

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé
5 Goudé - ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Status Conference - Courtroom 1
9 Wednesday, 21 November 2018
10 (The hearing starts in open session at 9.34 a.m.)
11 THE COURT USHER: [9:34:23] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:34:43] Good morning.
15 I don't see Mr Blé Goudé. Is he here? Okay.
16 (Pause in proceedings)
17 PRESIDING JUDGE TARFUSSER: [9:36:10] So now we are complete. And I give
18 immediately the floor to Maître N'Dry I think for him to finish his intervention.
19 And today we will have only one session up to two hours and then we go tomorrow
20 morning for what else has to be done and the decision on the notice which was filed
21 by Mr Knoops.
22 The floor is to Maître N'Dry.
23 MR N'DRY: [9:37:19] (Interpretation) Good morning, Mr President. Good morning,
24 your Honours.
25 I shall resume where we left off yesterday. We were dealing with point 8 in my

1 presentation, and we were talking about the roadblocks.

2 The Defence notes that the exhibits on the file show that during the post-election crisis,
3 the roadblocks were set up in a spontaneous manner by citizens who felt the need for
4 greater security. And thus, you see, the roadblocks were not some sort of means to
5 implement any common plan whatsoever. The setting up of roadblocks was not a
6 coordinated exercise either. The roadblocks were an expression of the people's need
7 for greater security as we showed with the people living in Doukouré neighbourhood.
8 The roadblocks were not some kind of tool to implement any criminal plan. The
9 Prosecution has not called a single witness who has told the contrary to your

10 Chamber.

11 Witness 449 mentioned roadblocks set up as a means of self-defence to keep rebels
12 from entering various dwellings. Witness P-449 also said that the roadblocks were
13 set up by all the various people living in the areas in question without exception.
14 This witness also told the Chamber that the roadblocks were not intended to target
15 any group in particular. The goal of these, or the objective, rather, was to ensure
16 security and deter crime. French transcript 159, pages 100 to 103. And as well
17 further details are to be found in transcript 160, page 34, lines 18 to 22.

18 Witness P-88 and British journalist P-87 shot footage of the young people who were at
19 roadblocks in Cocody commune and they put questions to them as well. The filming
20 was after the events that occurred at the Baron Bar. I think we need to be
21 intellectually honest about this point. In an actual point in the footage that was shot
22 by P-88, a young man, who was interviewed at a roadblock by P-87, stated that the
23 roadblocks had been set up in a spontaneous manner and there was no authority who
24 had called them or ordered them to set up a roadblock. This person said that the
25 roadblocks were set up and there was no distinction made on any sort of racial basis.

1 We can actually look at the transcript in question, and I think that will be clearer to
2 everyone.

3 Now, why is it that after the incidents of 25 February, why is this witness of interest to
4 us? Well, not really the witness, but rather this person who was speaking on the
5 video footage that was shot by P-88, why is this of interest to us? Well, because the
6 footage does show a roadblock in realtime, so to speak. The footage was shot at a
7 roadblock. Secondly, the impartiality of *this person is beyond reproach, because at
8 that time he did not know that what he said would be later before the Chamber as
9 part of a criminal trial.

10 Now, if I refer you to, first of all I'll give the reference number for the video. This is
11 footage CIV-OTP-0015-0594. The transcript is referenced CIV-OTP-0021-0013.

12 There is also a French translation, reference is CIV-OTP-0021-0109, page 0120.

13 So this young man provides some information to P-88, who has put some questions to
14 him. This young fellow says, the young fellow responds saying:

15 "We belong to the *Galaxie Patriotique*, and there are some people from the RHDP who
16 have joined us, because they have seen that we are engaged in a noble fight. A fight
17 against demagoguery, against theft, against lies." End of quote.

18 I'll now quote from another part of the transcript, when P-0087 asks, and I put the
19 question, he said:

20 "Are you authorised, have you been authorised to organise these roadblocks? Is this
21 legal?" End of quote.

22 And the young fellow at the roadblock says:

23 "Well, this is a decision that we had to take. We are here with our bare hands. We
24 are being threatened. These people are not operating in an open manner; their faces
25 are covered. So this is a kind of urban warfare, guerilla warfare that they are

1 engaged in." End of quote.

2 Allow me to mention another part from the transcript. *P-0087 asks an interesting
3 question, and I quote:

4 "Who authorised you to set up these roadblocks? Who has given you authority to
5 set up these roadblocks?"

6 The young man at the roadblock says this:

7 "There is no authority as such. The people, when the population feels threatened,
8 they have to do this. We are acting in legitimate self-defence. We have lost family
9 members here in Abobo. They came at night and they killed people. They did
10 whatever they wanted to do because they have weapons. But as far as we are
11 concerned, us, we have no weapons. We have to organise ourselves and ensure a
12 form of deterrence, because we can't do anything else. The State, the State cannot
13 give us weapons." End of quote.

14 PRESIDING JUDGE TARFUSSER: [9:50:05] Just one correction of the draft, because I
15 think it's important.

16 I'm listening to you in French, but I'm reading in English. At page 3 of the English
17 version, of the English transcript, line 17, it is written:

18 "Secondly, the impartiality of this person is debatable."

19 But you said "It is not debatable", which is quite different.

20 (Interpretation) You said: "His impartiality could not suffer."

21 (Speaks English) I think this is important to be immediately corrected.

22 Thank you.

23 Maître N'Dry, *a vous la parole*.

24 MR N'DRY: [9:51:09] (Interpretation) Thank you very much, your Honour.

25 Now, on the basis of this interview, what can we conclude? First of all, by saying

1 that some young people from the RHDP had joined the group, that is very important
2 when we're told here that the roadblocks had been set up for people of various
3 orientations or various ethnicities.

4 Now, this young man was being questioned in realtime. He was actually filmed at a
5 roadblock, and he said:

6 "Yes, we are from, we are from the Patriotic Galaxy, yes. But some people from the
7 RHDP have joined us, RHDP, the PDCI. At the time before today, well, back in the
8 day, PCDI, the RDR, *Rassemblement des républiques*, the UPDCI and the list goes on."

9 So they were the ones, a coalition of seven parties making up the RHDP, and thus
10 when we take this person and we combine what he said with the testimony of *P-449,
11 we see something else. This does not square with the account given by the
12 Prosecution that it was Gbagbo loyalists at the roadblocks. That is not so. P-449
13 was clear on this point. He said, faced with this threat, the entire neighbourhood
14 organised themselves to ensure safety in a spontaneous fashion. That is the first
15 point that I wanted to make.

16 Now, secondly, the response:

17 "Are you authorised to set up this roadblock?"

18 And the person said, he said:

19 "Well, this is a decision we had to take."

