

Trial Hearing
WITNESS: CIV-OTP-P-0046

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera-Carbuccia and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Tuesday, 21 February 2017
10 (The hearing starts in open session at 9.35 a.m.)
11 THE COURT USHER: [9:35:33] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:36:00] Good morning, good morning to
15 everybody.
16 Good morning, Mr Witness.
17 The floor is to Maître Altit.
18 MR ALTIT: [9:36:15] (Interpretation) Thank you, your Honour.
19 WITNESS: CIV-OTP-P-0046 (On former oath)
20 (The witness speaks French)
21 QUESTIONED BY MR ALTIT: (Continuing) (Interpretation)
22 Q. [9:36:28] Good morning, Witness.
23 A. [9:36:32] Good morning, Counsel.
24 Q. [9:36:34] How are you today?
25 A. [9:36:36] Very well.

1 Q. [9:36:37] Well, we shall continue with questioning today, and I would like to ask
2 you about the march of 16 December 2010, all right. Now you told us, sir, and I will
3 quote your words, just to be crystal clear about your particular march, in response to
4 the question "When did you learn that there would be a march on the 16th" -- ah, the
5 Prosecutor said "the 16th of March," but in actual fact he meant 16 December.

6 Your response was this, "I confirm, I confirm that I was not informed in advance. I
7 heard about."

8 So, first of all, does that mean you didn't officially know and neither the organisers
9 nor the authorities warned you officially?

10 A. [9:37:41] I was not informed in advance.

11 Q. [9:37:47] Very well. All the same, you did say that you heard about the march
12 indirectly. Now, did you mean that there were rumours about a march upon
13 various locations, but it was only on the morning of the 16th that you actually learned
14 that a march had begun?

15 A. [9:38:15] Well, I would give you the same reply. We did hear rumours, but
16 without -- there were no -- unfounded, there were no documents. As I said last week,
17 when there was supposed to be a march, the police were supposed to receive an
18 advance statement thereof. But we never received such a document. We never
19 received anything from the people who initiated or organised the march.

20 Q. [9:38:49] Very well. And this was in contrast to another march that you
21 mentioned in your statement and you said that that particular march had gone very
22 well. Do you remember saying that?

23 A. [9:39:05] That is correct. That was the march initiated by Kakabe. He called
24 us, he informed us so that we could provide protection during the march.

25 Q. [9:39:25] And the march went fine, no incidents reported?

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1 A. [9:39:30] Well, the proof is that, yes, it went well and the organisers actually
2 came back to us afterwards and thanked us and said that they had been very well
3 protected.

4 THE INTERPRETER: [9:39:49] Microphone, please.

5 *Q. [9:39:49] So I'm going to quote your statement.

6 PRESIDING JUDGE TARFUSSER: [9:39:50] Microphone.

7 MR ALTIT: [9:39:52] (Interpretation)

8 Q. [9:39:54] I will quote what you said, 0014-0233, 0014-0233.

9 MR MACDONALD: [9:40:09] What are we doing with the statement right now?

10 PRESIDING JUDGE TARFUSSER: [9:40:10] Mr Prosecutor.

11 MR MACDONALD: [9:40:12] Are we confronting the witness? Or what was the
12 purpose of using the prior statement at this stage?

13 PRESIDING JUDGE TARFUSSER: Yes, but I mean --

14 MR MACDONALD: I understand my colleague may be in cross-examination, but if
15 we are to --

16 PRESIDING JUDGE TARFUSSER: No.

17 MR MACDONALD: Sorry, in examination, sorry. So that's my point. I don't see the
18 use of using the statement to reaffirm what the witness just said, that's self-serving.

19 PRESIDING JUDGE TARFUSSER: [9:40:40] Yes, I don't know what Maître Altit is
20 going to ask, but I think he can use the statement whenever he deems it necessary.

