do?

20 A. The commitment was that there would be elections, that security would return
21 to all of Côte d'Ivoire, that all Ivorians should be free to travel freely across their
22 country in a safe environment and that people needed to disarm so there was need for
23 disarmament. So these were the provisions of the agreement and ultimately the goal
24 was to have elections at the end of the process.

25 MR ALTIT: (Interpretation) I would like to show a document to the witness,

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1 document CIV-D15-0001-0492. It's an excerpt of the Ouagadougou agreement of
2 4 March 2007, paragraph 5.1 of chapter 5.

3 MR MACDONALD: I would have an offer from my colleague. Why don't we just
4 produce all the agreements of Ouagadougou, that one, its annexes. And that way
5 they can be submitted and accessible to the Chamber for the remainder of the trial.

6 PRESIDING JUDGE TARFUSSER: I would be very much in favour of this.

7 MR ALTIT: (Interpretation) We agree, Mr President.

8 PRESIDING JUDGE TARFUSSER: So it is considered submitted as a whole.

9 MR MACDONALD: And Mr Knoops too.

10 PRESIDING JUDGE TARFUSSER: Mr Knoops? Yes. Okay.

11 And the Legal Representative as well? Just for the record.

12 MS MASSIDDA: Yes, your Honour.

13 PRESIDING JUDGE TARFUSSER: Okay.

14 MR MACDONALD: We can provide the ERNs of the main accord of March 2007
15 then the annexes that came in the following months, the amendments.

16 PRESIDING JUDGE TARFUSSER: Okay. Thank you very much.

17 Please, Mr Altit, you can proceed.

18 MR ALTIT: (Interpretation) Thank you, Mr President.

19 Q. Now, Witness, I think it will be better for me to read out this excerpt, this very
20 brief excerpt from the agreement to gain time.

21 A. Very well.

22 Q. Paragraph or point 3.2.1, 3.2.1 of chapter -- well, I had it here a short while ago.
23 In any event, let me read this excerpt out.

24 "The parties to this agreement agree to proceed as soon as possible to the
25 disarmament of the forces in compliance with the Linas-Marcoussis Accords,

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1 according to the modalities in *the subsequent military agreements."

2 Now, Witness, when you talk about the rebel undertaking to disarm following the

3 Ouagadougou agreement, is this the specific point to which you are referring?

4 A. Yes, Counsel.

5 Q. Very well. Now, my question to you then is as follows: A very simple

6 question and I'm sure you've guessed it already. Were the rebels disarmed?

7 A. As far as I know, not entirely.

8 Q. You are being very cautious in your answer.

9 A. I have to be cautious because I have to go back to my family.

10 MR ALTIT: (Interpretation) Mr President, "I have to be careful because I have to

11 go back to my family," Mr President, maybe this is a good time to go into private

12 session.

13 PRESIDING JUDGE TARFUSSER: Yes, I think so as well.

14 Please, we go in private session.

15 (Private session at 3.08 p.m.)

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23 (Open session at 3.19 p.m.)

24 THE COURT OFFICER: We are now back in open session, Mr President.

25 PRESIDING JUDGE TARFUSSER: Thank you.

1 Mr Prosecutor.

2 MR MACDONALD: I'd like to have what was said in closed session reclassified as
3 public. I don't see any reason why it should remain in private session. I make the
4 recommendation.

5 PRESIDING JUDGE TARFUSSER: Defence?

6 MR ALTIT: (Interpretation) Mr President, that would actually deny the assurances
7 we have given the witness about his ability to rely on the confidentiality of these
8 proceedings, at least in that part.

9 PRESIDING JUDGE TARFUSSER: We will decide on this in due course.

10 Please go ahead with the questioning. Thank you.

11 MR ALTIT: (Interpretation) Thank you, Mr President.

12 Q. A short while ago I was quoting from your testimony of 7 March and I read the
13 first part of your sentence and I understood that your answer was that President
14 Gbagbo, like yourself, was an advocate of reconciliation?

15 A. Yes, that is what I said.

16 Q. Now, let me read the next part of the sentence. You said that you had tours in
17 the north and you've explained why and then you go on to specify, I quote: "And to
18 say that it is France which is dividing us, dividing us." This was during the
19 campaign; is that correct?

20 A. Yes. *Whenever I attended rallies I did say that during the campaign, during
21 the campaign, after the crisis.

22 Q. How was France attempting to divide Ivorians?

23 A. I have already expressed this to you. Not only Ivorians. They divide
24 everybody in Africa in order to be able to have control over their -- the countries.
25 I don't know how they do it, but that's their system.

