

1 International Criminal Court
2 Trial Chamber I - Courtroom 1
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera-Carbuccia and
7 Judge Geoffrey Henderson
8 Trial Hearing
9 Tuesday, 24 May 2016
10 (The hearing starts in open session at 9.35 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.
15 Before we start with the examination of the witness, good morning, Mr Knoops, just
16 welcome back. I really don't know, but condolences in any case from the Chamber.
17 MR KNOOPS: Thank you, Mr President, for the condolence of the Chamber. I will
18 pass them to my family. Thank you.
19 PRESIDING JUDGE TARFUSSER: So before starting with the new witness, the
20 Chamber has to rule on three issues. So we have three oral rulings. The first one is
21 the ruling on the Prosecutor's application for Witnesses P-321 and P-520 to give
22 testimony by video link. On the basis of the submissions received and in particular
23 the expert assessment made by the VWU of the Registry, the Chamber hereby
24 authorises that the testimony of Witnesses P-520 and P-321 is conducted via video
25 link.

1 Considering the immaculate quality of the video link connection thus far, the
2 Chamber is of the view that this measure will not inadequately affect the rights of the
3 parties to question the witnesses or the Chamber's duties to ascertain the truth.
4 The concerns expressed by the parties as to possible external intrusions with the
5 witness's testimony are without merit, particularly since professional Registry staff is
6 at all times present at the video link location.
7 In relation to the requests of the parties to have so-called extended video link, this is
8 to say with the presence of counsel of all parties and participants at the location, the
9 Chamber observes that in relation to Witness P-520, the VWU has stated that the
10 presence of counsel at the video link location could affect the witness's well-being.
11 As regard Witness P-321 the Registry has expressed its reservations regarding the
12 number of persons to be present at the video link location as they could have an
13 impact on the security.
14 Accordingly, the Chamber does not consider that extended, so-called extended video
15 link is necessary to guarantee the fairness of the proceedings. In fact, pursuant to the
16 Registry's observations, extended video link could have an impact on the safety and
17 well-being of the witnesses and potentially also on the security of staff and counsel
18 involved in the video link.
19 As a result of the above determination, the courtesy meeting should also take place
20 via video link. Apart from the lack of physical presence of the witness in The Hague,
21 their testimony and their prior familiarisation process should remain unaltered.
22 In relation to the request for protective measures for Witness P-321, and after having
23 received the VWU assessment, the Chamber hereby grants the protective measures of
24 voice and face distortion, pseudonym and use of private sessions.
25 Finally, the Chamber notes that the Blé Goudé and Gbagbo Defence filed on 18 and 20

1 May 2016 their responses to the Prosecution request for protective measures related to
2 Witness P-520, and I'm referring to filings 555 and 557. However, the Chamber will
3 not rule on this matter at this point in time. The Chamber directs the Registry to
4 submit its assessment and any observations in relation to the protective measures
5 sought for Witness P-520 by 3 June 2016.

6 I will now turn to the oral application by the Prosecutor for the Chamber to take
7 judicial notice of the so-called map book.

8 The Chamber has taken note of the Prosecutor's oral request for the Chamber to take
9 judicial notice of the so-called map book of Ivory Coast. I'm referring to transcript of
10 12 May 2016, T-38, page 57.

11 The map book contains 12 maps of Ivory Coast as well as its capital Abidjan -- well, as
12 well as Abidjan, which is not the capital. Some of the maps have been annotated by
13 the Prosecutor.

14 The Chamber is not in a position to take judicial notice of the Prosecutor's map book.
15 As the Chamber itself is unfamiliar with the geography of Ivory Coast and Abidjan, it
16 has no way of knowing whether the map contained in the map book accurately
17 reflects the locations depicted.

18 Moreover, the Chamber has no information about cartographical expertise of the
19 entities that produced the maps contained in the map book. In any event, even if the
20 Chamber were to take judicial notice of the maps, this would still not meaningfully
21 advance the proceedings as the real question is not why -- what the layout of Abidjan
22 is, but, rather, where material facts actually took place. Of this the Chamber cannot
23 take judicial notice.

24 Accordingly, rather than taking judicial notice of the map book, the Chamber instead
25 instructs the parties to agree by 6 June 2016 on a selection of maps showing all the

1 areas that are relevant to this case. To the extent possible, parties are invited, but not
2 expected to agree on where material facts actually took place. In any case, expects
3 the parties to present the Chamber with cartographic materials that is sufficiently
4 detailed to allow the precise location of all material facts and events during the
5 hearings.

6 Finally, the Chamber rules on the Blé Goudé Defence motion to exclude the
7 documentary Shadow Work related to our next witness P-431: In light of the
8 Prosecutor's submissions, T-42, I'm referring to T-42 of the 19 May 2016, stating that
9 she will not submit as evidence the documentary in question, the Chamber considers
10 that the application is moot.

11 Nonetheless, and in light of the submissions made by the Gbagbo Defence, filing 558,
12 referring to the Chamber's directions on the conduct of the proceedings, the
13 Prosecutor is directed to limit the questioning of the witness to what he personally
14 saw and to the conditions in which he proceeded to shoot the material that will be
15 relied upon by the Prosecutor. I'm referring to the raw footage.

16 In light of this, the Prosecutor shall conclude with the questioning of the witness
17 today. The Defence of Mr Gbagbo and Mr Blé Goudé shall be ready to commence
18 their questioning immediately after.

19 These are the oral rulings by the Chamber.

20 And now we proceed with the next witness, Witness 431, I have to always to change
21 numbers. So please could the court usher introduce the witness, thank you.

22 MR KNOOPS: Mr President, the translation is not working for the defendant,
23 Mr Blé Goudé, on the computer. Could the court usher maybe --

24 PRESIDING JUDGE TARFUSSER: The translation?

25 MR KNOOPS: Yes.

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1 PRESIDING JUDGE TARFUSSER: I don't know what you mean by the translation is
2 not working.

3 MR BLÉ GOUDÉ: Mr President, I have no written translation. Yes.

4 PRESIDING JUDGE TARFUSSER: The French transcript is not working?

5 MR BLÉ GOUDÉ: Yes. I have the image, but there is no written transcription.

6 PRESIDING JUDGE TARFUSSER: Okay.

7 (The witness enters the courtroom)

8 PRESIDING JUDGE TARFUSSER: Well, I'm assured that both transcripts are
9 working. Probably there is a problem on the computer, and we have asked someone
10 to come to solve the problem. Okay. Thank you. But I think you don't mind if we
11 continue?

12 MR BLÉ GOUDÉ: Please, Mr President?

13 PRESIDING JUDGE TARFUSSER: You don't mind if we continue.

14 MR BLÉ GOUDÉ: Yeah, your Honour, you can continue, no problem.

15 PRESIDING JUDGE TARFUSSER: Okay. Thank you.

16 Good morning, Mr Witness.

17 WITNESS: CIV-OTP-P-0431

18 THE WITNESS: Good morning.

19 PRESIDING JUDGE TARFUSSER: You are for us, for the Chamber, you are Witness
20 431, but as you don't have protective measures, I can address you with your name.
21 And I will now proceed to identify you before giving the floor to the parties for your
22 testimony.

23 You are Mr Nigel Walker, born on 17 June 1970 in Hammersmith, London, United
24 Kingdom; is that correct?

25 THE WITNESS: That is correct.

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1 PRESIDING JUDGE TARFUSSER: Can you tell us what your current occupation is.

2 THE WITNESS: I am a TV producer.

3 PRESIDING JUDGE TARFUSSER: Freelance or are you employed somewhere or are
4 you --

5 THE WITNESS: I'm freelance.

6 PRESIDING JUDGE TARFUSSER: Okay. You are certainly aware that this
7 Chamber has been established to try the case of the Prosecutor versus Mr Gbagbo and
8 Mr Blé Goudé?

9 THE WITNESS: I am aware.

10 PRESIDING JUDGE TARFUSSER: And that you are here called to assist us in our
11 search for the truth and, therefore, you will be asked questions by the parties. I
12 mean, we will start with the Office of the Prosecutor and then turn to the two Defence
13 teams. Maybe it might be that also the Judges have questions to put to you. If at
14 any point you have concerns or you'd like a break, you don't feel at ease or whatever
15 you would need, just tell me and we will try to accommodate it.

16 Obviously you know that as a witness in this proceedings, it is your duty to tell the
17 truth. And so before we start with the questioning, you're required by law to make a
18 solemn undertaking to this effect. And so I would ask you to repeat the following
19 words: I solemnly declare that I will speak the truth, the whole truth and nothing
20 but the truth.

21 THE WITNESS: I solemnly declare that I will speak the truth, the whole truth and
22 nothing but the truth.

23 PRESIDING JUDGE TARFUSSER: Thank you very much. Obviously I have to
24 inform you also that giving false testimony is an offence before the Court and is
25 punishable.

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1 Last thing, I have to tell you that we are a court where our working languages are
2 English and French. You speak English, of course, so I would really ask you to
3 speak slow, to wait before responding for a couple of seconds in order to allow the
4 interpreters and the court reporters to translate and to write down perfectly what you
5 are saying. So this is obviously for both parts. And I know that in the -- while
6 speaking, it's not always easy to follow this, but I will ask you in case to recall this
7 and probably I will have to intervene a few times in order to slow down the pace.
8 So I think we are ready now to start the questioning, starting by the Office of the
9 Prosecutor, whom I give the floor.

10 QUESTIONED BY MS PACK:

11 Q. Good morning, Mr Walker. My name is Melissa Pack, and I will be
12 questioning you on behalf of the Prosecution. We met very briefly last Friday at the
13 courtesy meeting. So like his Honour said, we'll go quite slowly because we're both
14 speaking the same language and we have to wait for the interpreters around us to
15 interpret what we're saying.

16 Now, in 2006, you went to Côte d'Ivoire. Can you tell us the dates you travelled to
17 Côte d'Ivoire?

18 A. It would have been in the beginning of May of 2006 until August of 2006.

19 Q. Why did you travel to Côte d'Ivoire?

20 A. I travelled to Côte d'Ivoire to make a documentary film about the presidential
21 elections and the people involved in that process.

22 Q. And at the time what was your occupation?

23 A. My occupation at the time was as a freelance cameraman and freelance line
24 producer.

25 Q. Did you travel with anyone, without naming any names in public, did you

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1 travel with anyone to Côte d'Ivoire?

2 A. I did not travel with anyone to Côte d'Ivoire.

3 Q. You told us that you were -- you travelled to Côte d'Ivoire to make a
4 documentary film. Who did you make -- did you make that film with anyone,
5 without naming names in public?

6 A. There were a number of people that helped me make that film, both from Côte
7 d'Ivoire and from the United States.

8 MS PACK: Your Honours, I would ask very briefly to go into private session, no
9 more than a couple of minutes.

10 PRESIDING JUDGE TARFUSSER: Yes, please. Can we go in private session.

11 (Private session at 9.55 a.m.) * Reclassified partially as public

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 A. (Redacted). I would also add that because I don't speak French
- 11 fluently, I required the use of a translator for a lot of the time. (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Open session at 10.01 a.m.)
- 20 THE COURT OFFICER: (Interpretation) We are in open session, Mr President.
- 21 MS PACK: Thank you, your Honour.
- 22 Q. Now, just going back to your trip to Côte d'Ivoire, do you recall where, which
- 23 area you stayed in Abidjan -- in Côte d'Ivoire, let's start? You can tell me where you
- 24 went.
- 25 A. I stayed in Yopougon for about a week, then Deux Plateaux for the rest of the

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1 trip, two, two to three months.

2 Q. How did you travel around when you were there in Côte d'Ivoire?

3 A. I used public transport, taxis and minibuses.

4 Q. You told us you were in Côte d'Ivoire to make a documentary. Did you
5 conduct filming when you were there?

6 A. I did.

7 Q. Who was it who carried out the filming?

8 A. It was -- I carried out all the filming.

9 Q. Can you describe the camera that you used to film?

10 A. The camera was a very small Panasonic camera and attached to that camera was
11 a professional audio mic, and when I was filming a rally I would attach a radio mic to
12 the subject, and that mic would send the audio file directly back into the camera.

13 Q. Your filming using this camera of any given event, was it continuous or did you
14 stop and start the camera as you filmed?

15 A. The majority of the time, the camera was stopped and started. However, there
16 were a few occasions, usually when I was interviewing somebody, where the camera
17 was running for the entire time.

18 Q. When you were filming, did you yourself, did you take any notes?

19 A. I did. I took a lot of notes.

20 Q. And what was the purpose of your notes?

21 A. The purpose of my notes was to capture the feelings I had during the making of
22 the film. So later, when I was editing the film, I could refer to the notes and it would
23 help me make a more accurate film.

24 Q. Do you recall how many tapes of footage you filmed while you were in Côte
25 d'Ivoire?

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1 A. I recall it was about 28 or 29 tapes.