21 MR MACDONALD: [9:40:50] To confront the witness. It would have to be for that.

22 PRESIDING JUDGE TARFUSSER: [9:40:54] Yes. Why not?

23 MR MACDONALD: [9:40:57] But he has not indicated that, that's our point,
24 your Honour.

25 PRESIDING JUDGE TARFUSSER: [9:41:02] Well, okay. Please, Maître Altit.

1 MR ALTIT: [9:41:12] (Interpretation) Thank you very much, your Honour.

2 Q. [9:41:16] In your statement 0014-0233, 0253, line 727 to lines 729, in regard, in
3 relation to this particular march, and I quote:

4 "Well, so the first one, me, I do know that the two leaders of the RHDP, that is to say
5 the one from the PDCI and the one from the RDR, young people, the two presidents
6 came to my office to say that there was a march." End of quote.

7 You meant to warn you, or did they come to tell you that everything had gone well?
8 What did you mean exactly?

9 A. [9:42:12] Let me repeat. They came initially to tell us that there was a march,
10 and after the march they came back to tell us -- well, to thank us and to thank the
11 police because the march had gone well and then there had not been any damage or
12 violence.

13 Q. [9:42:34] Very well. And that was how long *before the march of December 16?
14 *To give us an idea. Do you know how long?

15 A. [9:42:45] *That happened just ... well, the information... they came to say thanks...
16 at a time thereabouts. But that that was long before the march, the second march.

17 Q. [9:43:00] Very well. So speaking to the authorities and warning them and
18 providing information about a march, is that the normal procedure?

19 A. [9:43:15] That's what I said earlier, before any march you have to make a prior
20 statement or give advance notice, that is to say inform the authorities about the march,
21 and then there's a whole procedure. The police receive from the initiators a number
22 of things, for example, the itinerary, the purpose, the time, the number of people
23 expected.

24 Q. [9:43:47] But the people who organised the march of 16 December didn't do any
25 of that?

1 A. [9:43:52] Which march? The march in Abobo?

2 Q. [9:43:55] No, no, no, no, no. I'll be more specific. So this procedure you
3 mentioned, informing the authorities, et cetera, the organisers of the 16 December
4 march that has been discussed so much, the march of 16 December upon the RTI, do
5 you remember? My question is this: The organisers of the march upon the RTI,
6 they did nothing, is that what you're telling us?

7 A. [9:44:27] I confirm that no advance notice was given that there would be
8 a march.

9 Q. [9:44:35] Is it because they wanted to keep the actual path taken by the march
10 demonstrators?

11 THE INTERPRETER: [9:44:48] Overlapping speakers.

12 MR MACDONALD: Objection.

13 PRESIDING JUDGE TARFUSSER: [9:44:50] This is not a fact.

14 MR ALTIT: (No interpretation)

15 PRESIDING JUDGE TARFUSSER: Okay. Okay, it is speculation.

16 MR ALTIT: [9:44:59] (Interpretation) I shall rephrase.

17 Q. [9:45:02] *So you had to make last minute adjustments the actual day of the
18 march, on the day itself, did you not? Is that what you're telling us?

19 A. [9:45:13] I said that, you see, we had not been informed, so we took the
20 necessary measures so that in the event that the march took a particular path, that we
21 could take measures. *Prosecutor, you will have seen that we took a certain number
22 of measures, in a roundabout way, in Abidjan.

23 Q. [9:45:46] One point isn't very clear, and if you could kindly clarify for us. In
24 your questions and answers with the Prosecution there were two objectives for the
25 marches, first of all, see to it that Mr Guillaume Soro would be sworn in at the head of

1 the office of the prime minister. But there was a second objective, but now I have the
2 impression that there was only one objective. Could you be more specific, what
3 were the stakes at hand?

4 PRESIDING JUDGE TARFUSSER: Mr Prosecutor.

5 MR MACDONALD: [9:46:22] Thank you, your Honour. Could the Defence
6 counsel be reminded that each time he is saying "Ce n'était pas très clair," it is not
7 clear to him.