20 What conclusions can we draw from this? The roadblocks are being linked to the
21 general danger, the situation created by whom? By the rebels, the guerillas.

22 The third point that we must remember:

23 "Who gave you this authority to set up the roadblocks?"

24 And the answer was quite clear:

25 "When the population feels threatened, they have to. We are in a situation of

1 legitimate self-defence."

2 Mr Charles Blé Goudé was not the person who instigated the roadblocks. And what
3 is more, when we look at the entire context that has been described here in this
4 courtroom, the generals who came and gave testimony here, P-440 in Yopougon; the
5 police commissioner from the 16th *arrondissement* who told you that late February,
6 particularly late March, there were no longer any police officers, no police stations
7 were operating, so the people were left to their own devices. And, well, this is about
8 human nature and the instinct for survival and if one is to survive, well, no one
9 teaches someone how to survive when they see a danger.

10 I would now like to move on to another point. The Prosecution claims that the
11 Defence conceded that Charles Blé Goudé had knowledge of the violence that was
12 going on at the roadblocks. And once again, this is a misinterpretation of the
13 arguments presented by the Defence team.

14 It is the Prosecution's task to prove that Mr Charles Blé Goudé received information
15 to the effect that crimes were being committed at certain roadblocks. And to this end,
16 it is the Prosecution that must prove that the information was provided to him. By
17 whom? And when?

18 In the reply and also during the hearing of 2 October, the Prosecution used the report
19 prepared by Witness P-440 to support this allegation to the effect that Charles Blé
20 Goudé was aware of violence going on at the roadblocks. Transcript 222, 2 October
21 2018, page 52, lines 1 to 9. And I will quote what the Prosecution said.

22 THE INTERPRETER: [9:58:34] Interpreter correction, page 51.

23 MR N'DRY: [9:58:38] (Interpretation) The Prosecution said this:

24 "Your Honours, Witness 440 confirmed that the instigator or the reference to the
25 instigator and the very identity of this person, the person who instigated this was

1 Mr Blé Goudé. By drafting this report, the -- well, Witness 440 was thinking that it
2 was necessary for Mr Blé Goudé, being the person who had called upon the young
3 people to take to the streets and asked them later to go back home. He also drafted a
4 report hoping that his superiors and, by that, he meant the director-general of the
5 national police, Witness 46, asked Mr Blé Goudé to make an announcement on the
6 television to call upon the young people to go back home and to stop setting up
7 roadblocks in the various neighbourhoods. But Mr Blé Goudé did not do so." End
8 of quote.

9 In other words, what the Prosecution is telling us here, that P-440 drew up a report,
10 P-440, the police commissioner at the 16th *arrondissement*, wrote a report and he
11 forwarded the report to P-46, the director-general of the national police.

12 But this is quite remarkable, isn't it? The Prosecution said that he drafted a report
13 hoping that his superiors -- and that the witness in question asked Mr Blé Goudé to
14 make an announcement on the television, but he did not do so.

15 First of all, the Chamber will certainly realise that Mr Blé Goudé was not the intended
16 recipient of this report. That's the first point that we would make before this
17 Chamber.

18 The report was intended for the director-general of the national police.

19 Secondly, the director-general of the national police was a witness. He appeared
20 right here in this courtroom, called by the Prosecution. And they put no question to
21 him about this particular matter such that you must consider the Prosecution's
22 deduction as an opinion when the Prosecution said that Mr Charles Blé Goudé had
23 been informed of the violence and when the report is quoted from. It was quite
24 simple really. *Mr Brindou M'Bia was there. He was asked, "You received a report, did you send this
25 report to Mr Blé Goudé?" He answers, yes or no. And then the account is written down. And you

1 really can't support an account with nothing. When something is empty, it's empty.

2 In the trial brief at paragraphs 568 and 569, the Prosecution changes its approach, and

3 it's no longer the director general who informs Blé Goudé, but rather, it is information

4 from Jean-Louis Tiagnéré, Yopougon district head, as you will recall, no doubt, when

5 P-440 was here giving testimony. And he explained to everyone here that he went to

6 the COJEP headquarters with the district head, the person in charge of the Yopougon

7 district, to go see Mr Blé Goudé to inform him -- or, rather, to asked him if he could

8 kindly intervene and have the young people leave the streets. This is what the

9 witness told Court. So the two parties, P-440 has said that he did not go into the

10 room with his superior to meet Mr Charles Blé Goudé. He remained outside of the

11 meeting room and 20 to 30 minutes after that his superior came out of the room.

12 And he was asked: "What did he tell you about the conversation with Mr Charles

13 Blé Goudé?"

14 And P-440 was here. Everyone heard his testimony.

15 He said: "We did not talk about that. Nothing leaked out."

16 He was asked: "Are you sure that they talked?"

17 And he said: "No, they didn't talk, it was silence."

18 So on the basis of that silence, the Prosecution now says that Mr Blé Goudé had been

19 informed about what was going on at the roadblocks. It's funny.

20 Now, during the hearing in October, on 2 October, the Prosecution returned to the

21 matter saying that the testimony was really just opinion. And I will read out, this

22 time from the English transcript:

23 (Speaks English) "Independently of the opinion of Witness 440, as to the content of the

24 conversation ..." (Interpretation) Regardless of the opinion of 440, this point is very

25 clear, the Prosecution has acknowledged this itself, that this is an opinion.

1 We call upon the Chamber to consider this point. The Prosecution has provided no
2 evidence about this training that Mr Blé Goudé -- correction, of information that
3 Mr Charles Blé Goudé allegedly received about this allegation. On several occasions
4 the Defence raised the issue of misinterpretations and biased interpretations of
5 statements made by their own witnesses. However, the issue at hand goes beyond
6 the interpretation of words. In this particular case, the Prosecution is interpreting a
7 silence in a certain manner, has built an entire narrative around this alleged
8 information that Mr Charles Blé Goudé allegedly received, all of this based on silence,
9 and this silence we've learned about secondhand. So this is not a fabrication, but,
10 rather, this has been built on nothing. This building, so to speak, has no foundation.
11 And since there is no foundation, the allegation cannot be proven, and we must see it
12 for what it is. This is nothing more than an opinion based on the interpretation of a
13 lack of factual content.

14 When the Defence referenced the speeches that Charles Blé Goudé gave several times
15 to try to end the violence in Yopougon at the roadblocks, the Defence did not make
16 any concessions about the allegation that Blé Goudé had been informed. We did not
17 make any concessions regarding the allegation that he had been informed by Tiagnéré
18 around 3 March.

19 Now, you see, the fact that on 4 March 2011 that Charles Blé Goudé spoke to young
20 people and urged them not to extort money from people, not to attack foreigners does
21 not mean that he had received any information whatsoever about the violence
22 committed at specific roadblocks, but, rather, he was just asking people to act in a
23 lawful manner and to show respect for civilians.