1 Q. On 8 March, the very next day in your testimony the page 28 you testified that
2 you were in Korhogo for the second round of elections, and I quote: "The
3 atmosphere was not good. Tension was mounting and someone had to win, so
4 people did everything to ensure that their candidate won." End of quote.
5 People were doing everything to ensure that their candidate won. Who are the
6 people you are referring to?

7 A. Counsel, I believe that I already answered this question two days ago when
8 I was examined by the Prosecutor, but I will answer again. When you talk about
9 people, it is the supporters of each, each candidate, the supporters of each candidate.
10 You see, in the north in Korhogo which is supposed to be the bastion of Mr Alassane
11 Ouattara's supporters, Korhogo.

12 Q. Now, I don't understand. My question is in relation to your experience.
13 When it comes to Korhogo I have understood what you said. The atmosphere
14 wasn't good, tension was rising and the people were doing everything to ensure that
15 their candidate won.

16 Now, my question is: In Korhogo itself those people whom you were talking about,
17 and just a few days ago as well, who were those people?

18 A. The RDR militants or supporters.

19 Q. Yes, the RDR militants?

20 A. Yes, yes.

21 Q. Alassane Ouattara supporters?

22 A. Yes.

23 Q. Now, they did everything to ensure that their candidate won. What do you
24 mean by "everything"? Would it be threats, physical confrontation or what
25 happened?

1 A. Now, let me say, as I have said before, that I wasn't present when there were
2 any clashes or threats before me. What happened is that *we received reports about
3 what was happening, I believe, in a few police stations. For example, in one of them
4 where there was a supporter who, a female supporter who was violently attacked
5 and undressed, totally undressed. You probably have that information. *These are
6 the reports we received while we were in Biang, what happened behind us, in Korhogo...

7 Q. Mm, hm

8 A. That's it, during the election period.

9 Q. A female supporter of which party who was beaten up?

10 A. Member of the LMP.

11 Q. What is the LMP?

12 A. The presidential majority.

13 Q. Pro-Gbagbo?

14 A. Yes, pro-Gbagbo.

15 MR ALTIT: Now, we have a video to show, Mr President. And the reference is as
16 follows: CIV-D15-0001-2108. First excerpt will be timestamp 3.52 to 7.55 and the
17 second excerpt would be from timestamp 9.55 -- 9.57 to 10.22. It's a video from
18 Ivoirebusiness TV on electoral fraud and it was a footage from 2011 *made up of
19 images from the RTI archives on the presidential elections in Côte d'Ivoire in 2010.
20 (Viewing of the video excerpts)

21 MR ALTIT: (Interpretation)

22 Q. You saw the footage?

23 A. Yes.

24 Q. The first images, the terrible images of those women who were beaten and some
25 of them raped, were you referring to them?

1 A. Yes. And one of the women I know her.

2 Q. You know her?

3 A. Yes.

4 Q. You know her from where?

5 A. *I know her because she was the representative... as I was in Korhogo, she came
6 to visit the representative of the presidential campaign in Korhogo, to his house. I
7 know her. I know her, all (phon).

8 *Q. Did she tell you the same story?

9 A. No, no, no, I didn't see her. I didn't see her again subsequently. When they took
10 her away I didn't see her again.

11 THE INTERPRETER: There's really no pause being observed between the speakers,
12 your Honour. It is impossible to interpret.

13 PRESIDING JUDGE TARFUSSER: I have again a request from the booth because you
14 don't make any pause between the question and the answer. So please. Thank you.

15 MR MACDONALD: I'm sorry, I'm lost. Which women are we talking about? Just
16 "la dame." Because I saw four different ones.

17 PRESIDING JUDGE TARFUSSER: I'm lost as well, but I'm confident that we will at
18 the end come to an answer to this question.

19 MR ALTIT: (Interpretation) With your leave, your Honour, we will freeze the
20 images of each lady and the witness will tell us as to which one he's referring to.

21 PRESIDING JUDGE TARFUSSER: Yes. Because first he said to one -- that he
22 knows one of the women and then somewhere he said he knows all three. So I think
23 we should do as proposed.