2 Q. And these were tapes shot with your Panasonic camera that you've described?

3 A. That is correct.

4 Q. Did you send copies of some of these tapes to the Office of the Prosecutor here
5 in The Hague?

6 A. I did.

7 Q. Can you tell us what format they were in and how you copied the tapes?

8 A. I believe I transferred the tapes to a digital file and couriered that file on a drive,
9 a hard drive to the Court here in Holland.

10 Q. Now, you've told us about notes that you took. Were there any other -- were
11 there any other materials that you provided to the Office of the Prosecutor that
12 related to the tapes that you sent?

13 A. Yes. There are a couple of additional items I submitted. The first were
14 transcripts of those tapes. So the tapes were logged and translated when necessary
15 and we used as a reference to each tape that was submitted, I also submitted
16 newspapers from the country that I collected every day I filmed in Côte d'Ivoire.

17 Q. I'd like to ask you briefly about the transcripts you've mentioned. You've told
18 us they were a reference to each tape that was submitted. Were these verbatim
19 translations or transcripts or were they something else?

20 A. They were verbatim inasmuch as can be understood in the quickest way
21 possible. Once I decided to use certain sections of the tape, I then had them
22 retranslated to make sure that the first translation was correct. And this was
23 performed by translators in the United States and Côte d'Ivoire.

24 Q. Now, you've mentioned your notes that you took during filming. What
25 happened to them?

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1 A. Some of them I kept in a journal. The ones I kept were -- the notes I kept were
2 not -- they did not include information of names and personal information. They
3 were my personal notes and feelings. Some of the notes I destroyed before leaving
4 the country.

5 Q. And just on the transcript again, transcripts, did they include any commentary,
6 the transcripts that you described of the tapes?

7 A. I believe they didn't.

8 Q. Why did you destroy your notes before leaving the country?

9 A. I destroyed some of my notes because I knew that I had recorded sensitive and,
10 let's say revealing information that I deemed was dangerous for me to have.

11 Q. Dangerous in what way?

12 A. It revealed the infrastructure of the Young Patriots, COJEP.

13 Q. Did you create a list of all of the tapes that you collected, filmed on your trip to
14 Côte d'Ivoire?

15 A. I did.

16 MS PACK: I'd like please to show the witness, and this should be confidentially,
17 CIV-OTP-0058-0098-R01. I think the number hasn't come up right. Well, I've
18 obviously read it out wrong. It should be 0058-0891, my mistake. Sorry to the court
19 officer. Again, it should be confidentially shown.

20 Q. I hope you can see the document there on the screen. I'm having trouble
21 myself, but can you see the document on the screen?

22 A. I can see it.

23 Q. Now, is this a list -- and we can just -- if we can just scroll down to the bottom of
24 the page, is it a list of the tapes that you shot in Côte d'Ivoire? In fact, we can go over
25 the page, please, and we'll just scroll slowly down the pages so you can see right to

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1 the end.

2 MS PACK: Your Honours, I wonder if it would be easier if I gave the witness a hard
3 copy with your permission and with no objection from the parties. I've just got a
4 clean hard copy and it's probably a lot easier than flicking through it on the screen.

5 MR O'SHEA: No objection at all.

6 PRESIDING JUDGE TARFUSSER: I think we should start from the assumption that
7 if the Prosecutor says there is no -- that it's clean, it is clean, I mean.

8 MS PACK: It's clean with a hole punch, Mr President.

9 PRESIDING JUDGE TARFUSSER: No, no, no. I think we should arrive to this level
10 of mutual fairness, I would say, so that if we say something is clean, it is clean
11 without now controlling. But okay. Please go ahead.

12 MS PACK: Thank you, your Honour.

13 Q. Perhaps, Mr Walker, if you just look through that document.

14 And we know that it's numbered, just for the record, it's from 0891 and what the
15 witness has is the full document up to 0894.

16 And just looking at the very last page there, 0894 at the very bottom, you can see tape
17 29. Is that the number of tapes that you shot in Côte d'Ivoire?

18 A. That is correct.

19 Q. Were all of these tapes sent to the OTP?

20 A. I don't --

21 Q. The Office of the Prosecutor, I'm sorry for using that acronym?

22 A. I don't believe so.

23 Q. Were the tapes edited before -- the ones you sent, were they edited before they
24 were sent to the Office of the Prosecutor?

25 A. No, absolutely not.

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1 Q. Can you remember how many tapes you copied and sent to the Office of the
2 Prosecutor? Don't worry if not.

3 A. I don't recall. Over 10, over 10, between 10 and 20.

4 Q. We'll refer to some of them today, and as we do so, I wanted to remind you of
5 one matter, which is that what I am going to ask you about is what you saw and
6 heard on your trip to Côte d'Ivoire when you were filming, not about your opinions
7 about what you saw or the conclusions that you reached.

8 Now I'd like to start with your arrival in Côte d'Ivoire. When you got there, what
9 did you want to do?

10 A. I wanted to meet Mr Blé Goudé.

11 Q. What steps did you take to try and meet Mr Blé Goudé?

12 A. A lot of steps. I contacted his IO or the people who were working with me
13 contacted his press people to organise and interview with him.

14 Q. How did you or the people you were working with, how did, how did you
15 contact Mr Blé Goudé's press people?

16 A. Through multiple phone calls.

17 Q. Did you know where Mr Blé Goudé was staying at this time?

18 A. I did, yes.

19 Q. Where?

20 A. He was living at the hôtel Ivoire, in Abidjan.

21 Q. How did you know that?

22 A. It was widely reported.

23 Q. Did you yourself go to the hôtel Ivoire?

24 A. Many times.

25 Q. And what was your purpose in going there?

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1 A. The purpose was either to meet Mr Blé Goudé's press people to organise an
2 interview or to meet with Mr Blé Goudé.

3 Q. Did you meet Mr Blé Goudé at the hôtel Ivoire?

4 A. Eventually I did.

5 Q. Do you recall the date that you met Mr Blé Goudé at the hôtel Ivoire?

6 A. I believe it was in July.

7 PRESIDING JUDGE TARFUSSER: 2006.

8 THE WITNESS: 2006, sorry.

9 MS PACK:

10 Q. What happened when you met Mr Blé Goudé at the hôtel Ivoire?

11 A. I met Mr Blé Goudé at the hôtel Ivoire at least two times. The first time we had
12 an informal chat in the lobby café and we discussed an interview with him and we
13 also discussed me filming him at one of his rallies.

14 Q. Do you remember who he was with when you met him on this occasion?

15 A. On all the occasions he was with between five or six people, two or three of
16 which were press people, his media people, and two or three who were his security.
17 Sometimes there were more.

18 Q. Now, you mentioned that you discussed filming Mr Blé Goudé at one of his
19 rallies. Where, where was that rally to take place?

20 A. I filmed Mr Blé Goudé at I believe two rallies. One was in Yamoussoukro and
21 the other was at the Palace of Culture in Treichville.

22 Q. Which was the first of the two?

23 A. The first rally I filmed was in Yamoussoukro.

24 Q. When did you go there in relation to when you met Mr Blé Goudé in Abidjan?

25 A. It would have been a couple of days after that first meeting.

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1 Q. How did you travel to Yamoussoukro?

2 A. I travelled to Yamoussoukro on public transport.

3 Q. Do you recall on the journey any restrictions in your travel along the road?

4 A. I do recall restrictions. There were many roadblocks on the way to
5 Yamoussoukro. I would say between five and six roadblocks where we were asked
6 to exit the bus and be checked by young men.

7 Q. Can you describe the young men who asked you to exit the bus?

8 A. They were wearing street clothes. They were not official looking. They were
9 carrying weapons, AK-47s, I believe, and they were intoxicated, some of them were.

10 Q. You tell us that they -- you were checked by the young men. What was
11 checked by the young men?

12 A. Our equipment was checked. Our identification was checked.

13 Q. And when you say "our," quoting you, identification was checked, who do you
14 mean, you and who else?

15 A. Everyone -- most of everyone on the bus.

16 Q. When you got to Yamoussoukro, do you recall where you stayed?

17 A. I stayed in a hotel. I do not recall the name of the hotel, but I believe it was the
18 same hotel as Mr Blé Goudé and his entourage.

19 Q. And apart from the rally, which we'll get to, did you see or speak to
20 Mr Blé Goudé while you were there in the hotel in Yamoussoukro?

21 A. One of the evenings we met and watched the World Cup in his room. I did not
22 film this.

23 Q. Now, did you, when in Yamoussoukro, did you film the rally that you've
24 mentioned?

25 A. Yes.

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1 Q. Do you recall the exact date of the rally in Yamoussoukro?

2 A. I do not.

3 Q. Do you remember making a statement to the Office of the Prosecutor after you
4 were interviewed?

5 A. I do, yes.

6 Q. Would it help you in recalling the date of that rally to look at that statement to
7 refresh your memory?

8 A. It would, yes.

9 MS PACK: With your permission, your Honour. Thank you.

10 PRESIDING JUDGE TARFUSSER: Why don't you, why don't you read out the part.

11 MS PACK: Thank you. I will. Your Honour, I'm reading from the statement
12 which is CIV-OTP-0058-0614. I'm reading in particular from page 0630 and, this is
13 the English original, and paragraph 68. I'm reading it out now, if you could just
14 listen.

15 "The investigators showed me footage of a clip with code OTP-CIV-0059-0012. I can
16 confirm that I shot this video in Yamoussoukro on 10 June 2006 according to my
17 notes."

18 Does that help you in recalling the date upon which you shot your footage of the rally
19 in Yamoussoukro?

20 A. Yeah. If that's in my statement, then that's correct because I would have had,
21 when I made that statement, I would have had those notes, and that would also mean
22 that the first meeting with Mr Blé Goudé was in June.

23 Q. Now, I'd ask you just to look at the list of the tapes that you may have still in
24 front of you. And it's again CIV-OTP-0058-0891-R01, confidential. And if you look
25 please at the page with the number at the bottom 0892, you can see a reference there

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1 about halfway down to two tapes, tape 12, and I'll read it, "Blé Goudé rally in
2 Yamoussoukro, rally. Part 1."
3 Then "Tape 13. Blé Goudé rally in Yamoussoukro. Part 2."
4 Then it goes on, "Blé Goudé rally at Palais de Culture."
5 And then there are some other entries after that, it says, taxi interview, rappers and
6 more rappers.
7 So if you look then at the following page, 0893, Tape 19, which is about a third of the
8 way down says, "Blé Goudé rally in Yamoussoukro. Part 3. Main speech."
9 These references to the tape numbers of the three tapes upon which you recorded
10 footage of the rally in Yamoussoukro amongst other things?

11 A. Correct, that's correct.

12 MS PACK: Now, your Honours, I don't know the best way of going about this
13 without taking too much time reading numbers onto the record, but perhaps I should
14 just read those numbers onto the record and they will be there. But I wanted to
15 submit those three tapes using obviously the OTP ERN number and associated OTP
16 transcripts.

17 PRESIDING JUDGE TARFUSSER: Yes. But I don't know why you should read
18 them and not give us a hard copy of it so it can be -- so it is submitted as such, I mean,
19 without reading it. Now we are losing a lot of time just by reading numbers.

20 MS PACK: In that case what I would do, rather than waste your time, your Honours,
21 and to make this more expeditious, is I would refer to the updated list of material that
22 was circulated last night, and we can certainly make copies, hard copies of that
23 available and PDF it and circulate it and perhaps also upload it. So that's the list of
24 material. And I'm --

25 PRESIDING JUDGE TARFUSSER: We do have it.

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1 MS PACK: Yes.

2 PRESIDING JUDGE TARFUSSER: We have the list of material.

3 MS PACK: Thank you.

4 PRESIDING JUDGE TARFUSSER: I think all of us have the list of materials, so if
5 you refer to that.

6 MS PACK: I will do that. So what I'm referring to on that in relation to this event is
7 items 33, 38 and 35. Those are the three tapes. And so far as partial OTP transcripts
8 are concerned, I'm talking about items 40 and 37.

9 PRESIDING JUDGE TARFUSSER: And we are always talking about the raw
10 material and not the documentary, say, not the edited documentary.

11 MS PACK: We're talking about the raw footage that the witness supplied.

12 PRESIDING JUDGE TARFUSSER: Of the raw footage, okay.

13 MS PACK: So I would submit those tapes. It's tapes 12, 13 and 19, and these are
14 the corresponding OTP references that I've provided, and in addition the transcripts
15 that I've mentioned which have also been generated by -- here in The Hague.

16 Q. Let me show you, please, a transcript of your own. I'd like to show you a hard
17 copy. It's CIV-OTP-0058-0737.

18 If I can give the witness the hard copy, it's just perhaps easier for him to look at the
19 document. Again, it's the document I've read out, hole punched with a staple in the
20 corner.

21 A. Thank you.

22 Q. If you'd just take a look at the first page of this document, which is headed
23 "Tape 12," is this one of the transcripts that you spoke about earlier that you provided
24 to the Office of the Prosecutor?