8 PRESIDING JUDGE TARFUSSER: [9:46:34] Absolutely.

9 MR MACDONALD: [9:46:34] It is always editorial comments, your Honour --

10 PRESIDING JUDGE TARFUSSER: Yes.

11 MR MACDONALD: -- that if it's not clear, listen, I would like to have additional
12 details, but it is constantly editorial comments about --

13 PRESIDING JUDGE TARFUSSER: Yes.

14 MR MACDONALD: -- his impression about the Prosecution's evidence, which he
15 will have an opportunity in his closing brief, closing arguments to address at full
16 length, but it is every single question is that way. Thank you.

17 MR ALTIT: [9:47:00] (Interpretation) Your Honour.

18 PRESIDING JUDGE TARFUSSER: [9:47:01] Yes. Wait. May I say that also this,
19 just to be clear, it's for you, because sometimes things are very clear, but you still
20 would like to clarify them for, I don't know, for yourself probably. So I think that
21 put the questions and that's it.

22 MR ALTIT: [9:47:23] (Interpretation) Thank you, your Honour. No, the witness's
23 response was not absolutely clear at all for me, that's why I asked for clarification
24 knowing that if you look at the actual transcript, you will see that there was some
25 confusion about whether there was two objectives or just one objective. So I am

1 trying to elicit exactly what these objectives were.

2 PRESIDING JUDGE TARFUSSER: [9:47:49] Here we are only talking about how you
3 introduce always these questions, every time you say, "Just to be clear." Of course.
4 But just put the question without. Sometimes you say "Just to be clear for
5 the Chamber maybe," but you didn't ask the Chamber if it's clear for the Chamber.
6 So please go ahead.

7 MR ALTIT: [9:48:12] (Interpretation) Duly noted, your Honour.

8 Q. [9:48:17] Mr Witness, do you remember my question? Were there two
9 objectives or just one objectives for this particular march?

10 A. [9:48:27] Initially the information that we received was to the effect that there
11 were two objectives, but in actual fact there was only one march, the march upon the
12 RTI.

13 Q. [9:48:48] Very well. So on 16 December, what happened? Did you give
14 instructions to the préfecture which in turn gave instructions to the neighbourhood
15 police stations to go out and see what was going on and to report back, is that what
16 happened?

17 A. [9:49:14] Once again, as I said last week, the Abidjan police préfecture was
18 responsible for ensuring order within its territory. When there was a march and -- when
19 there is a march the officials take the necessary measures, *except if he thinks that it is not
20 possible to provide enough men to ensure the security of the march or the ceremony.

21 Q. [9:49:44] Very well. There was some talk about demonstrators on the next day,
22 17 December. Can you tell us what happened that day?

23 A. [9:50:01] The next day it was -- how should I put this? It wasn't a separate
24 march. It was actually a continuation of the previous day's march.

25 Q. [9:50:15] What happened?

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1 A. [9:50:23] It was a demonstration because people, well, people from the RHDP
2 had been detained or, rather, people from the LMP had been detained and so there
3 were people marching in the streets.

4 Q. [9:50:44] Were police officers attacked then?

5 A. [9:50:47] Yes. A number of police officers were injured. I'm talking about the
6 16th, because to my mind the two are the same. *As far as I am concerned, one
7 march was a continuation of the other.

8 Q. [9:51:02] Very well. But we need clarification. So on the 16th, we've
9 understood what happened then, and actually we'll come back to that point. But the
10 17th, you say some police officers were attacked and some were injured?

11 A. [9:51:18] I don't exactly remember, but on the 16th I can tell you that two police
12 officers were injured, two soldiers were injured, a journalist was injured.

13 Q. [9:51:30] Very well. Let's go back to the 16th then. You were telling us, you
14 were telling us that it was not a normal demonstration. And you told us just look at
15 the number of people hurt or injured, the police officers killed. And you said that
16 they were shot, that their deaths were attributable to firearms. So when were you
17 informed of the presence of armed marchers within the march itself?

18 A. [9:52:16] No, no, no, we weren't informed about armed demonstrators. No, we
19 were not informed of that. I told you that we did not receive advance notice. We
20 saw for ourselves that there were marchers in the street. And afterwards, when we
21 took stock of what had happened, some police officers had been killed, and we
22 realised that there had been weapons involved. During the time of the march we
23 didn't know that.