24 Mr President, I'll now give the floor to my colleague, Mr Knoops, and he will be
25 speaking to point 8. And we will deal with that point in its entirety. And then in 10

1 or 15 minutes he will cover a number of points, and he will talk about the application
2 of the presentation, the application of the jurisprudence, how the existing
3 jurisprudence should be applied to this case. And he will speak to opinion and he
4 will be also mentioning jurisprudence established in the Ruto Sang case.

5 PRESIDING JUDGE TARFUSSER: [10:12:07] Thank you, Maître N'Dry.

6 Mr Knoops, I give back the floor to you.

7 MR KNOOPS: [10:12:31] Mr President, your Honours. At the end of section 8 of
8 our submissions, we'll now project in the next 15 minutes the analysis of Mr N'Dry on
9 the analysis I've presented to the Chamber in section 5, the policy requirement, which
10 is at the foundation of the Prosecution theory.

11 Your Honours, in this section 8, we answered two central questions for the whole
12 case:

13 First, was there evidence adduced before the Chamber to the extent that the alleged
14 inner circle mobilised the youth to erect roadblocks in order to commit crimes to
15 target pro-Ouattara supporters?

16 And the second question which was answered with this section 8, harking back to
17 section 5, the policy requirement, was the following: Was there evidence adduced
18 before the Chamber that roadblocks constituted a pattern or a systematic mechanism
19 such that it qualifies as an organisational or State policy to keep Mr Gbagbo in power?
20 Those two, Mr President, your Honours, central questions for this whole case should
21 be answered by any reasonable Chamber with the firm answer no. There was no
22 evidence to this extent.

23 Now, Mr President, we rely here also on an important precedent, a parallel can be
24 made with the decision on the Defence applications for the judgment of acquittal of 5
25 April 2016, filing 2027, in the case of Ruto versus Sang. One can deduce from the

1 paragraphs 89 till 90 of the Presiding Judge where he concludes that the evidence in
2 that case did not clearly demonstrate that there was a pattern or any system behind
3 the erection of roadblocks.

4 The Prosecution in our case indeed provided to the Chamber, as demonstrated in our
5 section 8, no evidence to suggest that the roadblocks were erected and used in a
6 coordinated or preplanned manner. Even when the Chamber would accept that
7 there is some evidence of sporadic violence at different roadblocks, the Chamber
8 cannot reasonably discern a pattern in this regard.

9 And it's to be observed that in paragraph 90 of the opinion of the Presiding Judge in
10 the Ruto Sang case, he noted, I quote, paragraph 90, "Furthermore, while there is
11 some evidence of sporadic violence against and humiliation of Kikuyu and perceived
12 PNU supporters at different roadblocks, I have not been able to discern a pattern in
13 this regard. In fact, the pattern regarding what happened to people who arrived at
14 the roadblocks appears to be rather that they had to give money before being allowed
15 to pass. From the evidence it also appears that most people, Kikuyu and Kalenjin
16 PNU supporters, were eventually permitted to pass the roadblocks they
17 encountered." End quote.

18 Your Honours, this precedent, this opinion in the Ruto Sang decision on the Defence
19 applications for the judgment of acquittal does clearly support our conclusions at the
20 end of section 8 of our submissions.

21 The issue of roadblocks as presented by the Prosecution does not permit any
22 inference as to the existence of a common plan within which roadblocks apparently
23 played an essential role in the Prosecution theory.

24 In the second place, Mr President, we showed in this section that no evidence was
25 adduced that the people, the individuals who attended the Baron Bar speech actually

1 were the ones who committed the alleged crimes which are charged or were
2 instrumental in setting up the so-called roadblocks.

3 Two brief examples of this failure of the Prosecution theory is:

4 First, the Prosecution describes crimes allegedly committed at the Lem mosque on 25
5 February 2011. However, the Prosecution has never adduced any evidence that a
6 person with the name Maguy Le Tocard, and that's the theory, attended the meeting
7 at the Baron Bar. Yet, that individual in the Prosecution theory was involved in
8 those exactions at the Lem mosque.

9 Second, precedent in our case supports our conclusions. The Prosecution is of the
10 view that it is not required to prove that the individual perpetrators were present at
11 the Baron Bar. But there is a precedent, Mr President, your Honours, to refute this
12 assumption. It's, by the way, the observation of the Prosecution transcript 222, 2
13 October 2018, page 47, lines 12 till 21, where the Prosecution says that it is not
14 required to prove that individuals present at the Baron Bar were instrumental in the
15 crimes.

16 Also here the precedent is with the Defence, the precedent of 5 April 2016, the
17 decision on the Defence applications for a judgment of acquittal in the case of Ruto
18 versus Sang.

19 You'll find, Mr President, your Honours, in paragraph 98 a parallel with the Baron
20 Bar situation. I'll briefly quote two small sentences from the opinion of the Presiding
21 Judge. Quote:

22 "Although around 100 persons are alleged to have attended the meeting in Kimumu,
23 the only evidence the Prosecution presented for it is the (uncorroborated) testimony
24 of Witness 658." End quote.

25 Furthermore in this paragraph 98, your Honours find the reasoning of the Presiding

1 Judge which reads as follows, quote:

2 "However, even if this were to be ignored," that is the reliability of this Witness 658,
3 "even if this were to be ignored and Witness 658's testimony pertaining to the meeting
4 in Kimumu is taken at its highest, this evidence is incapable of proving the
5 Prosecution's allegation that the Network", an analogy with the so-called inner circle,
6 that the network "mobilised the youth to carry out the attacks, as Witness 658 does
7 not provide any information that those present at the alleged meeting were told who
8 was to participate in the attacks, the location they were to go to, or the date and time
9 that they had to be there." Unquote.

10 Mr President, this ruling by the Presiding Judge in the Ruto Sang case is almost
11 identical to the situation as projected in this case by the Prosecution.

12 Finally, our third conclusion and our third argument to say there is no policy in
13 regard to the erection of roadblocks fitting into the Prosecution theory is that we have
14 also shown in this section 8 that the speeches of Charles Blé Goudé were totally
15 unrelated to any roadblock. And also here there is a striking analogy with the
16 precedent we just mentioned, that of 5 April 2016 in the decision for the judgment of
17 acquittals in the Ruto and Sang case.

18 You'll find, Mr President, in paragraph 93 of the leading opinion of the Presiding
19 Judge in this case, the following observations, which is to be adopted similarly in the
20 case of Mr Charles Blé Goudé. In paragraph 93, Presiding Judge observes the
21 following, quote:

22 "Witness 658 provided evidence that Mr Sang allegedly used his radio show to warn
23 Kalenjin youths occupying roadblocks that they might be killed by the police."