24 MR ALTIT: (Interpretation)

25 Q. Is this that woman?

1 A. No.

2 Q. That one?

3 A. Yes.

4 MR MACDONALD: (Interpretation) Can we record the timestamp for the record?

5 MR ALTIT: (Interpretation) *03.18.

6 Q. So this lady on the screen, you know her very well?

7 A. Yes, I know her. It's Sita I believe.

8 Q. Was she part of your campaign in Korhogo, the group that went with you?

9 A. Yes. *When you say that she was ... because when you talk of a campaign
10 "group," you had the organisers, those who were responsible for the voting polling
11 booths, then there were others who were involved in campaigning. So, those two
12 things, they were responsible for the polling booths.

13 Q. Just before the second round of the elections did you know that she was going
14 to take such a risk and did she know herself?

15 MR MACDONALD: The witness cannot answer for the person in question. Did
16 she know that she would take such a risk? He's not in her head.

17 PRESIDING JUDGE TARFUSSER: Yes, you might be right, but let it say to the
18 witness. This is what I don't understand.

19 MR MACDONALD: The question is illegal in the first place. That's what I'm
20 saying. The witness cannot answer for someone else.

21 PRESIDING JUDGE TARFUSSER: Of course he cannot answer.

22 MR MACDONALD: Let's bring on this person.

23 PRESIDING JUDGE TARFUSSER: Of course he cannot answer for someone else.
24 Please go ahead.

25 MR ALTIT: (Interpretation) I will rephrase.

1 PRESIDING JUDGE TARFUSSER: Rephrase it, yes.

2 MR ALTIT: (Interpretation)

3 Q. Did you think, you yourself, that she was running a risk by being a
4 representative in a voting station?

5 A. Yes, I understand where you are going. As you know, this was the second
6 round. The first round in Côte d'Ivoire went very well. The campaign was very well
7 done in the north, south, east and west. It was very well conducted throughout the
8 country. But in the second round there were only two candidates left, Mr Alassane
9 and Mr Gbagbo. So regarding what happened in the first round *I was surprised
10 that the situation would give rise to so much violence and tension. I don't think she
11 could have imagined that risk because things went very well in the first round.

12 Q. Did you learn later that she was beaten and raped?

13 A. Yes, I told you since I was in the campaign bureau all the reports came to
14 Mr Issa Malick, the campaign manager and the deputy directeur de cabinet in the
15 presidency. Since I was present with him, I came to learn that she was a victim.

16 Q. I have understood. I am aware of the difficulty you are saying that it was not imaginable.

17 A. Yes, that is what I said.

18 Q. On 8 March, a few days ago, page 29, line 27, and I quote you, "I left Korhogo on
19 that very morning." And later on you said, "We thought that we were going to be
20 attacked in Korhogo." And still further on you said, "It was not prudent to stay."
21 That means you thought there were risks there?

22 A. Can I give you an answer? Thank you. When you asked me the question
23 whether she was taking risks or not, I told you no. I myself, I said no because we
24 were in Korhogo, we went there for the campaign. We had concluded the first
25 round and everything had gone well. It was during the day of the elections.

1 *That lady, that representative had already gone to the polling stations. *She couldn't
2 have known about the tension and what was going on, and neither could we. *It was
3 only when we started hearing rumours that our presence in Korhogo was not well
4 received, and as soon as the campaign director had finished voting, that we had to
5 leave Korhogo. I'm not talking of them. I'm talking of us. We left Abidjan for
6 Korhogo and those who were close to the President of the Republic. We decided to
7 leave Korhogo because it was not safe to stay. It is the same thing that I said before.
8 Maybe it is the way I have been phrasing my sentences, but I'm saying the same
9 thing. The woman could not have known because there were no risks. *In the
10 morning I went to the polling station which was due to open at 7.30, at 8 o'clock.
11 Everybody had gone. People had gone to start voting. It was round about 10 a.m.
12 that things started getting nasty and it was subsequently that we left Korhogo.

13 Q. Very well. Let us focus on you yourself. You said, *"I left Korhogo that very
14 morning. Why? Because we thought we were going to be attacked in Korhogo."
15 And then you explained it was not safe to stay. That is clear. So you were afraid of
16 something, and what was that something?

17 A. That's what I said. We were afraid of violence. When I said we were going to
18 be attacked, we were receiving rumours that the supporters of Mr Alassane in
19 Korhogo were going to attack us.

20 Q. Which militants?

21 A. I have said Mr Alassane's militants of the RDR or the RHDP. So I mean the
22 militant supporters of the RHDP.

23 Q. Very well. At one point you said some very interesting things. In one of your
24 statements in 2011 and I stress 2011, barely a few months after the fall of President
25 Gbagbo, it's CIV-OTP-0014-0601, page CIV-OTP-0014-0608, *line 231 and I will quote you:

1 "When the elections took place, the first round in Korhogo, well, the tension had risen
2 a little bit in Korhogo because it was being said that President Gbagbo had a huge
3 lead. So those of us who were there, we didn't feel very safe staying there. We
4 thought it was not a good thing for us to stay. That is why we left Korhogo for
5 Abidjan." End of quote.