25 A. That is correct.

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1 Q. And you see it goes all the way down to page 0739, with the heading there "End
2 tape"?

3 A. I see that.

4 Q. And I'd like to show you another of your transcripts. This is numbered, and
5 again, I'd provide a hard copy to the witness, CIV-OTP-0058-0796.

6 A. Thanks.

7 MS PACK: Ms Naouri's speaker is on.

8 PRESIDING JUDGE TARFUSSER: We can hear your secrets.

9 MS PACK:

10 Q. Now, you have it in front of you then just the heading there is "Tape 19" and it
11 starts at 0796 is the page. And it goes down to page 0802, it says "End tape"?

12 A. I see that.

13 Q. Is that the second transcript in the sequence of tapes related to the rally in
14 Yamoussoukro?

15 A. It would be the third one.

16 PRESIDING JUDGE TARFUSSER: Excuse me, but when you are talking about
17 transcripts, this is a summary of something.

18 MS PACK: Yes.

19 PRESIDING JUDGE TARFUSSER: It is a summary of what was said on that
20 occasion, not a transcript verbatim.

21 MS PACK: No. I think that's what the witness said. I'm using his language, but it
22 clearly isn't a verbatim transcript as like the OTP transcripts. It's clearly more
23 notes --

24 PRESIDING JUDGE TARFUSSER: Well, not the OTP transcript, the transcript.

25 MS PACK: Yes, the transcript.

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- 1 PRESIDING JUDGE TARFUSSER: It's not the OTP transcript. The transcript is the
2 transcript.
- 3 MS PACK: The transcript.
- 4 PRESIDING JUDGE TARFUSSER: And a summary is a summary.
- 5 MS PACK: That's right, your Honour.
- 6 PRESIDING JUDGE TARFUSSER: Okay.
- 7 MS PACK: And clearly also there has been some translation, there are headings --
- 8 PRESIDING JUDGE TARFUSSER: Yes, yes, yes. So it's a summary made by the
9 witness of what was said in that occasion of the content of what he filmed, right?
- 10 MS PACK:
- 11 Q. Does that accurately describe this? Looking here it doesn't seem to have
12 everything on it. It is a series of notes of what was said?
- 13 A. I would say it's more than -- it's more than a summary. It's what we would call
14 a tape log.
- 15 PRESIDING JUDGE TARFUSSER: An accurate summary?
- 16 THE WITNESS: Yeah.
- 17 PRESIDING JUDGE TARFUSSER: A detailed summary. Okay. But it's not
18 verbatim. It's not word by word, I would say.
- 19 THE WITNESS: Some of it is.
- 20 PRESIDING JUDGE TARFUSSER: Yes.
- 21 THE WITNESS: A lot of it is. But you can't -- obviously the actions are
22 summarized. The words for the most part are verbatim.
- 23 PRESIDING JUDGE TARFUSSER: It's just to understand because -- okay. Please
24 continue.
- 25 MS PACK:

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1 Q. Well, I'll ask you then just about the next bunch of these documents that you
2 provided. This one is numbered the same prefix then 0058-0740.

3 And if we could have that also provided in hard copy for the witness. We'll just look
4 at this one on the screen -- I have a copy. Can I just pass this to the -- have this
5 passed to the witness? Thank you to the court officer.

6 A. Thank you.

7 Q. Now, this one, if you look please at the first page, which is 0740, you can see it
8 says "Tape 13," and then it says "End of Blé in Yam." So would this -- what would
9 that indicate to you that this transcript is of -- relates to -- this document relates to?

10 A. This is the end of his speech in Yamoussoukro.

11 Q. And if we just go down to the little number there, 0307, you put in brackets
12 there, it says, "A question from Ivorian journalist. Can't hear it."

13 Is that a comment coming from you in preparing this document?

14 A. Yes, it is.

15 Q. And if we go over the page to 0741, you can see that the number there, 0835
16 towards the bottom of the page says, "People leave Yam rally." What does that
17 indicate to you?

18 PRESIDING JUDGE TARFUSSER: Probably that somebody leaves Yamoussoukro I
19 would say.

20 MS PACK: I think that must be right, your Honour. I perhaps shouldn't ask the
21 obvious.

22 PRESIDING JUDGE TARFUSSER: Yes.

23 MS PACK: I'll leave it.

24 Q. That would be the end of the Yamoussoukro; is that correct?

25 A. That is correct.

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1 Q. And if we go on there, you see the next heading, "Pulling up to Palais de
2 Culture." What's that a reference to?

3 A. That is a reference to, it's the end of the trip from Yamoussoukro to Treichville,
4 Palace of Culture. It was the same day, late in the day.

5 Q. And did you film all the way the journey or is this a point where you stopped
6 the footage and started again to film when you got to the Palais de Culture?

7 A. I stopped filming and then started filming later that day.

8 Q. Just leaving these documents aside for a -- let me just conclude on this. So this
9 is tape 13. This is the last, is it, of your tapes related to the Yamoussoukro rally, and
10 it goes on to deal with other footage too; is that right?

11 A. Yeah, that is correct. I do see that the -- I have marked in the appendix
12 incorrectly the parts for the transcripts.

13 Q. You're referring now to your list that I referred you to earlier?

14 A. Correct.

15 Q. Right. And that's the list that is numbered 0058-0891.

16 Now, just staying in Yamoussoukro for now, do you recall the location of the rally
17 that you filmed?

18 A. I do not recall the precise location, not in -- it was not in a large neighbourhood.
19 It was outside of Yamoussoukro.

20 Q. Who organised the rally from what you saw and what you heard?

21 A. I believe it was the Yamoussoukro chapter of COJEP, Young Patriots.

22 Q. Why do you say that?

23 A. Because a number of reasons. Mr Blé Goudé's speeches at the time as the
24 leader of the Young Patriots were about sharing his message to local chapters of that
25 organisation.

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1 Q. Did you see anything when you were there at the rally to indicate who was
2 present at the rally from what you saw around you when you were there?

3 A. Yes. Mr Blé Goudé refers -- he welcomes the chapter of the Young Patriots and
4 they wear their T-shirts, the COJEP T-shirts, the Young Patriots T-shirts.

5 Q. I'll show you some footage very quickly before the break, because I see we have
6 4 more minutes if your Honours are content for me to proceed. We will have the
7 Prosecution show the footage, please, so if the facilities to do that could be handed to
8 the Prosecution, we'll play it. So let me just call out, it's from CIV-OTP-0059-0012.
9 And the time code for the record is 00.01.40, and that's to 00.02.01. This is item 33 on
10 the list of material.

11 MR O'SHEA: Could you just -- could my learned friend please just assist me with
12 the reference for the corresponding Prosecution transcript just so that I can follow.

13 MS PACK: It's only going to be a very short clip just for the visuals and there is no
14 OTP transcript of this particular clip. I can assist with the document that the witness
15 has provided, just the first page of the document, 0058-0737, but there is not going to
16 be any extended speaking for this clip. And there is no OTP transcript just for this
17 particular tape.

18 (Playing of the video excerpt)

19 MS PACK:

20 Q. Do you recognize that as the footage that you filmed, and this is on tape 12 of
21 the rally in Yamoussoukro?

22 A. I do recognize that footage, yes.

23 Q. You mentioned T-shirts. Were they T-shirts or similar to the T-shirts that you
24 see in that footage?

25 A. Exactly that, not similar, exactly.

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- 1 Q. Just a couple of questions. How soon after you started filming did
2 Mr Blé Goudé arrive at this rally?
- 3 A. I would say somewhere between 20 and 40 minutes.
- 4 Q. Was he accompanied by anyone?
- 5 A. He was accompanied by his entourage, media and security.
- 6 Q. Were there any uniformed men present at the rally?
- 7 A. Yes, there was.
- 8 Q. Could you see what they were doing at the rally?
- 9 A. They were also providing security for Mr Blé Goudé.
- 10 Q. On his arrival, how was Mr Blé Goudé received by the crowd?
- 11 A. He was received very well.
- 12 MS PACK: Your Honour, if I can just perhaps pause there. It's a natural break in
13 my questioning, if I may, and come back after the break.
- 14 PRESIDING JUDGE TARFUSSER: A natural break, I like it.
- 15 Please we break now for one hour -- for half an hour and come back at 11.30 to
16 continue with your -- so you can have a rest of half an hour. Thank you.
- 17 THE COURT USHER: All rise.
- 18 (Recess taken at 10.59 a.m.)
- 19 (Upon resuming in open session at 11.34 a.m.)
- 20 THE COURT USHER: All rise.
- 21 Please be seated.
- 22 PRESIDING JUDGE TARFUSSER: Good morning once again. I give immediately
23 the floor again to the Office of the Prosecutor. Ms Pack, please, yours the floor.
- 24 MS PACK: Thank you, your Honour.
- 25 Q. Now we just left off talking about the rally in Yamoussoukro. Do you recall

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1 how Mr Blé Goudé was addressed at the rally?

2 A. He was addressed as the leader of the Young Patriots.

3 Q. Do you recall any form of address that was used?

4 A. Yes. He was referred to as "The General."

5 Q. From what you saw and heard at the rally, how would you describe

6 Mr Blé Goudé's relationship with the audience that he was addressing?

7 A. They loved him.

8 Q. I'd like to show another clip, please. And this is CIV-OTP-0059-0018, and it's

9 going to be handled by the Prosecution, please, the showing of this clip. It's

10 accompanied by the partial transcript at item 40. And the video itself is at item 38 of

11 the list of material. The time code is 00.09.00 to 00.10.03. The transcript reference

12 for the OTP transcript is at page 3228, lines 53 to 66.

13 (Playing of the video excerpt)

14 MS PACK:

15 Q. Do you recognize that as footage from tape 19, which was the second tape of the

16 rally in Yamoussoukro?

17 A. I do, yes.

18 Q. Now I'm not going to ask you to look at the third tape, we'll deal with that in a

19 moment when we get to Treichville. You returned to Abidjan on 11 June; is that

20 right?

21 A. That's correct.

22 Q. How did you get to Abidjan? How did you travel?

23 A. I travelled with Mr Blé Goudé's entourage.

24 Q. Why was that?

25 A. Two reasons: The first reason is that I wanted to film the rally at the palace of

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1 Culture in Treichville, Abidjan, and the only way I could do that is if I got a ride with
2 his, Mr Blé Goudé's, people because public transportation would take too long with
3 the roadblocks and we didn't have to stop at the roadblocks when we travelled with
4 Mr Blé Goudé's people.

5 Q. You got to Treichville. Can you remember when you arrived at the Palais de la
6 Culture?

7 A. It would have been around sundown, sunset. So I imagine after 5 p.m.

8 Q. And what was the rally at the Palais de la Culture?

9 A. The rally was another Young Patriots rally, and Mr Blé Goudé was going to
10 anoint some of the chapter leaders.

11 Q. Did he give a speech at the rally?

12 A. He did give a speech, yes.

13 Q. Did you film that?

14 A. I did, yes.

15 Q. Can you describe the people at the rally, what they were -- anything about what
16 they were wearing?

17 A. Once again, they were all wearing T-shirts of -- with Mr Blé Goudé's face. And
18 the slogan I believe was "Génération Blé Goudé". Everyone was wearing them.

19 Q. I'd like you to look back at your list of tapes again please, that's item 11 on the
20 list of material, reference CIV-OTP-0058-0891-R01. If you look at page 0892, tape 13,
21 we've seen that earlier, you can see that it describes the Blé Goudé rally at the Palace
22 de Culture. And if you go to the page before, 0891, it says "Tape 004 Blé Goudé rally
23 Part 1. Palace de Culture."

24 And then "Tape 005. Blé Goudé rally speech at conference. Palace de Culture."

25 And then there is a "Young Patriot youth interview's after the speech."

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1 These tapes, 4, 13, 4 and 5, do they contain the footage of the rally in Treichville that
2 you attended?

3 A. They do, yes.

4 MS PACK: Your Honours, I'd like to submit these tapes which are identified on the
5 Prosecution's list of material circulated last night, item 35 is tape 13, item 23 is tape 4
6 and item 26 is tape 5. And the corresponding transcripts for tape 4 are item 25, and
7 for tape 5, item 28. We'd like to submit all of those without having to identify them
8 or each with the witness on the record.

9 PRESIDING JUDGE TARFUSSER: Okay. Thank you.

10 MS PACK: Thank you, your Honour.

11 Q. And just again to show you your own notes.

12 If we can look please at CIV-OTP-0058-0740. And I note this is confidential, it's R01.

13 Can we have a copy also given to the witness, and perhaps we could give him both of
14 the transcripts that I'm going to refer, all three; so tapes 13, 4 and 5. So I'm passing to
15 the court officer two additional transcripts. I've identified one for the record, it's
16 item 36 on the list of material relating to tape 13. The second is the note -- the
17 witness's document related to tape 4, which is item 24 on the list of material. Again,
18 that is -- should be confidential. And then the third is the document related to tape 5,
19 which is item 27 on the list of material. Again, that is confidential. And I'd just
20 briefly show those to the witness so he can at least confirm these notes are his notes.