24 The President continues: "In addition, leaving aside my above observations on the
25 reliability of Witness 658's evidence, the fact that Mr Sang publicly would have called

1 upon individuals manning the roadblocks to engage in certain conduct neither proves
2 that Mr Sang was a member of the Network, nor that the individuals at the roadblock
3 belonged to the Network," parallel here with the so-called inner circle "or were
4 manning the roadblocks on account of the network."

5 And finally and most importantly, Mr President, the Presiding Judge in this case then
6 continues to say, I quote further from paragraph 93:

7 "In this regard, I also observe that the existence of the roadblocks appears to have
8 been well known at the time and the fact that the public figure" such as Mr Sang
9 "made a comment about this on the radio does not mean that this public figure was
10 therefore somehow involved or complicit in the use of the roadblocks." Unquote.

11 Mr President, your Honours, this observation, this ruling is self-explanatory and it's
12 now before the Court as a decision which is not subjected any more to litigation.

13 Therefore, we submit that these precedents support our conclusions. And it brings
14 us to our final conclusion as to paragraph in section 8 that no reasonable court could
15 find that the instrument of roadblocks or the phenomenon of roadblocks we have to
16 say, nor the speech at the Baron Bar had any relation to any common plan whatsoever,
17 let alone the person of Mr Charles Blé Goudé.

18 Now, this ends the presentation of our section 8 and I now present, I'll ask Mr N'Dry
19 to take over again for his last part, number 9, that's correct. And after which my
20 colleagues Ms Kadji and Maître Zokou might follow. *Merci.*

21 MR N'DRY: [10:27:30] (Interpretation) Mr President, if you'll just allow me one
22 moment.

23 (Counsel confer)

24 MR N'DRY: [10:29:07] Your Honours, I'm now at the last point of my presentation,
25 and this will deal with Blé Goudé's call for peace and reconciliation. The call that he

1 issued to the various protagonists who were part of the incidents, that occurred on
2 27-28 February 2011 in the Yopougon commune. Transcript 222, lines 19 to 27, this is
3 what the Prosecution has told us. Transcript 222, page 74, lines 19 to 25.

4 Mr Blé Goudé said that he made several attempts to end the violence in Yopougon
5 and at the roadblocks. And this information is to be found from paragraphs 613 to
6 624 of his motion. And what we have argued and what I have reiterated today, your
7 Honours, is that these alleged attempts actually show that Mr Blé Goudé was
8 informed and made no true authentic attempt to end the violence, saying anything
9 along the lines of "Stop, stop doing this, stop killing people, don't kill people." End
10 of quote. This is what the Prosecution has told us.

11 We will now play some video footage, CIV-OTP-0026-0018, from timestamp 1.05.49 to
12 01.15.18. The corresponding transcript is CIV-OTP-0051-2220, page 2240 to 2242
13 from lines 758 to line 872. And we will now listen to this video footage and then I
14 will address the Chamber after the footage is over.

15 (Viewing of the video excerpt)

16 THE INTERPRETER: [10:33:03] (Interpretation of the video excerpt)

17 "This meeting, which you just attended, an excerpt of which we have just watched
18 was the initiative of Charles Blé Goudé, the general leader of the *Jeunes Patriotes*.

19 He's here with us and will explain the whole thing to us.

20 Good evening, good evening, general.

21 Well, thank you Awa. I greet all Ivorians.

22 What you have seen is consecutive to the clashes that occurred last Friday. RHDP
23 militants burnt a bus and the youth of Yopougon were provoked, and they burnt
24 some *gbakas*. And since then, there has been an atmosphere of suspicion in

25 Yopougon, and we played our role by contacting the two camps and they have finally

1 accepted to sit down together.

2 This evening, we met with each camp and before, but we met both camps today and

3 then reconciliation was achieved in a frank language.

4 Now, we saw them. They had frank discussions. Yes, that's true, they spoke

5 frankly. The *gbaka* drivers asked to be able to drive in safety. The *Jeunes Patriotes*

6 hand in hand with the *gbaka* drivers will try to coordinate those activities tomorrow

7 morning and transport will resume in Yopougon.

8 What we have said is that political problems must be settled politically and the *gbaka*

9 drivers, the taxi drivers must understand that their daily bread comes from their

10 work tools. We should not mix up politics with work.

11 And thank God they followed us. You see, some people survived the First World

12 War. Others survived the Second World War. And others even survived the

13 tsunami. So the crisis we are going through today will come to an end some day.

14 When you see those who were your neighbours yesterday, leave, carrying their

15 property on their heads, how do you feel about that? You see, there will never be

16 any republic where you only have Alassane Ouattara supporters. That doesn't exist.

17 You will never find a republic, any republic where there are only Gbagbo supporters.

18 That doesn't exist.

19 Barack Obama was elected by Americans but ..."

20 PRESIDING JUDGE TARFUSSER: [10:36:01] Is it finished? Yes? But it said

21 timestamp 1.15. It was announced timestamp 1.5.49 to 1.15.18. This is on the

22 record.

23 MR N'DRY: [10:36:38] (Interpretation) That's the timestamp we mentioned, which

24 is -- that's the correct timestamp.

25 PRESIDING JUDGE TARFUSSER: [10:36:49] Well, then I missed the -- then I made a

1 mistake in watching it. Okay. Thank you.

2 MR N'DRY: [10:36:56] (Interpretation) Obligated, Mr President.

3 Mr President, your Honours, faced with the Prosecutor's allegations that -- and he is
4 told that Mr Charles Blé Goudé actually intervened to put an end to the violence.

5 Now, referring to his allegation, I refer you to the essential part of the speech for me
6 in which he says:

7 "Your Honours, these alleged attempts -- "

8 What the Prosecutor refers to as "alleged attempts" or "attacks" do point to the fact
9 that Mr Blé Goudé was informed and did not make any authentic attempts. He
10 made no genuine attempts to put an end to the violence and to say, "Stop, stop, do not
11 kill."

12 Now, we have just watched a video which relates to the reconciliation that occurred
13 between the protagonists who were involved in the incidents that happened in
14 Yopougon from 25 to 28 February 2011.

15 This is what Mr Blé Goudé says:

16 "I told them, I asked them, 'When you see those who were your neighbours yesterday,
17 take their property on their heads, when you see them leave your communes, how do
18 you feel about that? How does that affect you? What are your feelings? So you
19 will never have a republic which has only Alassane Ouattara supporters. That does
20 not exist. You will never find either a republic which only has Laurent Gbagbo
21 supporters. That does not exist.'"

22 I believe that that single sentence alone is sufficient to collapse the entire fabrication
23 by the Prosecutor in relation to Mr Charles Blé Goudé's participation in any common
24 plans whatsoever, whose purpose would have been to attack Mr Alassane Ouattara.