24 Q. [9:52:54] So you don't know when people started shooting at the police officers,
25 you don't know about that?

1 A. [9:53:00] No. It was when we were told that a police officer or an individual
2 had been injured, that is when we realised that the person in question had been
3 injured, indeed wounded by someone using a firearm.

4 Q. [9:53:20] Very well. At the same time as the march, was there also an attack
5 upon the Golf hotel by rebel soldiers that very same day?

6 A. [9:53:32] *Well, that's a logical continuation.
7 You see, they were going to swear in the new director of the RTI, and that didn't
8 happen. So they also wanted to have the prime minister put in place within the
9 office of the prime minister, but that didn't happen. That objective was not reached.

10 Q. [9:54:04] If you don't mind, I would like to backtrack. You say that the other
11 objective was not reached. So there were indeed two objectives. And you are
12 saying that the objective was not reached. The initiative was not carried out. But
13 was it an objective?

14 A. [9:54:27] I can confirm what I have been saying right from the very beginning.
15 Initially there were two objectives to be reached. But the march upon the office of
16 the prime minister did not occur. On the other hand, there was just one march, the
17 march upon the RTI.

18 Q. [9:54:52] Very well. So, thus, policemen attacked during the march, attacked
19 by rebel soldiers upon the Golf hotel. Would it be fair to say that law enforcement
20 members were being attacked on multiple fronts that day?

21 A. [9:55:18] That is correct.

22 Q. [9:55:20] In a document that was shown to you by the Prosecution, tell me if you
23 remember, there was a list of police officers who had been killed and *a list of civilian
24 victims of the RHDP march and it makes mention of nine, nine civilians killed. Do
25 you remember that?

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1 A. [9:55:42] Yes.

2 Q. [9:55:43] In another document shown to you by the Prosecution mention is
3 made of 15 civilians who lost their lives, do you remember?

4 A. [9:55:57] Indeed, I do.

5 Q. [9:55:58] My question is as follows: The armed men who were within the --

6 MR MACDONALD: [9:56:04] Objection. I don't remember saying that there were
7 armed men in the march. I don't remember that being on the record with this
8 witness, your Honour.

9 PRESIDING JUDGE TARFUSSER: [9:56:19] But I didn't, I didn't read,
10 listen -- I didn't hear the question.

11 MR MACDONALD: [9:56:25] The question was (Interpretation) "The armed men
12 who were part of the march and who" -- (Speaks English) and then I jumped up.
13 (Interpretation) "The armed men who were part of the march," (Speaks English) I'd
14 like to understand where this comes from.

15 PRESIDING JUDGE TARFUSSER: [9:56:45] Were there armed men within the
16 march? Were there armed people marching?

17 THE WITNESS: [9:56:59] (Interpretation) Thank you, your Honour. I repeat what I
18 said already. We did not observe armed men during the march. It was when we
19 received information to the effect that men had been killed or wounded, that is when
20 we saw that the injuries were due to weapons.

21 PRESIDING JUDGE TARFUSSER: [9:57:23] Okay, Maître Altit.

22 MR ALTIT: [9:57:25] (Interpretation) Thank you.

23 Q. [9:57:27] Thus, just to clarify for the benefit of my learned friends opposite, I
24 have put questions regarding two documents. I have asked other questions. There
25 is no link between these various things. The armed men who were part of the march

1 which you learned about later, you later learned that they were part of the march and
2 who attacked the police officers, do you have any knowledge, any knowledge, to your
3 knowledge were they wearing civilian clothing?

4 A. [9:58:14] I couldn't tell you. As I said earlier, I did not know at the time of the
5 march that there were armed men, I was not in a position to know whether those men
6 were wearing civilian clothing or uniforms. *I really couldn't say that because the
7 police did not report on that.

8 Q. [9:58:45] But if they had been wearing uniforms, what kind of uniforms would
9 they have been wearing?

10 PRESIDING JUDGE TARFUSSER: [9:58:53] If they, what would, I don't know. It's
11 a speculation. If he does not know, he does not know. That's it.