21 So we'll start with 0058-0740-R01. You just need to look at the second page there,
22 0741. That's the start of the footage in Treichville, is that right, at the bottom of the
23 page?

24 A. That is correct.

25 MS PACK: If we go, please, to 0058-0692-R01, new document, court officer. And

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1 this, if you look in the documents in front of you, the hard copies that you have, it's
2 the document item 27 for the -- your Honours' information and for my learned
3 friends.

4 Q. It's headed "Tape 005". You see there it says "Blé Goudé's Rally." "Tape 005"
5 at the top of the page. That's right that, again, your notes of the rally in Treichville --

6 A. That is correct, yes.

7 Q. -- related to tape 5.

8 And then the third document is related to tape 4. You'll have to excuse, I jumped
9 around in the order, and that is 0058-0687-R01.

10 And again, like I said, this is item 24 on the list of material. And if you just look at
11 that one it is headed Blé Goudé -- "Blé Rally" and it is the first part of the footage of
12 the rally. I've just showed you previously the last part, counter-intuitively, but this
13 is the first part of the rally, is that right, tape 4?

14 A. That is correct.

15 Q. And these are your notes?

16 A. They are my notes, yes.

17 Q. Now I'd like to show you a clip, please, just a short clip from tape 4, which is the
18 first part of the rally, second tape applying to Treichville, and it is reference
19 CIV-OTP-0059-0005. It's item 23 on the list of material. And there's a partial
20 transcript at item 25, the OTP transcript. The timestamp for the relevant piece of
21 footage is 00.02.25 to 00.03.20. And the Prosecution will play the clip.

22 (Playing of the video excerpt)

23 MS PACK:

24 Q. Now, that was Mr Blé Goudé arriving at the rally; is that right?

25 A. That's correct.

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1 Q. You see also some of the T-shirts that you mentioned in that footage?

2 A. I see a lot of them, yes.

3 Q. Mr Blé Goudé went on to make a speech. How did you intend to record him
4 making that speech? How did you do that?

5 A. I recorded the video with my small camera that I had that we discussed, and I
6 also recorded the audio with a radio mic that I attached to Mr Blé Goudé's shirt.

7 Q. And this is footage, do you recognize it as footage from tape 4 of the tapes that
8 you provided related to this rally?

9 A. I do, yes.

10 Q. There is one more tape, tape 5 related to this rally. Does that contain the
11 second part of Mr Blé Goudé's speech at the rally?

12 A. That is correct, yes.

13 MS PACK: And that's item 26. I've already submitted it with the transcript at item
14 28. I don't propose, your Honours, playing any of that, but obviously we do rely
15 upon the full content of the videos that we are submitting.

16 MR O'SHEA: Can I make a comment on that procedure which my learned friend is
17 adopting? As we all know, this is a public trial and the public are entitled to know
18 what evidence is being submitted in this trial. In my respectful submission it's
19 inappropriate simply to submit entire tapes and say these are now in evidence.
20 It's up to the Prosecution to choose excerpts from the tapes for the purposes of
21 submitting them into evidence, not saying that one has to actually produce a
22 truncated version of the tape, but in my submission it's contrary to the principle of a
23 public trial if one simply submits an entire tape and says, right, that tape is submitted
24 and we'll look at it later after the trial.

25 So what I'm suggesting, your Honours, is simply that the tapes are submitted, but the

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1 Prosecution has to identify which time excerpts they are relying on as evidence in the
2 trial. Otherwise it makes our position -- it's not fair on the accused because the
3 accused are not able to assess the fairness of what's being submitted, and it derogates
4 from the public nature of the trial.

5 MS PACK: I can indicate timestamps. For tape 13, which is item 35, we would rely
6 on all of it except the end, and that is 00.13.00 to the end, not relying on that. But the
7 rest is the Yamoussoukro rally and the Treichville rally, so we rely on that.

8 Second, for the tape 4, which is item 23 on the list of material, we rely on all of it,
9 which is Mr Blé Goudé's speech first part in Treichville.

10 So far as the tape 5 is concerned, which is item 26 on the list of material, again, it's the
11 last part of Mr Blé Goudé's speech in Treichville, we rely on all of it apart from the
12 end, which isn't his speech, and that's from 00.49.30 to the end. Otherwise we rely
13 on it all.

14 And I'm very happy to, as we go through of course, to identify, which we did in our
15 list of material, those parts which we would exclude from -- and not rely upon. But
16 otherwise the footage that we are seeking to rely upon relates to various rallies,
17 interviews, some interviews around and within the context of those. And we would
18 rely upon those, unless we say we wouldn't. That's broadly the point.

19 MR O'SHEA: Two things. First of all, my learned friend must each time she
20 submits evidence indicate what exactly she is relying on. Otherwise, as I say, you
21 know, we're entering into almost a secret trial.

22 And the second thing, if I understand her correctly, and I hope I understand her
23 correctly, when she says "all of it," she means the entire speech in each case and not all
24 the little bits in between.

25 MS PACK: No. I mean the little bits in between. I just am identifying those parts

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1 we would exclude. The little bits we would retain, because they are within the

2 context of the various rallies that we are -- that also form part of the footage.

3 Of course, your Honour, we would be very happy to sit and spend three days

4 watching these tapes, because they're very interesting and highly relevant, but in my

5 submission, that just will not help your Honours or anyone else.

6 PRESIDING JUDGE TARFUSSER: If they're very interesting, highly relevant, I

7 will -- it will be then decided upon, but of course, we are not sitting here 20 hours to

8 look at the whole footage. I think on the documentary evidence, which this is

9 documentary evidence, the Chamber has already decided and it's also decided in the

10 directives of the conduct of the proceedings, paragraph 43 and following. So we

11 apply only this and I ask you to continue the question. Thank you.

12 MS PACK: Thank you, your Honour.

13 Q. Now I want to ask you please about another event that you filmed, the next

14 event that you filmed.

15 And, your Honours, I'm going to lead the date, it's in the statement.

16 On 22 June 2006 you filmed a press conference; is that right?

17 A. That is correct.

18 Q. It's the statement at paragraph 77. Now, how -- where, where is the press

19 conference? Where does it take place?

20 A. You're going to have to remind me where.

21 Q. Again, referring to the statement, paragraph 77, let me just read it out for you,

22 you identify in the heading Eugene Djué at press conference and there is a reference,

23 OTP-CIV-0059-0003. And then you say at paragraph 77, this is page 0632 of the

24 statement, "This video file is a copy of a tape containing" --

25 MR KNOOPS: Mr President, I object to the Prosecution reads this line because this

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- 1 will be leading. This passage contains information which is not yet in evidence.
- 2 PRESIDING JUDGE TARFUSSER: I don't know what you want to read.
- 3 MS PACK: It was just down to the first --
- 4 PRESIDING JUDGE TARFUSSER: Where it is.
- 5 MS PACK: Just where it is then.
- 6 PRESIDING JUDGE TARFUSSER: Yes.
- 7 MS PACK: I'll just read the second -- I'll read the second sentence.
- 8 PRESIDING JUDGE TARFUSSER: Excuse me. Excuse me. The matter is where
- 9 did this take place, correct?
- 10 MS PACK: Yes.
- 11 PRESIDING JUDGE TARFUSSER: So say where did it take place.
- 12 THE WITNESS: It took place in Yopougon, correct?
- 13 MS PACK: This was in Yopougon.
- 14 THE WITNESS: Yeah, it was at --
- 15 PRESIDING JUDGE TARFUSSER: Without reading, I mean, it's --
- 16 MS PACK:
- 17 Q. Tell us wherein Yopougon.
- 18 A. It was at a -- they call them maquis. They're bar, open-air bar cafés. And it
- 19 was owned by Eugene Djué.
- 20 Q. How did you come to be there?
- 21 A. Eugene's press coordinator invited me there to cover the press conference.
- 22 Q. Did you learn what the press conference was about?
- 23 A. Yes. The press conference was about organising the Patriotic Galaxy groups,
- 24 so there were a number of leaders there.
- 25 Q. Let me just ask you to look again, please, at your list of your tapes and I am

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1 referring to the document 0058-0891-R01. It's the second page, page 0892, and it's
2 the -- sorry, it's the first page, it's tape 001, the first tape there. It says -- perhaps you
3 could just read out the -- what this tape is described as being about.

4 A. Absolutely. Eugene Djué was --

5 Q. Just, just read out -- I'll read out the heading, "Young Patriot militia leader
6 Eugene Djué, (FESCI/COJEP) conference."

7 A. Correct.

8 Q. And it's tape 1 on which you filmed that conference; is that right?

9 A. That is correct.

10 Q. The maquis at which it was held, did you learn who -- you told us it was owned
11 by Eugene Djué?

12 A. Correct.

13 MS PACK: Your Honours, I would submit the footage of this press conference
14 identified there as tape 1. It is at item 12 of the list of material. I would exclude
15 from that tape, wouldn't rely upon a little part at the beginning which is 00.00.00 to
16 00.01.35 and a part at the end, which is 00.47.17 to the end. And we've indicated as
17 much in the list of material. The partial transcripts I would also submit are at item
18 14 in the list of -- in the list of material for this press conference. And, your Honours,
19 I would also refer the witness to his own notes again, if we could pass to the witness
20 his notes for tape 1. They are at CIV-OTP-0058-0666. Item 13 of the list of material.

21 A. Thank you.

22 Q. Is this -- I'm not sure if it's on the screen as well. I actually can't see it myself,
23 but it's 0058-0666. Again, you can see the note for yourself. It's tape 1. And that's
24 your notes for tape 1, is that right, the notes of the press conference on 22 June 2006 in
25 Yopougon?

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1 A. That is correct.

2 MS PACK: I'd like to play you some footage. So if we could go to the first clip of
3 CIV-OTP-0059-0003, we will play that, the Prosecution will play that, and the
4 timestamp for that is 0014 -- sorry, 00.15.00 to 00.15.05.

5 (Playing of the video excerpt)

6 MS PACK:

7 Q. Now, can you tell us where is that film, if you can recognize where that is?

8 A. I mean, it's on one of the main streets in Yopougon outside of Eugene Djué's
9 maquis. It's directly outside it, like 10 or 15 feet to one side.

10 Q. And this is, just to confirm this, this is tape -- your footage from tape 1, the tape
11 upon which you recorded the press conference; is that right?

12 A. That's correct.

13 Q. Now, was there anything there in the images that were just played that you can
14 tell us more about on the -- outside the maquis?

15 A. Yes. On either side of that establishment, that maquis, there were makeshift
16 roadblocks set up, and these young men were checking the people in the cars. And
17 there was also military soldiers standing on the street watching them. That's in the
18 footage I believe.

19 Q. Can you describe the young men, what they were wearing?

20 A. The usual kind of college attire, some branded T-shirts.

21 Q. And the military soldiers, can you recall what they were wearing?

22 A. They were in military uniforms.

23 Q. Now, I'd like to ask you about the progression of events that you recorded in
24 the footage after that. Did Eugene Djué arrive at the maquis at any point in your
25 footage, your filming?

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1 A. He did arrive.

2 Q. Do you recall whether he was with anyone?

3 A. Absolutely. He was with five or six people in two vehicles. Two or three of
4 them I recognized as his press people, two of them were his security, and in another
5 vehicle there was military.

6 MS PACK: I'd like to play a clip, please. This is again the same video, 0059-0003.

7 And the footage 00.17 to 00.18.

8 PRESIDING JUDGE TARFUSSER: (Microphone not activated)

9 MS PACK: Yes. One minute. I perhaps should have read the missing zeros at the
10 end. So it's 00.17.00 and then 00.18.00.

11 (Playing of the video excerpt)

12 MS PACK:

13 Q. Of the men in that footage, can you describe Eugene Djué by reference to what
14 he was wearing and his stature?

15 A. Yeah. Eugene is wearing a bright orange shirt and I believe he's wearing some
16 white tennis shoes. He's accompanied by Watchard Kedjebo and Zéguen Touré and
17 another gentleman whose name is, I believe it's Fofana, last name Fofana.

18 Q. I noticed there were two men in fact in orange tops in the footage. Was he the
19 shorter one of the two men in the orange top or the taller one?

20 A. He was probably the shorter one.

21 Q. Do you recall how the men that you have just identified here, Kedjebo, Touré,
22 Fofana -- well, let's just start with Kedjebo, Touré and also Djué, do you recall how
23 they were addressed at the press conference, the form of address that was used?

24 A. Well, Djué was addressed as the marshal, and the other gentlemen were
25 addressed as leaders of the Patriotic Galaxy.

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1 Q. I'd like to play another short clip, it's the same video, 0059-0003 and the
2 timestamp is 00.19.08 -- forgive me, 00.19.05 to 00.19.15. And the Prosecution will
3 play that clip, please.