25 I'll conclude on another point. There is a doctrine of bare-hands resistance.

1 Bare-hands resistance has been constant, a constant position adopted by
2 Mr Blé Goudé throughout the crisis from the beginning to the end. This has been his
3 constant and coherent position.
4 Since 2002 or from 2002 up until 2011, that is, over a period of nine years, the
5 Prosecutor has not been able to show you a single video. No, we didn't even ask for
6 two. Just one video, one video in which Mr Charles Blé Goudé delivered a speech of
7 violence. *The conclusion is clear and Mr Charles Blé Goudé is a non-violent man;
8 that should be the logical deduction to be drawn here. Rather than try to find some
9 implicit formulae somewhere, let us rely on that which we can see.
10 I want to demonstrate -- rather, in an attempt to demonstrate Mr Charles Blé Goudé's
11 criminal intention to the Chamber, the Prosecutor relies on one excerpt, transcript 222,
12 2 October 2018, page 75, lines 17 to 20, and in that segment he tries to demonstrate to
13 you that Mr Blé Goudé had a criminal intent, and I quote the Prosecutor:
14 "Furthermore, Mr Blé Goudé knew that crimes would be committed in the normal
15 course of events as a consequence of his actions and his omissions. That is further
16 expanded in paragraph 1944 of our response. For example, he had a clear intention
17 when he declared that in a revolution, there is always collateral damage." End of
18 quote.
19 Now, the Prosecutor is demonstrating before you that Mr Charles Blé Goudé had a
20 criminal intent and this is what he quotes. He quotes a sentence, allegedly reflecting
21 something that Mr Charles Blé Goudé said, when he allegedly said that in a
22 revolution there is always collateral damage; therefore, Mr Charles Blé Goudé knew
23 *that, in the normal course of events, death would occur, but he went anyway.
24 Now, we will show you -- one minute, Mr President.
25 (Counsel confer)

1 MR N'DRY: [10:46:10] (Interpretation) Mr President, allow me to read this out so
2 that it is clear and so that you yourself can appreciate the circumstances in which Mr
3 Charles Blé Goudé made that statement or that sentence.
4 We were dealing with Witness P-87, who asked a question to Mr Charles Blé Goudé
5 as follows, and I quote:
6 "Yes, you have a situation where armed rebels have taken over some towns in the city.
7 You have armed patriots and then you have the police and the army, who do not
8 necessarily receive their salaries because there is no money. Aren't you afraid that in
9 a few months the situation would go out of control?" End of quote.
10 Now, the expression "collateral damage" in a revolution there is always collateral
11 damage. That is the answer, the answer provided to that question *asked by P-87,
12 and this is what Mr Blé Goudé says by way of answer:
13 "Ah, all right, this is what I meant. I wanted to say to you that in a revolution there
14 are always collateral effects or collateral damage. *You cannot seek to conduct a
15 revolution and expect that you would receive flowers in return. We know that the
16 situation is very difficult, and maybe it will become even more difficult in the months
17 ahead. But let me remind you that all the big countries which are free today have
18 had to go through this. Nelson Mandela and South Africa went through this.
19 France itself experienced this. The only problem, the only handicap that we have is
20 that there are people who claim to be the masters of the world, who today are
21 stopping us from earning our own freedom in much the same way as they earned
22 their own freedom. We are therefore aware of the situation. But God is on our side,
23 and we hope that God will get us out of the situation.
24 However, we are not going to just cross our arms or our hands. We are going to
25 have to fight. But I must insist that there will be no civil war here. The economic

1 problems relating to the closure of banks and all the shortages that we are
2 experiencing, these issues will be solved over time. The rebels and their masters
3 have a watch in their hands, but we have time on our hands. Thank you." End of
4 quote.

5 Reference CIV-OTP-0019-0135 at page 0137, lines 23 to 42.

6 This is very clear. When he talked about the collateral damage, what Mr Charles Blé
7 Goudé was referring to was the economic issues at stake. The question from P-97
8 was in relation to economic matters, be it shortages in the economy, soldiers who
9 were not receiving their salaries, if the situation were to drag on. And so we are
10 dealing here with economics, we are dealing with economic matters and therefore the
11 expressions used must be understood within the economic context.

12 Now, if you take an expression out of its context, then it no longer means anything
13 outside of that context. Otherwise it might even mean something else in any event.

14 Now, furthermore, if we really want to be logical, Mr Charles Blé Goudé says in
15 answer to the question that there will be no civil war here. You have all these
16 documents on the case file.

17 What then should be the position after these oral submissions? Your Honours, it is
18 for you to determine. It is you who will come to a decision. And I say luckily,
19 fortunately, it is you who will have to come it a decision. I say luckily or fortunately
20 because during the opening statements in this courtroom, Professor Alexander
21 Knoops, with whom I have had great pleasure working, I have learned a lot at the feet
22 of this great man, and who is an example of humility and I want it thank him for that.
23 During the opening statements in this courtroom, he told your Chamber by way of a
24 story, the story of a man who had been a victim of a legal mistake or error. He said
25 of this person that he had written a book to share his experience, and according to

1 him, legal errors are caused by a number of factors. But he came to the conclusion
2 that the causes of a miscarriage of justice, so to speak, or legal errors is to be blind to
3 legal issues. It's that blindness to legal issues, that is why we are happy that the
4 decision is in your hands, because the Prosecutor no longer has any elbow room,
5 because the case is in your hands.

6 As you go into your secret deliberations, the question must be: Has the Prosecutor
7 demonstrated that the alleged meeting of 24 February 2011 at the presidential
8 residence was preparatory of the Baron Bar meeting? That is the question you must
9 consider, and the answer must be no.

10 The question again must be: Has the Prosecutor demonstrated to your Chamber that
11 the Yopougon incidents occurred as a result of the Baron Bar meeting or rally? The
12 answer must be no.

13 The question again would be: Has the Prosecutor proven that the Baron Bar speech
14 was inflammatory and was it the cause of the alleged violence committed at the
15 roadblocks? Once again the answer must be no.

16 Question: Has the Prosecutor established that the roadblocks were part of a system
17 or a criminal network? The answer must be no.

18 And what would be the consequence of all this? It must be a no case for the
19 defendant to answer. The Defence does not have to answer. Thank you.

20 PRESIDING JUDGE TARFUSSER: [10:58:41] Thank you very much, Maître N'Dry,
21 *merci beaucoup*.

22 The floor is again to Mr Knoops to tell us how he wants to proceed.

23 MR KNOOPS: [10:58:55] Yes, Mr President. We suggest that the resuming time
24 will be dealt with by Maître Kadji. She will speak about the attempts of Mr Charles
25 Blé Goudé to end any violence before the crisis. Mr Zokou will do so for the events

1 during the crisis. Madam Kadji has probably 20, 25 minutes for submissions.