6 You say that tension had risen in Korhogo because it was being said that President
7 Gbagbo was leading by a wide margin, if I understand you well, that is what was the
8 case. He was leading by a wide margin. In Korhogo or in the entire Côte d'Ivoire?

9 MR MACDONALD: Objection. I think we have to be fair with the witness, your
10 Honour, and start at line 234 to situate in time, 233 -- or 224, sorry, to situate because
11 in time we're situated between the first and second rounds and then the answer in the
12 context.

13 PRESIDING JUDGE TARFUSSER: I didn't get your objection.

14 MR MACDONALD: My objection, your Honour, is the question is misleading
15 because it does not provide the accurate context of the questioning by the Office of the
16 Prosecutor back in October 2011. So -- and we have to situate when we read it and
17 that was omitted, including in the *personne entendu*.

18 PRESIDING JUDGE TARFUSSER: Can you please rephrase it, the whole question.
19 Restart again with the questioning, please.

20 MR ALTIT: (Interpretation) Mr President, I want to do what is wanted, but it is
21 difficult to rephrase what the witness said. He said there was a first round in
22 Korhogo, so we are talking about the first round. There is no problem of context
23 here. I faithfully read what is there and *when he says it was placed in context, it was
24 placed in context.

25 PRESIDING JUDGE TARFUSSER: It's about the questioning what follows out of the

1 reading of what the witness said.

2 MR MACDONALD: (Interpretation) The first round was mentioned, I understand.

3 That was my objection and I apologise for that. I thought my -- the time was not
4 mentioned. So I apologise to my learned friend. That is the -- that was my error.

5 PRESIDING JUDGE TARFUSSER: Here the English transcript is coming up quite
6 late vis-à-vis the objection, so I could not follow the -- I could not control what was
7 said in the transcript. So please go ahead.

8 MR ALTIT: (Interpretation) My learned friend's apology is accepted. And since
9 the objection was withdrawn, since it did not concern exactly what was read, I will
10 need to have it right before my eyes now. Yes, I can see that. I'm sorry for the
11 interruption. I'm trying to get everything right.

12 Q. Now, you were saying it was said that President Gbagbo had a wide lead. My
13 question is when you said that, was he leading -- do you mean that he was leading
14 with a wide margin in Korhogo or in the entire Côte d'Ivoire?

15 A. Thank you, Counsel. You are talking about the first round?

16 Q. Yes.

17 A. It was saying that the president had -- was leading with a large margin
18 everywhere in Côte d'Ivoire, *not in Korhogo, not in Korhogo. That means he was
19 way ahead of the two other candidates.

20 Q. Very well.

21 A. Thank you, Counsel.

22 Q. Now I fully understand your statement. You say everybody heard that
23 *President Gbagbo had a very wide lead in the first round. And you were in
24 Korhogo and you said tension was mounting because it was being said that the
25 president had a wide lead and we were not very safe, *those of us who were

1 representing him, to stay there and that is why we left Korhogo for Abidjan?

2 *In other words, you are saying to us that during the first round you were safer in
3 Abidjan than in Korhogo, is that right?

4 THE INTERPRETER: If counsel could speak into the microphone, your Honours.
5 We cannot see him.

6 PRESIDING JUDGE TARFUSSER: Please, microphone.

7 THE WITNESS: (Interpretation) That is what I told you.

8 MR ALTIT: (Interpretation)

9 Q. No. You said everything went well in the first round.

10 A. Yes, that is what I told you. That is what I am telling you. If you allow, I will
11 repeat so that the Court and everyone should understand me. I said that when the
12 elections started in Côte d'Ivoire, that is the first round, when all the candidates took
13 part everything happened -- or, rather, went very well. And I repeat, during the first
14 round everything went very well. Whether it was Korhogo or elsewhere, it went
15 well. But towards the evening when results started coming out indicating that
16 Mr Gbagbo had a wide margin, people were saying that the second was Mr Bédié,
17 others saying that it was Mr Ouattara. And when the final results came out, the first
18 two were Mr Gbagbo and Mr Ouattara. So that was during the first round. That is
19 why I said that lady could not have imagined what would happen to her during the
20 second round because things had gone well during the first round. I am not a jurist so
21 maybe it is the way I am phrasing my answers, but I'm just telling you what I know.