4 I should say this, just before we play, the corresponding OTP transcript is 0086-0732
5 at page 0733, lines 29 to 30.

6 (Viewing of the video excerpt)

7 MS PACK:

8 Q. Perhaps you can just help us with that footage. Was that introducing persons
9 at the press conference?

10 A. Yes, it was.

11 Q. Did you hear who was being introduced? We have the transcript, but if you
12 heard it, you could say.

13 A. Actually I was not paying attention. Sorry.

14 Q. Don't worry. We'll leave it. Let me ask you please to look at your own notes
15 and it's 0058-0666. It's page 0670. If that page could be shown. And you have it
16 anyway in front of you, the page is 0670. We would need to go to the bottom of the
17 page as well.

18 Now, you mentioned just now a name. You said someone who you believe was
19 Fofana, last name Fofana?

20 A. Mmm-hmm.

21 Q. Is this the person that you describe here in your notes at 0 44 37 "Fofana, leader,
22 member of GPP"?

23 A. Correct.

24 Q. How did you come by that information?

25 A. They were introduced and I had them pointed out at the rally. So I was taking

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1 notes and writing down who was attending.

2 Q. At this press conference there were media present?

3 A. There were local media present, yes.

4 Q. Were the persons at the conference table, were they aware of your presence
5 there?

6 A. Absolutely. They introduced us.

7 Q. How?

8 A. I believe he introduced us as his American friends.

9 Q. Who introduced you?

10 A. Eugene Djué.

11 MS PACK: Your Honours, rather than playing little clips, again as I said, I'll rely on
12 those parts that I've identified.

13 Q. Now, I wanted to move on to your interview with Mr Blé Goudé. And just to
14 lead the date, that was 30 June 2006; is that right?

15 A. Correct.

16 Q. You interviewed Mr Blé Goudé where?

17 A. In the gardens of the hôtel Ivoire in Abidjan.

18 Q. How long did your interview last approximately?

19 A. It was about an hour.

20 Q. Now again I'd like you just to identify the tape that you recorded the interview
21 on. So we can go back to CIV-OTP-0058-0891. That's your list of tapes. And if we
22 can please look at page 0894, and it's tape 28.

23 A. That's correct.

24 Q. That's the Blé Goudé interview as you describe it there?

25 A. Yes.

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1 Q. This tape, tape 28, was it edited by you before you provided a copy of it to the
2 Office of the Prosecutor?

3 A. No, it wasn't.

4 Q. Just remind us how -- in what format did you provide it to the Office of the
5 Prosecutor?

6 A. It was provided as a digital file on a hard drive.

7 Q. Do you recall how many copies of this tape you provided to the Office of the
8 Prosecutor, this particular interview?

9 A. There may have been two because I believe the first one, the audio part of the
10 audio was out of sync.

11 Q. Now I'm going to show you and ask to submit, your Honours, the -- just the one
12 of those tapes, the one where the audio is not out of sync, naturally. And that is item
13 46 on the list of material, it's identified as 0062-1041. And it's transcript, which is
14 item 47 on the list of material. And for the avoidance of any doubt, we would seek
15 to submit all of those -- all of that tape and rely on all of it -- all of its content.

16 Now, let me just also ask you, please, to look at your own notes, which is at item 45 of
17 the list of material. Again, it's 0058-0875 for the record. I'd ask that the witness just
18 has a hard copy given to him.

19 THE WITNESS: Thank you.

20 MS PACK:

21 Q. Will you just look at the first page there, and you can just flick to the end of the
22 document also. It goes right down to 0883. Those are -- this is the document you
23 provided related to the Office of the Prosecutor related to that interview?

24 A. That is correct.

25 Q. And it's the notes of the tape number 28; is that right?

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- 1 A. It's the notes and a pretty correct verbatim transcription.
- 2 Q. A few questions about the conduct of that interview. Who questioned
- 3 Mr Blé Goudé, without naming names, during the course of the interview?
- 4 A. There were two of us.
- 5 Q. Who filmed?
- 6 A. I did.
- 7 Q. Language you conducted the interview in?
- 8 A. English.
- 9 Q. Who, apart from you and your colleague, Mr Blé Goudé, who else was present?
- 10 A. There were a couple of Mr Blé Goudé's media people and one -- no, there was
- 11 two security people, one directly with Mr Blé Goudé and another two close by.
- 12 Q. Who arranged for the interview to take place from Mr Blé Goudé's side, do you
- 13 recall?
- 14 A. I don't recall his name, but it was his main press person.
- 15 Q. Now, when you got to the interview location, the hôtel Ivoire, did you -- was
- 16 there any one else there already talking Mr Blé Goudé?
- 17 A. Yes. I believe there were journalists from Le Monde.
- 18 Q. What was your purpose, in a nutshell, in interviewing Mr Blé Goudé on this
- 19 occasion?
- 20 A. My purpose was to get an idea of his history, his life, his education, his
- 21 experiences as a leader in FESCI, his reasons for starting the Young Patriots, his
- 22 opinions on American politics.
- 23 Q. And from the interview, what was your impression of Mr Blé Goudé?
- 24 A. My impression was he was a very smart, educated, charismatic --
- 25 PRESIDING JUDGE TARFUSSER: In any case, an impression is not a fact, I would

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1 say.

2 MS PACK:

3 Q. I'd like to ask you, please, to look at a clip. I'm not going to play the content of
4 again this interview, but just a couple of clips to locate the witness and the Court.

5 From the beginning first, of 0062-1041, I would play a clip with the time code 00.01.50
6 to 00.02.35. And the Prosecution will play that clip. The corresponding OTP
7 transcript is at 0063-307 -- sorry 3017, that's item 47 on the list of material, and it's at
8 page 3018, lines 26 to 30.

9 (Playing of the video excerpt)

10 MS PACK:

11 Q. Can you identify that as a copy of tape 28, which is the interview with
12 Mr Blé Goudé?

13 A. That is correct.

14 Q. And that was at the beginning of the interview. Do you recall what the last
15 topic of your interview was?

16 A. I believe it was where Mr Blé Goudé saw himself in the future and the role he
17 would play.

18 MS PACK: Let's just play that, the end of the interview. It's near to the end, the
19 second clip, same ERN. And the clip is at 00.54.45 to 00.56.25. The transcript
20 reference, OTP transcript, is 0063-3017, at page 3028, lines 427 to 445.

21 (Playing of the video excerpt)

22 MS PACK:

23 Q. And did the interview end fairly soon after that?

24 A. Shortly after, yes.

25 Q. Now I would like to ask you please about one of the next events that you

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1 filmed.

2 MS PACK: And, your Honours, I'm going to lead on the date again, paragraph 81 of
3 the statement, it's 12 July 2006, I'm reading the date from that paragraph.

4 Q. You filmed an event at the speaker's corner in Yopougon. Do you recall that
5 event?

6 A. I recorded a number of speakers corners in Yopougon. It was the 12th, 12 July.

7 Q. Yes. I'm going to ask you about an event on 12 July 2006.

8 A. Okay. I believe it's the one in the evening.

9 Q. Let me just ask you, please, to look at your own list of tapes, if you could again,
10 it's at 0058-0891 and if you look at page 0891 itself, you can see there a reference to
11 tape 2. Do you see there it says, "Young Patriot rally in Yopougon, night. Eugene
12 Djué speech." Then it goes on, "Young Patriot youth interviews." I wanted to ask
13 you about that.

14 Now, is that tape there, that tape 2, is that footage filmed of the rally that we've just
15 spoken about on 12 July?

16 A. Correct.

17 Q. Now, how did you come to be there?

18 A. I believe Eugene Djué, his people invited me to cover that event.

19 MS PACK: Your Honours, again I would submit referring to the list of material
20 again. There is one video of that event, and it's the tape 2 that has been identified by
21 the witness. It's at item 15 of the list of material. And for the avoidance of any
22 doubt, we would seek to rely upon all of this video except the end, which is the
23 timestamp 00.48.00 to the end. And we would also seek to submit the partial
24 transcripts of this video which are at items 17, 18, 19, and 20, and 21 and 22 of the list
25 of material. So all of those partial transcripts.

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1 And just to say in relation to item 20, that was a transcript that was only provided
2 yesterday as a courtesy copy and I think disclosed today. So we would need leave to
3 rely upon that. But I would ask them for leave to rely upon that. It's only a
4 transcript of the video.

5 And so those are the documents that are in relation to that event, your Honour.

6 PRESIDING JUDGE TARFUSSER: That's okay. Thank you.

7 MS PACK: Thank you, your Honour.

8 Q. Do you recall who broadly was present at this event?

9 A. Once again, it was attended by many Young Patriots members to witness or to
10 attend a Eugene Djué speech in addition to some other Young Patriots speakers.

11 Q. Do you recall how long you were filming for approximately?

12 A. I was there for 3 to 4 hours. I was recording for probably an hour.

13 Q. I'd like to show you please your own, your own document that you provided to
14 the Office of the Prosecutor related to tape 2, and that is numbered

15 CIV-OTP-0058-0673 and that's R01 so its confidential.

16 And if the witness could be given a hard copy of the document. And it can be
17 shown on the screen also.

18 A. Thank you.

19 Q. Just looking at that all the way through from 0673 onwards, does this
20 document -- can you just describe what this document contains?

21 A. Once again it's a tape log of the evening's activity in addition to a pretty close
22 transcription of the various speakers and interviews with Young Patriot members.

23 Q. Perhaps you can just tell us about the various phases of the footage. You said
24 there were some speeches. Do you recall who gave speeches on that occasion?

25 A. I can. One of the first speeches is given by a Young Patriot by the name

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1 of -- his nickname was "The Température." And he was -- I had filmed with him
2 before, and he was an up-and-coming speaker in the Young Patriots. So that
3 evening started with his speech. There were a couple of other speakers I didn't
4 recognize. And then the main speech was given by Eugene Djué, the marshal, who
5 was accompanied by Kedjebo Touré and a couple of others.
6 Then after the speeches, I interviewed Young Patriot members, quite a few of them, I
7 believe, five or six of them, and then I again interviewed the Température.

8 Q. Can you broadly describe what the speeches were about?

9 A. Yes. The speeches were about the situation going on in the country in regards
10 to the establishment of mobile courts and who was behind them, who was promoting
11 them and what the Young Patriots planned to do about the process.

12 Q. Can you describe -- you told us you filmed for about three or four hours I think
13 you said. Can you describe the atmosphere there in the course of your filming and
14 how the atmosphere evolved over the course of those hours?

15 A. The atmosphere in the beginning was quite relaxed and light, but as the evening
16 progressed, as it got darker, the atmosphere became very tense, and some of the
17 people were becoming angry, not only with some of the things that were said in the
18 speeches, but with me filming and asking questions.

19 Q. Do you recall anyone saying to you why they were, as you say, angry with you
20 filming and asking questions?

21 A. Yes. It was because I was a westerner and perhaps perceived as French -- or,
22 actually, not perhaps. As a westerner, as a white person, I was automatically
23 perceived as being French and that I was part of the takeover of the current
24 government and the promotion of the mobile courts.

25 Q. I would like to play some footage of that event, please. It's CIV-OTP-0059-0004

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1 and the footage is 00.18.11 to 00.22.31. And the transcript references for the OTP
2 transcript, which is at 0088-0790, is at lines 19 to 54.

3 (Playing of the video excerpt)

4 MS PACK: I'm afraid I gave the wrong transcript reference actually. It would
5 have -- it looked like it started from line 4, which is at page 0791, and then went to
6 0792 and line 54. So that was the transcript reference for that.

7 Q. This interview that you conducted, was this before the speeches of Djué and
8 others that you've talked about or after?

9 A. It was in the middle. It was in between the Température speech and Eugene
10 Djué's speech.

11 Q. Was Djué, was he present all of the time that you were filming?

12 A. No, he wasn't. He arrived later in the evening.

13 Q. Do you recall the language that was used to describe him, the form of address?

14 A. He was addressed as the marshal.

15 Q. Now, you've told us that you also interviewed Température at this event?

16 A. Correct.

17 MS PACK: Your Honours, I'm not going to play any more clips, but as I say, we rely
18 upon the tape, save as I have indicated, save insofar as I have indicated. And I'm
19 going to take you on now just quickly before the break to start one of the final topics.

20 MR O'SHEA: Before my learned friend does that, I would like to take advantage of
21 these few minutes before the break to address the content of this tape. Now, your
22 Honours have indicated that in relation to my previous intervention that it was a
23 document. And I fully understand that statement. This kind of evidence that we're
24 dealing with at the moment is a little bit distinct. If you have a speech, it's an event,
25 and there is no difficulty there. But when you have a person interviewing another

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1 person such as we have here, what's essentially happening here is that the person
2 who is interviewing is asking questions. The person who is responding is giving his
3 opinions -- sorry?