2 PRESIDING JUDGE TARFUSSER: [10:59:29] Then we go to tomorrow.

3 MR KNOOPS: [10:59:30] Yes.

4 PRESIDING JUDGE TARFUSSER: [10:59:31] Okay.

5 MR KNOOPS: [10:59:32] It's my suggestion. Okay.

6 Madam Kadji.

7 MS KADJI: [11:00:14] (Interpretation) Good morning, Mr President, your Honours.

8 Today, of course, I am speaking on behalf of the Charles Blé Goudé Defence team.

9 And after the remarks made by my learned colleagues, I would now like to show you

10 another Charles Blé Goudé, a Charles Blé Goudé that the Prosecution has refused to

11 look at despite the information that the Prosecution had in its possession.

12 I'd like to say a few words about the speeches made by Charles Blé Goudé,

13 specifically those speeches that were given before the election and before the

14 post-election crisis. The Prosecution has made out these speeches to be some kind of

15 deadly weapon wielded by Charles Blé Goudé, the speeches that according to the

16 Prosecution led to the post-election violence.

17 To this end we will first remind the Chamber of the position that the Prosecution took

18 regarding Charles Blé Goudé's speeches during the pre-election period. This stance

19 is summarised at paragraph 1844 of the Prosecution's response to our no case to

20 answer motion, and this stance taken by the Prosecution has been reaffirmed

21 throughout its entire oral submissions. During these hearings, the Prosecution has

22 made reference to a number of speeches given by Charles Blé Goudé in 2002, 2004 and

23 2007.

24 Mr President, your Honours, it is our position that the very essence of Charles Blé

25 Goudé's rhetoric is one of ongoing commitment to peace, non-violence, tolerance,

1 forgiveness and social cohesion. In other words, as my learned colleague Mr N'Dry
2 said, this man is not a man of violence. These values summarise the political
3 thought of Mr Charles Blé Goudé.

4 At first glance we see a contradiction in the Prosecution's reasoning. Several times
5 the Prosecution has attempted to make out that the speeches given several months or
6 even several years before the post-election had somehow some kind of impact on
7 people's behaviour and allegedly led them to commit crimes, even though implicitly
8 the Prosecution has acknowledged that Charles Blé Goudé had a certain rhetoric
9 which was peace-loving. His rhetoric was one of peace. And this is found in point
10 1844 of the Prosecution's response, a rhetoric of peace, of open hands, bare hands.

11 This very same contradiction can be seen in the oral pleadings of the Prosecution.

12 On 2 October 2018, the Prosecution made reference to a number of statements that Mr
13 Charles Blé Goudé made in public in 2002, 2004, 2007 and so on. These are to be
14 found in transcript 222 of 2 October 2018, page 73, lines 21 to 28, and at page 74, lines
15 1 to 4.

16 We shall establish here, your Honours, before you that no matter what the time frame
17 might be, the various speeches that Charles Blé Goudé gave were all speeches
18 intended to defend the institutions of the republic and to defend the people and to
19 avoid any recourse to violence.

20 Thus, this Court must avoid the labels and the prejudices that the Prosecution have so
21 cleverly invented without any evidence. I will take a thematic approach when I
22 analyse the various values expressed by Charles Blé Goudé in support of peace in
23 Côte d'Ivoire, and I shall rely on only two documents.

24 I'll begin with Charles Blé Goudé's call for social cohesion and for acceptance of
25 people from other walks of life or other backgrounds and their differences. To this

1 end I shall rely upon CIV-D25-0008-0006 to page 0008. This is, your Honours, an
2 article that appeared in a newspaper called *Fraternité Matin* on 28 July 2006.
3 If the Court officer could give us control over the system. Thank you.
4 Just to give you some background, this is an interview that Charles Blé Goudé gave to
5 this newspaper, *Fraternité Matin*, after the agreement that was called the Café de
6 Versailles agreement of 26 July 2006. This was an agreement that brought together
7 young people from all political affiliations. I am relying upon this exhibit because it
8 is Charles Blé Goudé himself who speaks. I'm making this point very clear because
9 newspaper articles can be assessed in a number of ways by the Chamber.
10 I'd now like to ask my colleague if she could put up one particular part of the article.
11 I'm not sure if you can see this particular extract, but I shall read it out.
12 In response to the question put by the journalist: "Who initiated your meeting?
13 Who called whom? The people of Côte d'Ivoire want to know how it came to be that
14 you gathered together."
15 Charles Blé Goudé gave this reply, and I quote: "We promised ourselves that we
16 would not reveal how these discussions came to be, these discussions that were
17 termed the political café of the youth of Côte d'Ivoire, because when a PDCI
18 supporter meets a Young Patriot or vice versa, that person should be able to laugh.
19 Politics should become a game. When one side sees another, they mustn't have any
20 impression that they have just *sighted the devil." End of quote.
21 So what is Charles Blé Goudé asking for? He's asking each and every person to use
22 his or her friendships on the other side to avoid any rise in tension. He wants people
23 to remember that they have links to others in all the other various political parties.
24 Is this the rhetoric of hate that the Prosecution speaks of? Is this the man that the
25 Prosecution has depicted before this Chamber, the man whose rhetoric allegedly

1 increased violence in Côte d'Ivoire? Obviously no. When the Prosecution adduced
2 its evidence, it did not establish any such thing.

3 I would now like to ask for a screenshot of the photograph that is to be found on this
4 document.

5 Mr President, your Honours, in this photograph we see the diversity, all the various
6 people who took part in this meeting, this meeting held to establish peace in Côte
7 d'Ivoire. For example, we see Charles Blé Goudé, president of the COJEP. To his
8 left Kouadio Konan Bertin, often referred to as KKB, president of the PDCI youth
9 wing; to his right Karamoko Yayoro, president of the RDR youth wing; behind these
10 people we see Legre Thierry, president of the KADO, this was an association affiliated
11 with Alassane Dramane Ouattara; we see Stéphane Kipré, president of the MFA
12 youth association; we see Tiéhi Joël, former captain of the Côte d'Ivoire national
13 football team; Serges Kassi, a reggae artist. And these are just a few of the people
14 that we can speak of.

15 This is a powerful image, Mr President, your Honours. This image shows that
16 Charles Blé Goudé and the other young people had cast their nets very wide so as to
17 achieve a consensus for peace, perfect peace or an almost perfect peace.

18 Charles Blé Goudé's efforts to ensure that such meetings be held shows amply that he
19 wanted to maintain peace in Côte d'Ivoire. He is far from being the diabolical man
20 that the Prosecution has attempted to depict before this Court, providing one
21 speculation after another.