12 MR ALTIT: [9:59:02] (Interpretation) Indeed, your Honour, but that was not the
13 question really. The witness has said he doesn't know whether they were wearing
14 civilian clothing or uniforms, so I'm asking him what he meant by uniforms. It's not
15 speculative at all.

16 PRESIDING JUDGE TARFUSSER: [9:59:21] No. Well, the question was posed in
17 a very speculative manner. If you knew which -- I can read it.

18 "If they had been wearing uniforms, what kind of uniforms would they have been
19 wearing?" More speculative as this. No, but that's it, it's speculative. Or you
20 rephrase. But this is a speculative question.

21 MR ALTIT: [10:00:00] (Interpretation) Well, I shall rephrase. I think there might be
22 a little bit of a problem with interpretation or culturally speaking.

23 Q. Now, Mr Witness, you say that either they were in civilian attire, and we
24 understand, we all know what that means, or they were wearing uniform. My
25 question to you is, when you say --

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1 PRESIDING JUDGE TARFUSSER: [10:00:26] No. No, he didn't say this. I think
2 he said he does not know, he's not in a position to know.

3 He said, "I couldn't tell you. As I said earlier, I did not know ... I was not in
4 a position to know whether those men were wearing civilian clothing or uniforms."
5 This is the translation I have.

6 MR MACDONALD: [10:01:11] It's the same in French.

7 MR ALTIT: [10:01:32] (Interpretation) Well, I shall try one last time, Mr President,
8 but I would like things to be clear.

9 PRESIDING JUDGE TARFUSSER: [10:01:39] I would like also to be clear.

10 MR ALTIT: (Interpretation) Yes, yes, well, quite right. He wasn't there. He didn't
11 see. I am not asking him to describe something he can't describe because he wasn't
12 there. I'm asking him what he means by the word "tenue" in French, "uniform." So
13 is he giving us a semantic opposition between civilian attire and uniform? Because
14 he's giving us that diametric opposition, so is he talking about civilian attire or is he
15 talking about attire, uniform attire, the attire or uniform that these people might have
16 allegedly worn.

17 PRESIDING JUDGE TARFUSSER: Well, but he's --

18 MR ALTIT: (Overlapping speakers) (Interpretation) If you think it's speculative,
19 I shall withdraw it.

20 PRESIDING JUDGE TARFUSSER: [10:02:24] No, but he said he is not in a position
21 to know and that's it.

22 MR ALTIT: [10:02:31] (Interpretation) That's not the question, Mr President. But it
23 doesn't matter, I shall withdraw it. It's not that important. That wasn't the question,
24 though, anyway.

25 Q. [10:02:48] So, Mr Witness, let's continue. I'm going to put a simple question to

1 you. We were talking about two documents that talked about civilians that had been
2 killed. Do you remember that before we had our little exchange?

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

4 Q. [10:03:04] Very well. So amongst those individuals who were grouped under
5 the term of civilians who had fallen victim during the march on the RTI, could there
6 have been, or were there any to your knowledge, assailants, people who attacked
7 policemen?

8 A. [10:03:28] Well, we did not establish in a formal manner whether there were any
9 assailants, we just made that observation.

10 Q. [10:03:43] Very well. I have another question. Amongst those individuals
11 who were grouped under the generic term civilians who fell victim under the RHDP
12 march, were there, to your knowledge, any civilians who were victims or fell victim to
13 armed marchers?

14 A. [10:04:16] Let me repeat once again that I am not in a position to know that,
15 unless we made the observation that they were killed or wounded by weapon. I say
16 the same thing.

17 Q. [10:04:32] So you did not know? For all of those who were grouped under the
18 term civilians killed or civilians who fell victim to the RHDP in the march, who were
19 then at the origin of their deaths?

20 A. [10:04:53] I am not in a position to say, because we noted that there were dead
21 and wounded.

22 Q. [10:05:03] Very well. So in one of the two documents that we were just talking
23 about, I noted that there were three members of the FDS who were wounded in Divo;
24 do you remember that?