4 PRESIDING JUDGE TARFUSSER: He's answering questions.

5 MR O'SHEA: He's answering questions and he's giving his opinions during the
6 course of answering those questions. In some instances, we don't even know the
7 background of the individual who is asking -- answering the questions, who is in fact
8 giving the opinions.

9 Now, if this individual, for example, we just saw the footage of, was in the witness
10 box, your Honours would not allow him to give his opinions. Your Honours would
11 ask him to confine himself to what he witnessed.

12 So the difficulty with my friend saying in this case that, well, we rely on all of the tape
13 is that the witness has basically interviewed certain individuals who are not
14 necessarily fully identified. Those individuals have expressed their opinions, which
15 is evidence which we wouldn't allow in the Court. So why would we allow
16 interviews and opinion evidence taken outside the Court? So that's my difficulty.
17 I'm not suggesting that this is not a document, but what I'm suggesting is that there is
18 a fundamental issue of fairness here because essentially a lot of what this gentleman
19 has done is to interview people. And there will be other individuals who will be
20 interviewed. And as I say, I don't have any difficulty with, for example, a speech,
21 because that is an event.

22 But I do have difficulty with a person who is not on oath, who is being asked
23 questions about the conflict and who is giving his opinions about the conflict, and
24 then that evidence is then brought into the Court and submitted wholesale.

25 PRESIDING JUDGE TARFUSSER: And?

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1 MR O'SHEA: Well, my submission is that if a tape contains speeches and events as
2 we've indicated and in line with your Honours' earlier ruling, then my learned friend
3 can simply submit the tape. But if we're dealing with situations where the journalist
4 is interviewing individuals and those individuals are giving their opinions, my
5 learned friend can perhaps submit or attempt to submit if they are relevant specific
6 aspects of that interview under a particular basis, but what they cannot do is submit a
7 tape with wholesale interviews of people providing their opinions about the conflict.
8 So I'm objecting to the tape being submitted in its entirety when it contains random
9 individuals being interviewed and being asked their opinions.

10 PRESIDING JUDGE TARFUSSER: Okay. The tape is considered as submitted and
11 we will deal in due course with your objections.

12 Please go ahead. We have two minutes -- or, I would say we don't have two minutes
13 because I will stop now for the lunch break and we'll see each other again at 2.30.

14 Thank you.

15 THE COURT USHER: All rise.

16 (Recess taken at 12.57 p.m.)

17 (Upon resuming in open session at 2.36 p.m.)

18 THE COURT USHER: All rise.

19 Please be seated.

20 PRESIDING JUDGE TARFUSSER: Good afternoon. Good afternoon. We
21 continue and hopefully finish with the OTP.

22 The floor is yours.

23 MR KNOOPS: Mr President, sorry. Before the break you didn't give our team a
24 chance --

25 PRESIDING JUDGE TARFUSSER: I thought about it --

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- 1 MR KNOOPS: Sorry.
- 2 PRESIDING JUDGE TARFUSSER: -- while walking out.
- 3 MR KNOOPS: Yes. But if the Court would allow me just --
- 4 PRESIDING JUDGE TARFUSSER: Of course.
- 5 MR KNOOPS: -- to make one brief remark in addition to the remarks of my learned
- 6 friend, Mr O'Shea.
- 7 PRESIDING JUDGE TARFUSSER: Of course.
- 8 MR KNOOPS: Mr President, we believe that in light also of the decision of the
- 9 Chamber of 13 May, concerning the previous witness, the objection of the Gbagbo
- 10 team could also be supported by the reasoning which underlies your decision of
- 11 13 May in regards to the use of anonymous sources. In a way in our view it would
- 12 indirectly introduce the type of anonymous evidence. So from this perspective we
- 13 support the objection of the team of Mr Gbagbo. Merci.
- 14 PRESIDING JUDGE TARFUSSER: Thank you very much. The decision of the
- 15 Chamber doesn't change, meaning that we take it in account and we will decide in
- 16 due course. For the time being it is submitted. Thank you.
- 17 Ms Pack.
- 18 MS PACK: Your Honour, did you want argument from me on the record?
- 19 PRESIDING JUDGE TARFUSSER: No.
- 20 MS PACK: Okay.
- 21 PRESIDING JUDGE TARFUSSER: Thank you.
- 22 MS PACK: Thank you.
- 23 PRESIDING JUDGE TARFUSSER: We would like to go ahead. Thank you.
- 24 MS PACK:
- 25 Q. Let me just take you now to the next event that you -- or another event that you

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1 recorded and that was on, and I'll lead the date, 18 July 2006. Do you recall filming a
2 rally on 18 July 2006?

3 A. I do recall that, yes.

4 Q. And can you tell us, please, where that rally took place?

5 A. That rally took place at the mayor's office in Yopougon.

6 Q. What was the rally broadly about?

7 A. The rally was -- actually I would describe more it was a meeting, not a rally. It
8 was a meeting predominantly of FESCI leaders and Young Patriots leaders, and it was
9 in response to the spokesperson from FPI. I believe his last name is -- his first name
10 is Affi, his last name N'Guessan. The meeting was in response to a comment which
11 was to stop audience foraine, the mobile courts, and I quote, "by all means necessary,"
12 end quote. And the meeting was to discuss the actions these two groups would be
13 taking in response to that statement.

14 Q. Now, you said a lot there. I'm just going to ask a few questions about that.
15 Firstly, how did you come to be there at the meeting?

16 A. I was invited there by the Température.

17 Q. Now, second, you've spoken about the meeting being in response to the
18 spokesperson from FPI, who you've named, and my question is how -- what was the
19 source of your information that that was -- that this meeting was a response to that?

20 A. Well, the statement was widely known and reported on throughout -- from
21 I think 14 July. It was in local newspapers. The reason I knew the meeting was
22 about that issue was because the Température told me it was and it would be
23 interesting for me to film.

24 Q. Now, you told us earlier that you were reading the newspapers while you were
25 in Abidjan. I'd like to show you one particular paper, if I can ask to be brought up

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1 0058-0649 with the prefix CIV-OTP. You can just look at on your screen, please.

2 A. There might be an issue with the screen.

3 Thank you.

4 Q. Sorry, I'm holding you up. I'm trying to see it on my screen, too. Now, you
5 have in front of you a copy of a newspaper. Do you recognize the newspaper that
6 you see here? It's headed "24 heures, 24 heures," and the date at the top is 16 July 2006.

7 Do you recognize the newspaper?

8 A. I do, yes.

9 Q. And did you provide this copy to the Office of the Prosecutor when you were
10 interviewed?

11 A. I did, yes.

12 Q. Now, you were talking about having read about the statement, the FPI
13 statement in the press. Is this one such media coverage that you recall?

14 A. Yes, that correct.

15 Q. And could you just look please on the front page there, the headline,

16 (Interpretation) "How the FPI is preparing havoc."

17 (Speaks English) Let me just read the first couple of lines there. (Interpretation)

18 "Pascal Affi N'Guessan had given a warning. His party, the FPI, will oppose by all
19 means all operations of the mobile courts. By so saying the FPI had already
20 prepared its plan of attack. Elements had been assigned to the task and their orders
21 was to stop the process by all means."

22 Just on the second page of the article we can see if we turn over to 0650 --

23 PRESIDING JUDGE TARFUSSER: Excuse me. Do you think that an article of a
24 newspaper can be evidence?

25 MS PACK: It's something that the witness provided and that he saw and informed

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1 his contacts, so it's simply just to support his evidence that he --

2 PRESIDING JUDGE TARFUSSER: He read it.

3 MS PACK: He read it, and this is the context about which he was informed when he
4 attended this rally.

5 PRESIDING JUDGE TARFUSSER: Yes. I have some difficulty to understand the
6 relationship to the case. But if you think that it's useful, please.

7 MS PACK: Thank you, your Honour.

8 Q. Well, I won't ask you to go further, just if you look at the second page you can
9 see the article expanded on there, (Interpretation) "The FPI is preparing chaos."
10 (Speaks English) Let me just go back to the meeting that you attended. If we could
11 please bring up your own list of tapes, and that is item 11 on the list of the material,
12 and the reference number is 0058-0891. And again it's confidential.
13 You can have a look of it. It's in front of you still. And if you look, please, at page
14 0894, the last page, you can see the heading there "Tape 27" and you can see
15 "Yopougon major's office." That must be "mayor's office." And it says "FESCI
16 Young Patriot rally, Young Patriots interviews."
17 Does that reflect that the footage of that rally was recorded on the tape number 27
18 which you provided to the Office of the Prosecutor?

19 A. That's correct.

20 MS PACK: Your Honours, I'd like to again submit the OTP referenced copy of that
21 tape 27, which is item 41 on the list of material, and the accompanying transcript,
22 which is at item 43. I should note in relation to that transcript, which is numbered
23 0063-3242, that a corrected version is going to be submitted. It's being corrected
24 presently or about to be corrected, so just to note for the record that there will be a
25 better quality corrected version being provided.

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1 PRESIDING JUDGE TARFUSSER: Okay. Thank you.

2 MS PACK: Thank you.

3 Q. Now, let me just ask you also to look at your own document that you've looked
4 at numerous copies of this in relation to the other tapes. It's the document related to
5 tape 27, which is item 42 on the list of material, and the number is CIV-OTP-0058-0861,
6 it's confidential.

7 And if a version, a clean version can be handed to the witness, please.

8 A. Thank you.

9 Q. If you just can take the time to look at that document headed "Tape 27" and
10 identify what it is.

11 A. Okay.

12 Q. Can you just tell us what this document relates to?

13 A. This is -- this is a breakdown of the day's events at the mayor's office beginning
14 with my arrival into the compound and ending, it looks like it ends at the end of that
15 day.

16 Q. Thank you. Now, just again for the record, and I forgot to mention when I
17 identified the video to submit, item 41, that we wouldn't seek to rely upon the end,
18 the excerpt at the end which is from 00.28.40 to the end. It is not for you, Mr Witness,
19 but just to go back to your day and the events of that day, I'd like to -- how many
20 hours did you film for; can you recall?

21 A. I was there for between 4 and 6 hours and I believe I filmed for around an hour.

22 Q. Who was present there at the Yopougon mayor's office?

23 A. So there was -- I was -- I came there with the Température and when I arrived
24 there were many members of the Young Patriots, some of the leaders, there were
25 many members of FESCI, the student movement, and a number of their leaders, some

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1 younger boys and some older -- a few older men.

2 Q. How did you identify members of the Young Patriots?

3 A. While being there at that point for a couple of months I was familiar seeing
4 Young Patriot members, the way they dressed, the way they carried themselves, the
5 weapons that they carried, the clothing they wear sometimes with -- identifying them
6 as members of the Young Patriots, sometimes identifying them as FESCI members.
7 In addition, the Température told me we were going to a Young Patriot and FESCI
8 leader meeting.

9 Q. Now, you've mentioned leaders. Can you recall any names of any of the
10 persons you describe as leaders who were present?

11 A. The only name I can recall is the leader of FESCI at that time, Serge Koffi.

12 Q. Do you see him on any of your footage that you filmed?

13 A. Yes.

14 Q. Now, let me show you a clip from your footage. It's 0059-0025 and the clip
15 appears at time code 00.19.33.04 to 00.19.47.23. And in the OTP transcript, the
16 reference is at page 3251, line 332. I think there's a technical problem, but we will be
17 just moments in playing this video, your Honour.

18 (Viewing of the video excerpt)

19 MS PACK:

20 Q. Can you just identify that footage as forming part of tape 27 that you -- that was
21 the film of the -- this meeting, includes the film of this meeting?

22 A. That's correct, yes.

23 Q. You mentioned T-shirts earlier or clothing. I'm not sure if you saw any on that
24 clip?

25 A. There's a -- the green T-shirts are FESCI T-shirts I believe.

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1 Q. Now, let me just ask you about the progression of events on that day. You've
2 told us you were there for about four to six hours. Can you describe what -- how
3 things proceeded on the day, what you did and how things proceeded?

4 A. Of course. I arrived and there is a very large stage at the end of the mayor's
5 office compound and speakers were going up there and addressing the crowd.
6 They were talking about the FPI statement that was made a couple of days before.
7 They were talking about how mobile courts had been blocked in Yopougon the day
8 before. They were talking about how some journalists from France were reporting
9 that the courts were successful and that they needed to be stopped, the reporters
10 needed to be shut down because they didn't want to know -- they didn't want people
11 to know that the mobile courts the audience foraine was becoming successful and
12 taking place.
13 They discussed -- the speaker discussed how the Young Patriots should go to Abobo
14 and have a presence there so the journalists would stop reporting.
15 They -- the speaker -- the speaker at this point was the Température, who then
16 informed the crowd that he and a number of the leaders, Young Patriot leaders who
17 were there, were going to a meeting outside of Yopougon and that they would return
18 and let everybody know what was going to be planned for the future to stop the
19 mobile courts.

20 Q. Now, let me break that down a bit. During the course of the day, did you,
21 apart from listening to the speeches, did you interview anyone?