22 In response to the question put by the journalist, and if you could kindly put that
23 passage up on the screen, I quote: "Some people talk about capitulation, they say
24 you are capitulating in response to terror. What do you say in response to that?"

25 Charles Blé Goudé says this: "If capitulation can save Côte d'Ivoire, if it can save

1 Côte d'Ivoire from a catastrophe, that's fine." End of quote.

2 Here, your Honours, we see that in response to attempts to intimidate Charles Blé
3 Goudé, attempts to hurt his ego, he stands firm and continues to state that he is
4 working to achieve peace and social cohesion at any cost, even if it means that he is
5 made out to be some kind of coward. And that is the Blé Goudé that the people of
6 Côte d'Ivoire know, that Africa knows.

7 I shall now continue with one particular point that he made when he answered the
8 journalist's question. He says this:

9 "In response to those who talk about capitulation, I say that the real capitulation is not
10 to use one's influence to save the country from a catastrophic situation, that is to say,
11 be indifferent to a catastrophe. That is what capitulation is. I spoke to my friends
12 and now these other people who are now speaking, what are they suggesting? This
13 is what I am asking for. I don't want a civil war. I want the clashes to end."

14 Mr President, your Honours, such statements are crystal clear. And we do
15 not -- *this is not what Prosecution called "non-explicit words". This is very, very
16 clear. And we do not know exactly what magic tricks the Prosecution pulled out of
17 its sleeve to interpret these remarks as a call to violence before the election. And I
18 would like to specify that we are talking about remarks made in 2006.

19 Thus, in this interview published on 28 July 2006, Charles Blé Goudé makes it very
20 clear that he has taken initiatives to achieve peace in Côte d'Ivoire.

21 For example, the meeting that was held with representatives of RHDP youth and the
22 thanks he gave to all the people representing the various youth groups.

23 Another example, the invitation to all the representatives of other movements who
24 were dragging their feet; he invited them to become part of the process and enhance
25 it.

1 For example, his strong desire to see older people to follow suit in this peace process,
2 the caravan that had begun, thanks to him.

3 Another example, his desire to see Prime Minister Banny keep a low profile so as to
4 facilitate easing of tensions and a definitive return to peace; his sending compatriots
5 to certain regions to try to calm young people down; and his firm decision to travel to
6 keep young people from resorting to violence in Divo and in Bassam, two places in
7 Côte d'Ivoire that were powder kegs at the time.

8 Another example, his wish to see all the leaders of the political parties to meet and to
9 have discussions for transparency for the upcoming election.

10 Mr President, your Honours, we are of the view that this is what you could call
11 "going the extra mile" for a cause. In this particular case, the cause of peace. The
12 Prosecution and none of its witnesses have challenged the veracity of these things.
13 I would now like to underscore the other battles that Charles Blé Goudé has led;
14 namely, the battle for tolerance, the battle for forgiveness and, once again, the
15 acceptance of others with their differences. Once again the Prosecution thought it
16 better to turn a blind eye to everything that Charles Blé Goudé did. They have done
17 all they can to make him out to be a warlord.

18 I will now move to my second exhibit which will give the lie to the Prosecution's
19 allegations; namely, video CIV-D25-0001-0742.

20 Your Honours, this footage was shot at a meeting initiated by Charles Blé Goudé on
21 10 September 2010 at the COJEP headquarters with representatives of the Muslim
22 community.

23 We would remind the Chamber that these headquarters are in the very heart of
24 Yopougon, which was described as a Gbagbo stronghold. And yet, these Muslim
25 representatives did not hesitate to go there because they knew that they were not

1 being threatened; that they were subject to no threat.

2 The first part that we are going to view goes from 00 to timestamp 1.45.

3 (Viewing of the video excerpt)

4 THE INTERPRETER: [11:21:54] Sight translation of transcript. (Interpretation of
5 the video excerpt)

6 "The political café, the tribune for discussion was this weekend the second stage at
7 COJEP headquarters in Yopougon. The deputy-director of the national campaign for
8 the candidacy of Laurent Gbagbo responsible for mobilisation of youth, Charles Blé
9 Goudé, received representatives of various Muslim associations, such as, the
10 association of one young imam in Côte d'Ivoire, the university Muslim community
11 and the Association of Muslim Students in Côte d'Ivoire.

12 Charles Blé Goudé: We still have the opportunity to save this country. When we
13 talk about the future of Côte d'Ivoire, don't feel as though you have been put on the
14 sidelines. When we talk about change in Côte d'Ivoire, don't feel excluded. When
15 we talk about defending the identity of Côte d'Ivoire, Muslims should not feel that
16 they have been set aside because Muslims are part of Côte d'Ivoire. Muslims are
17 people, citizens of Côte d'Ivoire.

18 When we say go out and defend Côte d'Ivoire, don't feel that you are set off on the
19 sidelines. It is with you that we will go defend Côte d'Ivoire, led by someone who
20 has a vision for Côte d'Ivoire.

21 Journalist number 1: After hearing the teachings and seeing the sense of -- the
22 fighting sense of President Laurent Gbagbo to make Côte d'Ivoire a developed
23 country and a prosperous country for the well-being of the citizens, the youth of the
24 Muslim community promise to be part of this, this mandate entrusted by the
25 deputy-national director of the campaign responsible for mobilisation of youth,

1 Charles Blé Goudé."

2 End of sight translation.

3 MS KADJI: [11:24:18] (Interpretation) So here, we were able to see that Blé Goudé
4 was speaking to Muslim people. He reminded them and acknowledged their place
5 within the society of Côte d'Ivoire.

6 And, we would like to make the following point: If Charles Blé Goudé was this
7 radical person, anti-Muslim, as the Prosecution has made him out to be, would he
8 have invited them to his headquarters?

9 Wasn't this just for electoral reasons, but wasn't it, rather, part of his -- wasn't it in
10 keeping with the behaviour he has exhibited since the beginning of the crisis in Côte
11 d'Ivoire: tolerance, acceptance of others, which he advocates up until today.

12 Charles Blé Goudé said clearly that Muslims were part of Côte d'Ivoire. That
13 Muslims were fellow Ivorians. He did not say that some Muslims were Ivorians and
14 others were not. But the Prosecution stubbornly sticks to another narrative; it wants
15 to understand something else.

16 We will now hear another passage, and we will see that this welcome was well
17 received by the Muslim community because this community felt the need for this.

18 We will now listen to the same footage from timestamp 1.46 to timestamp 2.42.

19 (Viewing of the video excerpt)

20 THE INTERPRETER: [11:26:30] Sight translation. (Interpretation of the video
21 excerpt)

22 "My concern had to do with the wearing of the veil at school because sometimes you
23 see teachers saying that girls wearing a veil cannot come to class and they ask them to
24 take off their veil. But I expressed my concern and I was very satisfied with the
25 response that President Blé Goudé gave me.