22 Q. Thank you.

23 A. Thank you, Counsel.

24 Q. On 8 March, that is a few days ago, you told us that to provide security during
25 the elections in the north, and I believe in each polling station but I will ask you the

1 question, *alongside the rebel forces - and I quote what you said: "There were the
2 UN and a unit whose name I no longer remember that the government had set up
3 specifically to oversee the elections." End of quote.

4 I understand based on what you said that efforts had been made. Stop me if I'm not
5 correct. You said that *in the north together in the polling stations there were rebel
6 soldiers, UN representatives and members of that unit that you have mentioned.

7 My first question: Was this in every polling station or at specific locations? And I
8 will refer to page 98, line 16 and onwards.

9 A. Thank you, Counsel. I believe that when the elections had to be organised
10 there was a security -- a joint security organ that was set up, the Forces Nouvelles.

11 Q. Allow me to interrupt. That was not my question. My question was: This
12 group of soldiers and the representatives of the UN, were they present at each polling
13 station or just in scattered locations? That is what I'm referring to. After we can
14 talk about that special unit.

15 A. Yes, I have understood you now, Counsel. Yes, you had polling stations in
16 schools, most of them were in schools or in youth centres. So these people were not
17 inside the polling stations themselves. They were in the yard because they were
18 there for security. So in the polling stations themselves you had the representatives
19 of the parties, of the various parties, Gbagbo's party and Alassane's party. And
20 sometimes there were observers moving from place to place, they will go from one
21 station to another or from one village or neighbourhood to another. So these people
22 you are asking were not inside the polling station itself, but they were outside in the
23 yard.

24 Q. So they were there in Korhogo in the yard of the voting station; is that correct?

25 A. Yes.

1 Q. My question is that why did they not stop the violence that your friend was
2 being subjected to, that is you have talked about right now?

3 MR MACDONALD: (Interpretation) Objection. We have the video.

4 Mr President, the witness cannot answer in the place of the lady. Why did they not
5 intervene? He was too far away to have information that would be useful to the
6 Chamber.

7 PRESIDING JUDGE TARFUSSER: Absolutely sustained I would say.

8 MR ALTIT: (Overlapping speakers)

9 PRESIDING JUDGE TARFUSSER: He cannot answer a question instead of --

10 MR ALTIT: (Interpretation) The question is not for him to tell us what the soldiers
11 were thinking. He cannot tell us that. The question is whether he can give us
12 objective information that he would have learned as one of the leaders of the
13 campaign. Was there a particular or objective reason that would have prevented
14 them from intervening? He can also say "No, I do not know anything about it."

15 PRESIDING JUDGE TARFUSSER: Then the question was not put in the rightest
16 way I would say. You did not put the question in the right way.

17 MR ALTIT: (Interpretation) Okay. Let me rephrase.

18 Q. In your opinion, you knew the locations, the people, what was happening.
19 Was there any particular or objective reason that you would know as a leader that
20 would explain why those representatives that you talked about did not intervene, that
21 is the UN, the rebels and the joint unit in order to stop the violence against your
22 friend? You can say you don't know if you don't know.

23 A. Thank you, Counsel. Thank you for the question, but you could have asked
24 whether in that polling station where the woman was, were those elements present
25 there? I do not know. I was not there.

1 Q. I think I understand. I did not fully understand because it seemed that you
2 said that these people, rebels, UN, joint unit, were present in the polling stations or
3 near the polling stations, but you are telling us that that was not it?

4 A. Yes. You said if they were there, why didn't they intervene? So that is where
5 the problem lies. If they were there, because they are there to play a role. That
6 is -- I myself I would not understand why they wouldn't intervene. I hope we are
7 understanding each other, Counsel.

8 Q. Thank you.

9 A. Thank you.

10 Q. We understand each other and you also answered my previous question. So
11 this personnel, this staff, soldiers and civilians were not present everywhere; is that
12 correct?

13 A. Yes, that is correct. They were not present in all polling stations.

14 PRESIDING JUDGE TARFUSSER: It's 4 o'clock. Yes, so I just was asking if this is a
15 good time to stop or if you have another question in this context.

16 So it's 4 o'clock. We finish the third session. We resume tomorrow morning at 9.30.
17 Thank you very much.

18 THE COURT USHER: All rise.

19 (The hearing ends in open session at 4 p.m.)