22 A. I interviewed many people.

23 Q. I'm going to play you an early part of your footage and that is at 0059-0025,
24 that's the ERN, and time code is 00.24.00 to 01.42.07. And the OTP transcript
25 reference is 3243 -- page 3243 of the OTP transcript, which is item 43, and it's lines 8 to

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1 26.

2 (Viewing of the video excerpt)

3 MS PACK: Forgive us, your Honour, I think the timestamp might have been wrong.

4 It just won't take a moment and we'll have the right timestamp.

5 (Counsel confer)

6 MS PACK: Your Honours, we're starting at actually -- it's 00.00.

7 (Viewing of the video excerpt)

8 THE INTERPRETER: (Interpretation)

9 Journalist: I'm going to ask some questions. What's your name? Where are we?

10 Why are you here?

11 Answer: I'm Guéi Abdon responsible for external relations within the movement for
12 the continuation of the Gbagbo ideology. Gbagbo Laurent is our president, but right
13 now the campaign for the mobile hearings that is underway, well, the president isn't
14 aware. The national assembly is not aware. The justice system as well. No one is
15 aware. And this mobile hearing or court which is going on -- well, Konan Banny,
16 appointed prime minister, spoke of -- he led this -- he changed this whole story about
17 the mobile hearings which is not part of the road map because he does not know
18 where these mobile hearings are going. People have been talking about the rebels
19 being set aside, disarmament, and after that -- now we're going to carry out the
20 identification and we will have elections. But we have the impression that the
21 mobile courts or hearings is part of the road map, yet this is not within it. So
22 we -- something that our president is not aware of already. Us, we -- that's
23 suspicious. And there's no decree that has been signed. Reason why we are rising
24 up because we have said to ourselves perhaps this is a way for him to have elections
25 before disarmament, so what we're asking for is disarmament before everything

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1 having to do with the papers. That is -- that's all we are asking for, that is why today
2 we do not want these mobile courts or hearings to be held here in Yopougon.

3 Yopougon is the largest commune within Côte d'Ivoire.

4 MS PACK:

5 Q. Is that footage that comes from the tape that you filmed of the day's events?

6 A. That's correct.

7 Q. You've told us that Température also gave a -- was also present. Did he give a
8 speech? You've already told us he gave a speech. I'd like to play you a clip, in fact,
9 and you can tell us if you can identify him.

10 MS PACK: Can we have, please, 0059-0025. And the time code is 00.06.59 to
11 01 -- sorry, 00.06.59.01 to 00.08.20.00. And the transcript reference for the OTP
12 transcript is page 3246, lines 121 to 137.

13 THE INTERPRETER: Message from the interpreters: Which item from the list of
14 materials from the OTP?

15 MS PACK: It's the same item, it's 0059-0025, it's the video, and the transcript comes
16 from the same transcript, item 43, and that's 0063-3242.

17 (Viewing of the video excerpt)

18 THE INTERPRETER: (Interpretation) There's only your presence at the city at the
19 town hall, that is the truth. The order is clear, we're being kept by having the mobile
20 hearings in Côte d'Ivoire by any means. That's all there is in Yopougon. There is
21 no mobile hearings. What is awaiting -- the mission that awaits us is to organise
22 ourselves as quickly as possible to make sure that these mobile courts are not held.
23 We are keeping Abobo -- incomprehensible -- the situation is critical. If our friends
24 in congress provided for a major mobilisation within congress, that did not keep
25 people from having these mobile hearings at city hall. We had the chance to have

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1 access to the Abobo city hall. This is Abobo that I come from. People are lining up.
2 They are going back calmly. They are leaving calmly.
3 Right now we are thinking about how we can end this as quickly as possible. Once
4 it is held in Abobo, some RFI journalists will get some items and just throw out any
5 old thing and have people believe that these mobile hearings are being held
6 everywhere in Côte d'Ivoire.

7 MS PACK:

8 Q. Looking at the footage you have there, you recognize Température there as the
9 speaker?

10 A. That's correct, with the bullhorn and the floppy hat.

11 Q. And do you recognize anyone else whose names you are familiar with on the
12 platform there with him?

13 A. I recognize Eugène Djué's press officer, the gentleman in the green shirt next to
14 the Température.

15 Q. I'd like to show you another clip, and this is the same video 0059-0025, and the
16 time code is 00.09.12.00 to 00.09.46.00. And the transcript reference on the same OTP
17 transcript, which is at item 43 is page 3246, line 152, to page 3247, line 160.

18 And I would note that this particular transcript is being corrected, in the process of
19 being submitted for correction by the Office of the Prosecutor.

20 (Viewing of the video excerpt)

21 THE INTERPRETER: (Interpretation) I need boys. Once the boys are organised,
22 we will organise a battalion at the various points. And I found out in -- what I found
23 out in a coded fashion, I can't tell you everything here, but soon we will speak, we are
24 going to -- incomprehensible -- develop and we will do what we have to do.

25 And here this is nothing. The city hall is closed. When you are in front of it, what

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1 is there?

2 Change of speaker: There is nothing.

3 Température goes on to say: At noon you will leave to go have something to eat.

4 That's not it. Leave here at -- incomprehensible.

5 MS PACK:

6 Q. Now, you told us earlier about Température saying that he was going and that
7 he would return?

8 A. Correct.

9 Q. Is this the point at which you recall him saying that?

10 A. Yes.

11 Q. Now, after this speech, what did you see Température do?

12 A. He left with at least three or four other people.

13 Q. How soon after that did he return?

14 A. I would say between an hour and a half to two and a half hours.

15 Q. Did he return with anyone?

16 A. I do not remember seeing him actually return. I knew he was back when I saw
17 him in the compound. I was -- at the time I wasn't allowed to leave, so I was
18 sequestered at the back of the compound.

19 Q. Why weren't you allowed to leave?

20 A. Well, at this point there this -- there were two incidents. The first one
21 happened between the time he left and the time he came back and the second incident
22 of not being allowed to leave was after the speeches when he returned.

23 Q. So just staying with before he came back, what was happening at that time?

24 A. So there was the understanding after his speech talking about the French
25 journalists that I was the French journalist and these -- the crowd surrounded me,

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1 wanting to know quite angrily whether or not I was the French journalist. And then
2 when they found out I was an American journalist, then they were a lot more -- they
3 were -- they weren't as threatening towards me. I was allowed to continue working,
4 but I had the impression that I wasn't allowed to leave. That's the first time.

5 Q. Let's just stay with that, please. And I'll play a clip. It's 0059-0025, and the time
6 code is 00.10.22.00 to 00.10.38.00. The transcript is the same OTP transcript and it's at
7 page 3247, line 174 to 181.

8 (Viewing of the video excerpt)

9 THE INTERPRETER: (Interpretation) The people of Côte d'Ivoire are ready to
10 fight.

11 Another speaker: Yes, that's true.

12 Another speaker: We have Banny here. Let's go.

13 Another speaker: Okay. If it's the Americans, there's no problem. But we don't
14 want to see RFI. It isn't RFI? It isn't RFI?

15 Another speaker: No, it's not RFI.

16 MS PACK:

17 Q. In that footage, is that footage that you took in that interim period after
18 Température left and before he returned?

19 A. Directly afterwards, correct.

20 Q. In that time frame, did you interview anyone else you recall?

21 A. I interviewed I believe another one or two of these young men and then a
22 representative of the FPI.

23 Q. I'd like to play another clip, please, and that is same video, 0059-0025, and the
24 time code is 11.29 to 13.18. The transcript is same OTP transcript and it's page 3248,
25 lines 206 to 216. And we'll just play that.

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1 (Viewing of the video excerpt)

2 THE INTERPRETER: (Interpretation)

3 Militant: I am an FPI militant.

4 Journalist: Well, can you tell us what's going on here and why you want to keep the
5 mobile court from going ahead?

6 The militant says: We are keeping the -- we don't want the mobile hearings to be
7 organised, because we think that up until now we haven't had information from the
8 Ivorian government telling us about the organisation of these hearings, us here in
9 Yopougon. And secondly, on behalf of my party, it has been decided to boycott this
10 hearing or this mobile court because as we have already said, the government has not
11 informed the people of Côte d'Ivoire about these hearings being held. And
12 when -- and during a meeting of the president in Yamoussoukro, he was clear, he said
13 that he has not yet appointed the judges who will.

14 MS PACK:

15 Q. Now, is this the interview that you recall just now with a representative of the
16 FPI?

17 A. That is correct.

18 Q. You told us that Température returned at one point. Can you tell us, please,
19 what happened after that?

20 A. So after these sets of interviews, there was a period of time of an hour or two
21 where bread was brought in to feed everyone.

22 After this time, the Température returned with a number of other people and they
23 gathered everyone around in front of the stage again. And one of the speakers
24 informed everyone that they had come back from a meeting with a message from the
25 General, Charles Blé Goudé, that they would paralyze the city of Abidjan the next day

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1 and that the ministers of the government were all in agreement.

2 Q. I'd like to play another clip, please. It's from the same video, and the
3 timestamp is 00.22.23.00 to 00.23.40. The transcript -- 00.23.40.19 was the full end
4 point. And the transcript from the OTP transcript is at page, same transcript
5 reference, the page number is 3253, lines 379 to 392.

6 (Viewing of the video excerpt)

7 THE INTERPRETER: (Interpretation)

8 I would like to pay tribute to your determination. I would like to pay tribute to your
9 top-notch mobilisation, because your presence here in the courtyard of the city hall
10 shows that the objective, killer of Konan Banny, was not held. That is what we must
11 pay tribute to.

12 Unidentified speaker: Great.

13 Unidentified speaker: That's what this is all about.

14 HAM: My friends, this morning we were all together when two officials called us on
15 an emergency basis to provide some clear instructions. We came back from this
16 meeting so together we will share this clear order from our top official. I would like
17 to mention General Blé Goudé, who has asked us to pass on the message to you. So
18 I am with President Dago Vincent, president of the body coordinating the various
19 parliaments of Yopougon.

20 MS PACK:

21 Q. I'll just ask you to just look at another clip directly. And the time code for that is
22 almost directly after this one, it's directly after, continuing in the transcript up to line
23 399, still page 3253, and this end point of this particular segment is 00.23.59.11.

24 (Viewing of the video excerpt)

25 THE INTERPRETER: (Interpretation)

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1 There is our friend Jean-Claude, who is the president of the COJEP coordination
2 group, and our friend Guy Gbetri, who is the president of the Yopougon parliament.
3 We would like to say that we have arrived at the very heart, the very heart of the fight
4 that we have led since 2002. And this heart has been struck a blow, that is to say our
5 very heart which will -- incomprehensible -- struck by Banny and France
6 because -- incomprehensible -- without ignoring that if we look beyond the economy
7 aspect of this war, which is the ...

8 MS PACK:

9 Q. Now, just looking at that footage, can you identify anyone on the stage?

10 A. Beyond the Température and Jean-Claude, no.

11 Q. I'd like to play you the last part in this segment and then I can ask you a couple
12 of questions. If we can just start please with 00, the timestamp, same video,
13 00.25.14.00 to 00.28.00.00, and the transcript is page 3254, lines 417 to 445.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: (Interpretation)

16 Where am I supposed to go to? As of tomorrow all of Abidjan is paralysed. As of
17 tomorrow all of Côte d'Ivoire will be barricaded off. I would like to tell you that
18 tomorrow morning we do not need to come to the city hall here tomorrow morning.
19 We don't need to come here.

20 It means that if you leave your house and go to the various crossroads that we are
21 familiar with, you will find checkpoints. The FESCI, General Abdullah, was at the
22 meeting because we have to respect one another in this country. We -- we do what
23 we have to do here in our own place or community. It's not normal for our own
24 government party that we be -- that we work half-time. It's kind of like a football
25 game. The rebel movement and France have one camp, and we're playing in the

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1 other camp. How long will he manage to hold up?

2 At one particular time we're going to -- incomprehensible -- unless we score a goal.

3 This has to do with all of Côte d'Ivoire. Tomorrow morning no car should be

4 driving here in Yopougon. Why were the mobile courts held before? We cannot

5 stand for this in the year 2000. We are ready. There are 5 million voters who have

6 been registered. We are ready to die for our country.

7 MS PACK:

8 Q. And I should say there is a transcript that's being corrected, but one that's

9 available and also will be corrected in relation to that extract, too.

10 So far as the three clips I've just played, we just played are concerned, can you

11 identify any of the speakers?

12 A. Only beyond just -- not the speakers, no, but the gentleman standing next to the

13 speakers.

14 Q. Who you've mentioned earlier was who?

15 A. Serge Koffi, I believe.

16 Q. Now, this is footage, is it, that you recorded after the return of Température and

17 others?

18 A. That is correct.

19 Q. After these things were said and after the meeting was over, can you tell us

20 what then happened?