1 Another person, a man goes on to say this:
2 We came to talk today and we talked about everything. We talked about changes
3 within Côte d'Ivoire because, you see, with our argument before, we thought that all
4 Muslims were banned, excluded. But today, thanks to what has just been said, we
5 have understood that we are part of a very deep struggle. Today, we are becoming
6 more aware and because we are becoming more aware, we realise that this is a man
7 who is encouraging us along this path, and he is continuing with these various
8 meetings and these various events and that there will be more of them.

9 Journalist number 2:

10 Dialogue continues in Abobo at the invitation of Muslim youth. It has become more
11 of a political discussion, a dialogue within a friendly setting about -- talking about
12 President Laurent Gbagbo's plans and his agenda for his government. Prayers were
13 given so that Allah should confirm the power granted to his son, President
14 Laurent Gbagbo."

15 MS KADJI: [11:28:21] (Interpretation) It would appear that the interpreters went a
16 little bit further than what we actually played out.

17 In this particular part, we hear from two young people who expressed their
18 satisfaction at Charles Blé Goudé's initiatives, what he has done to counter the
19 misinformation that was being circulated in order to create and stir-up ethnic tension.
20 So this, you see, is an example of the social cohesion and tolerance that Charles Blé
21 Goudé was advocating for.

22 Similarly, later on, Charles Blé Goudé did not hesitate to answer the invitation
23 extended by the Muslim community.

24 And if we could hear another short excerpt, 2.42 to 2.48.

25 (Viewing of the video excerpt)

1 THE INTERPRETER: [11:29:32] Sight translation. (Interpretation of video excerpt)
2 "Journalist number 2: The free dialogue continued in Abobo at the request of
3 Muslim youth."
4 MS KADJI: [11:29:52] (Interpretation) So, you see, this is the tolerance and the
5 social cohesion that Charles Blé Goudé has advocated for, which the Prosecution
6 refuses to see because they have already drafted their screenplay, their script, and
7 they are sticking to it, clinging to it.
8 I think it is necessary to remind the Court that the Prosecution brought Charles Blé
9 Goudé to this Court to be held accountable for crimes against humanity, the worst
10 crimes one can imagine.
11 By doing so, the Prosecution essentially relies on Charles Blé Goudé's speeches before
12 and after the 2010 elections in Côte d'Ivoire. The Prosecution states, with a view to
13 establishing the guilt of Charles Blé Goudé, that these speeches, from 2002 onwards,
14 were a form of encouragement.
15 But what did the Prosecution actually do to establish this? The Prosecution has
16 engaged in countless deductions, suppositions, allegations, conjecture and has been
17 unable to bring any witness before this Court who said that Charles Blé Goudé
18 engaged in a rhetoric of violence *during the post-election crisis.
19 We call upon the honourable members of this Chamber to draw the necessary
20 consequences according to the law, the consequences of these failings, this inability of
21 the Prosecution to prove its statements, their preconceived notions, because we
22 cannot even talk about beyond *any reasonable doubt. There is no doubt here.
23 Nothing has been demonstrated. Nothing has been established.
24 The Prosecution's case is but an empty shell. This is why I call for a complete and
25 total acquittal of Mr Charles Blé Goudé and, thus, justice shall be served.

1 I thank you.

2 PRESIDING JUDGE TARFUSSER: [11:32:35] Thank you. Thank you very much.

3 Now just before adjourning, I just would really ask the Registry and the people in the
4 booth for a very thorough editing and proofreading of the transcripts, because by
5 listening in French and reading in English, I realise some, yes, some serious mistakes
6 in or free interpretation maybe in the interpretation, and I just want to make some
7 examples.

8 "*C'est ne pas vrai*" was translated with "this is not so," which I don't think is really the
9 same. It's today in page 6, line 3 of the English transcript.

10 Then when I asked for the timestamp before, in English it was 15 and not 8, 8 became
11 15 in the translation.

12 There is the other thing I referred to this morning where the translation reversed
13 completely the meaning.

14 And yesterday the expression "*mot valise*" was translated with "concept," which I also
15 think is not really the right translation.

16 So really I think the proofreading of the transcript is vital in this trial.

17 Thank you very much. The hearing is adjourned to tomorrow morning 9.30.

18 Thank you.

19 THE COURT USHER: [11:34:17] All rise.

20 (The hearing ends in open session at 11.34 a.m.)

21 CORRECTION REPORT

22 The Trial Chamber I has brought the following correction into the transcript:

23 Page 3, line 7:

24 "this person is debatable"

25 Is corrected to Page 3, line 7:

1 "this person is beyond reproach"

2 CORRECTION REPORT 2

3 The following corrections, indicated by an asterisk in the transcript, have been
4 implemented:

5 Page 4, line 2:

6 "P-427"

7 Is corrected to Page 4, line 2:

8 "P-0087"

9 Page 5, line 10:

10 "P-467"

11 Is corrected to Page 5, line 10:

12 "P-449"

13 Page 7, lines 24-25:

14 "The gentleman was there. You saw the report yesterday. Did you send it to Mr
15 Blé Goudé, yes or no?"

16 Is corrected to Page 7 lines 24-25:

17 "Mr Brindou M'Bia was there. He was asked: "You received a report, did you send
18 this report to Mr Ble Goudé?" He answers, yes or no. And then the account is
19 written down."

20 Page 18, line 7:

21 "I guess the conclusion is clear"

22 Is corrected to Page 18, line 7:

23 "The conclusion is clear"

24 Page 18, line 23:

25 "that in these operations, death would occur"

- 1 Is corrected to Page 18, line 23:
- 2 "that, in the normal course of events, death would occur, but he went anyway."
- 3 Page 19, line 11:
- 4 "from P-97"
- 5 Is corrected to Page 19, line 11:
- 6 "asked by P-87"
- 7 Page 19, lines 14-15:
- 8 "You cannot seek to prosecute a revolution or to conduct a revolution"
- 9 Is corrected to Page 19, lines 14-15:
- 10 "You cannot seek to conduct a revolution"
- 11 Page 24, line 20:
- 12 "cited"
- 13 Is corrected to Page 24, line 20:
- 14 "sighted"
- 15 Page 26, line 15:
- 16 "this is not some sort of vague or unformed thoughts being expressed."
- 17 Is corrected to Page 26, line 15:
- 18 "this is not what Prosecution called "non-explicit words"."
- 19 Page 31, line 18:
- 20 "before"
- 21 Is corrected to Page 31, line 18:
- 22 "during"
- 23 Page 31, line 22:
- 24 "all possible"
- 25 Is corrected to Page 31, line 22:

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1 "any reasonable"