21 A. After the meeting was over, I actually wanted to leave because I realised that

22 I had just recorded some sensitive information that I probably shouldn't have been

23 party to. However, I wasn't allowed to leave at that point and after some negotiation

24 found out that I would have to stay in the compound that night because they were

25 afraid that I would share the plans of the next day with the authorities.

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1 After 15, 20 minutes, the -- after about 15, 20 minutes, the people around me who
2 were not allowing me to leave were dispersed, were distracted by something else that
3 was going on, and I was able to kind of sneak out.

4 PRESIDING JUDGE TARFUSSER: Mrs Prosecutor, can you tell me how this relates
5 to the charges and --

6 MS PACK: Yes.

7 PRESIDING JUDGE TARFUSSER: Please, because I do not understand.

8 MS PACK: Yes, your Honour. I mean, as is clear from the pre-trial brief and the
9 Document Containing the Charges, the common plan is alleged to run from the point
10 at which Mr Gbagbo -- to have developed over the years from when Mr Gbagbo came
11 to power, and there was then developed and conceived a common plan which
12 culminated in the policy by November 2010 to -- as described in the pre-trial brief.
13 But all of that period is highly relevant in the 2000s to the conception and
14 development of the common plan and, importantly, to hold on to power by whatever
15 means. And the point is from these sorts of -- this sort of evidence goes to a couple
16 of things. One, at least the aspect of control of the youth, which is fundamental to
17 the case; second, coordination of members of the inner circle; and third, of course to
18 the deliberate frustration of processes toward the holding of democratic elections.
19 So broadly that would be why.

20 PRESIDING JUDGE TARFUSSER: Yes.

21 MS PACK:

22 Q. I would ask you, please, moving on from this meeting, the next day can you
23 recall what happened, please, in Abidjan the following day, 19 July 2006?

24 A. That city centre was, all the main intersections to the city centre of Abidjan were
25 barricaded by Young Patriot and FESCI members. The city was shut down.

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1 Q. How were you personally made aware of this?

2 A. Well, I was made aware of this at the meeting before, the day before at the
3 meeting at the mayor's office. But the next day I went out into towards the city
4 centre of Abidjan and witnessed multiple checkpoints, roughly put together
5 checkpoints, manned by these men.

6 Q. Why do you say that the checkpoints were manned by Young Patriots and
7 FESCI members?

8 A. Again, my experience of being in the country a few weeks, of recognizing the
9 members of these two groups, in addition to being at the meeting the night before
10 where they said that they were going to be the ones who were going to barricade the
11 intersections into the city.

12 Q. Can you describe the men that you saw at the barricades, that you yourself saw?

13 A. Young men armed with sticks, rocks, rope, knotted rope. I believe some of them,
14 as I progressed towards the city centre and got closer to the university, there was an
15 appearance of young men identified with FESCI clothing, yeah.

16 Q. Can you describe at the barricades that you saw the behaviour of the young
17 men who were there?

18 A. The barricades were roughly assembled with cement blocks, some burning tyres,
19 rough pieces of metal. The young men were aggressive to anyone who approached.
20 They were harassing drivers who were trying to get through and they were very
21 threatening to me and -- because I had a camera and I was filming.

22 Q. Did you film everything you saw that day?

23 A. No.

24 Q. Did you film some scenes of what you saw?

25 A. I did, yes.

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1 Q. I'd like to ask you, please, just to look again at that list of tapes that you have in
2 front of you and it's at 0058-0891. If you look at page 0891 itself, the first page, you
3 can see there "Tape 006" and it says there, "Young Patriots close down Abidjan.
4 Early morning." And then "Captain Morgan at roadblock (Young Patriot Militia)"
5 and then it goes on to describe other footage. Does the other footage relate to the
6 shutdown that you've described?

7 A. The gospel singers outside of RFI.

8 Q. So this is other footage that doesn't relate to the shutdown, is that right, that
9 then goes on on this tape?

10 A. Correct.

11 MS PACK: So, your Honours, I would ask again to submit the OTP video, registered
12 video that is the tape 6 and it is item number 29 on the list of material. And there
13 is -- there are two partial transcripts, one is item 31 on the list and the second is item
14 32. And in relation to both I need leave to submit them because they were not on
15 our list of evidence but are mere transcripts and I would ask for that.

16 PRESIDING JUDGE TARFUSSER: That's okay.

17 MS PACK: Thank you. The second one I should say at item 32 has yet to have an
18 ERN number assigned and that will be assigned as soon as practicable. I think it's
19 going through the processes right now.

20 So, your Honours, I would submit those and the tape excluding the very last part of
21 the type, excluding the following excerpts: 00.20.00 to 00.25.53 and 00.34.15 to the
22 end.

23 Q. Let me ask you, please, then to look at your own document related to this tape.
24 And that is at 0058-0700 and it's confidential, it's item 30 in the list of material.
25 And perhaps the witness could be given a hard copy, which we have, a clean hard

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1 copy, the last one.

2 A. Thank you.

3 PRESIDING JUDGE TARFUSSER: Could I just recall you that you have a little bit
4 less than 20 minutes to go with this witness.

5 MS PACK: Yes, I will move fast.

6 PRESIDING JUDGE TARFUSSER: Okay. Thank you.

7 MS PACK:

8 Q. Can you just please confirm that this -- what this document headed "Tape 006",
9 what it is.

10 A. It's an account of that -- the day the city centre was barricaded from early in the
11 morning until I think around 2 or 3 in the afternoon.

12 Q. Thank you. I will ask you just to look at a couple of clips of the footage that
13 you took that day. If we can go to please 0059-0007 and it's time code 00.04.50.00 to
14 00.05.37.00 and there's no equivalent transcript, but it's just visual evidence rather
15 than anything being said.

16 (Viewing of the video excerpt)

17 MS PACK:

18 Q. Now, just to deal with this quickly, that footage there, is that some of the
19 footage that you filmed on tape 16 of Abidjan on that day, 19 July?

20 A. That is correct.

21 Q. And apart from footage of the roads themselves, did you interview anyone
22 within the context of these roadblocks?

23 A. Yeah, I interviewed one gentleman outside of the SOCOCE in the plateau.
24 He's referred to in the transcript as Captain Morgan. That's not his real name.

25 Q. I won't play it, but can you just tell us broadly what that interview was about?

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1 A. Basically asking him what was -- what was going on, why the city was being
2 shut down. He was expressing his views on the mobile courts, the usual rants.

3 Q. Do you recall looking at the newspaper headlines on that day or in the days
4 immediately after?

5 A. I do. I believe I submitted some of them.

6 Q. I'll just ask you just to look at one or two of those. If we can just go, please, to
7 the OTP reference 0058-0657. Just you can see just the headline there, was that
8 the -- can you see it on your screen, actually?

9 A. I can, yeah.

10 Q. Thank you. Is that a paper that you provided -- a copy of which you provided
11 to the Office of the Prosecutor?

12 A. I did, yes.

13 Q. And was that a paper you bought around that time, it's dated 20 July in
14 Abidjan?

15 A. I did, yes.

16 Q. And just quickly I would like just to refer you to another one, which is --

17 PRESIDING JUDGE TARFUSSER: Yes, but we can't look at newspapers, please. I
18 mean, newspapers we're talking about.

19 MS PACK: Yes.

20 PRESIDING JUDGE TARFUSSER: Yes.

21 MS PACK:

22 Q. Did you watch the news while you were in Abidjan?

23 A. I did, yes.

24 Q. Did you film any of the footage that you watched when you were in Abidjan?

25 A. I did, yes.

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1 Q. Can you recall when you filmed footage?

2 A. It would have been the evening of that day, the 19th.

3 MS PACK: I'd like to play, please, just the last of the clips that I wanted to play, and
4 we'll just play them in succession, and they are from the same tape, 0059-0007. And
5 the first has the following time code: 00.25.54.14 to 00.26.12.00. And the second has
6 the following time code: 00.29.44.00 to 00.33.43.17. And this latter timestamp has a
7 new transcript. It's the new transcript that's been provided at item 32 of the list of
8 material, the one that doesn't have an ERN, and that covers the time frame from
9 00.30.00 to 00.33.43 -- or I gather is now has an ERN just recently applied to it with
10 OTP prefix, ending 0090-5643.

11 So if we could play both of those extracts, those would be the last of the extracts, the
12 clips.

13 (Viewing of the video excerpt)

14 MS PACK:

15 Q. It's the first clip.

16 (Viewing of the video excerpt)

17 MS PACK:

18 Q. Now I've only got a couple of minutes so I'll just ask you some closing questions.

19 This footage that was just played, is that footage that you filmed?

20 A. That is correct.

21 Q. And you filmed it from where?

22 A. From the house I was renting.

23 Q. Of what? What are you filming?

24 A. I'm filming the local TV broadcast.

25 Q. Now, just to conclude on a couple of matters. Did you carry out any other

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1 filming when you were in Côte d'Ivoire for the period you were there?

2 A. Yes.

3 Q. I'm not going to ask you for any details. Did you travel out of Abidjan again?

4 Apart from when you went to Yamoussoukro, did you travel out of Abidjan?

5 A. Yes, I did.

6 Q. Where did you go?

7 A. I went to Bouaké.

8 Q. Can you recall the dates you went there?

9 A. It would have been the end -- the very end of July.

10 Q. What was the purpose in your going to Bouaké?

11 A. I wanted to provide a balance to the film I was making and interview people
12 from the other side of the conflict. I knew that Mr Blé Goudé had been in FESCI
13 with Soro Guillaume and Sidiki Konaté and I wanted interview them about their
14 experiences in the last few years.

15 Q. Did you interview any of -- either of them?

16 A. I did. I interviewed Sidiki Konaté and a commander in the New Forces by the
17 name of Issiaka Ouattara.

18 Q. Now I'm not going to play those, or ask you for any further detail, but after you
19 had conducted those interviews in Bouaké what did you do?

20 A. I was concerned that being in the north of the country would be problematic
21 having footage from the north of the country interviewing the people I did in the
22 north of the country. I thought it would be problematic going back to Abidjan and
23 the south and so I arranged to leave as soon as I could.

24 Q. Why problematic to go back to Abidjan and the south?

25 A. Because of the rhetoric -- sorry, that's the wrong word. Because of

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1 the -- because of the media in Abidjan.

2 MR ZOKOU: (Interpretation) Mr President, my learned friend is asking for the
3 witness' opinion. I believe that is not appropriate.

4 PRESIDING JUDGE TARFUSSER: I think it's not an opinion, it's a feeling. Why
5 did you not go? Because I felt. It's not an opinion, it's how he -- it seemed, the
6 situation seemed to him. That's how I see it.

7 MS PACK: Yes. And that was just to ask what motivated his departure.

8 Q. Did you -- when did you leave Côte d'Ivoire?

9 A. I left, I believe, the first week of August. The -- I was responding to the press
10 messaging in the south in terms of their -- the feelings towards the Ouattara, the
11 current president, who wasn't at the time, and the general feeling towards people
12 from the north, foreigners, immigrants.

13 Q. Now, just last question: You've spoken about mobile courts today in your
14 testimony and I didn't ask you what you understood that to mean. Can you explain
15 to us?

16 A. The mobile courts were being set up to register people for papers, nationality.

17 Q. Did you know which people were being --

18 A. Everybody who didn't have papers.

19 Q. Mr Walker, thank you very much. Those are all the questions I have for you.

20 MS PACK: Your Honours, that was my questioning for today.

21 PRESIDING JUDGE TARFUSSER: Thank you very much.

22 I have a question now, only one. I go back to the very beginning of your testimony
23 at page 9, line 9 and 10, at the question:

24 "Why did you travel to Côte d'Ivoire?" By the Prosecutor.

25 You responded: "I went to Ivory Coast to make a documentary film about the

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1 presidential elections."

2 Which elections are you talking about? As far as I know they were four and a half
3 years later.

4 THE WITNESS: (Interpretation) They were. They were. They
5 had -- always -- my understanding was they were trying to plan them for that year
6 and years after. The process was starting to -- to plan for the elections.

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

8 The hearing is adjourned to -- pardon?

9 MS PACK: I just wondered if I could ask one quick follow-up from that, your
10 Honour?

11 Q. I realise I didn't ask you, but you went to make a documentary. It's not being
12 submitted, but did you end up then making a documentary when you returned?

13 A. I did make a film when I returned, yes.

14 Q. Thank you.

15 MS PACK: That's it, your Honours.

16 PRESIDING JUDGE TARFUSSER: Thank you very much.

17 The hearing is adjourned to tomorrow morning, I think in the same courtroom,
18 because here we are -- we jump around and we learn in the morning where we have
19 to go. I assume, is that right, here in the same courtroom tomorrow, 9.30 with the
20 questioning by the Defence teams. Thank you very much.

21 THE COURT USHER: All rise.

22 (The hearing ends in open session at 4.01 p.m.)

23 RECLASSIFICATION REPORT

24 Pursuant to the Trial Chamber' I's email instructions, dated 16 July 2019, the public
25 reclassified and lesser redacted version of this transcript is filed in the case.