25 A. [10:05:18] Yes, indeed.

1 Q. [10:05:21] My question: To your knowledge, attacks upon the law enforcement,
2 were they led anywhere else apart from Abidjan during that period?

3 A. [10:05:37] Yes, indeed.

4 Q. [10:05:41] Very well. Did you hear the Prosecutor of the International Criminal
5 Court make a statement on the day of the march or did you hear that the Prosecutor
6 of the ICC had made a statement on the day of the march?

7 A. [10:06:04] Really I do not remember.

8 Q. [10:06:06] Very well. So let us move on to a slightly different point. These are
9 the rules of engagement. You said to us very clearly, what is more, that no firearm
10 could be used in the case of legitimate -- except in a case of legitimate defence. My
11 question to you is: Can you tell us more specifically what the rules of engagement
12 are when the policemen find themselves in the face of danger in a simple and rapid
13 manner, please?

14 A. [10:06:57] I shall repeat what I said. In all the messages and instructions that I
15 imparted I said that policemen can only use conventional weapons, except in the case
16 of legitimate defence. What does that mean? It means that if he is attacked or if
17 somebody next to him is under attack with or by firearm.

18 Q. [10:07:35] And these are the same rules that you regularly reminded your
19 colleagues of; is that right?

20 A. [10:07:44] Well, all the documents that are at the disposal of the Prosecutor are
21 one and the same instructions that I always gave or announced.

22 Q. [10:07:58] Were you threatened by representatives of the rebels or the RHDP as
23 the director general of the national police during the crisis?

24 A. [10:08:12] I would admit to not remembering. I really don't remember.

25 Q. [10:08:21] Very well. Amongst your subordinates were there any individuals

1 who came under threat by the rebels or the RHDP during the crisis?

2 A. [10:08:35] I have no recollection.

3 Q. [10:08:50] What did you as director general of the national police know of
4 a recruitment of mercenaries at the beginning of 2010 in Burkina Faso?

5 A. [10:09:06] I would remind you that in my statement I was never informed of the
6 recruitment of mercenaries. The only time when the question was put to me was to
7 ascertain whether I had any knowledge of it and I answered no. It was after the
8 events at the time when the mercenaries were coming in that we realised that indeed
9 there were mercenaries that they had come from the Liberian side. That's what I
10 know.

11 Q. [10:09:35] Very well. Did the police know that groups of combatants had been
12 infiltrated in Abidjan before or during the presidential election?

13 A. [10:09:57] Could you repeat, please.

14 Q. [10:10:01] The police, had the police been informed of the infiltration of groups
15 of combatants in Abidjan before or during the elections? That's groups of rebel
16 combatants of course, before or during?

17 A. [10:10:20] No. We did not have any information in this regard, with the
18 exception of Abobo, where the Invisible Commando, the Commando Invisible was
19 mentioned.

20 Q. [10:10:36] Did the police know whether there were any arms depots that were
21 prepared in Abidjan and that were prepared for rebel groups?

22 A. [10:10:47] No, they didn't know that either.

23 Q. [10:10:57] What did you know as the person in charge of the police as to the
24 number of rebels at the hôtel du Golf who were stationed there and with regard to
25 their weapons?

1 MR MACDONALD: [10:11:09] I think it was asked yesterday, your Honour, we
2 asked those questions --

3 PRESIDING JUDGE TARFUSSER: [10:11:12] It's already (Overlapping speakers).

4 MR MACDONALD: [10:11:14] -- the mounted --

5 PRESIDING JUDGE TARFUSSER: Yes.

6 MR MACDONALD: -- four by fours with machine guns.

7 PRESIDING JUDGE TARFUSSER: [10:11:20] I think this is already in the record.

8 It's already asked. It's in the record, the answer to this question.

9 MR MACDONALD: [10:11:44] By the Defence itself, I mean.

10 MR ALTIT: [10:11:59] (Interpretation)

11 Q. [10:12:01] Sir, did you have any information at the police HQ with regard to
12 what was going on at the hôtel du Golf during the crisis?

13 A. [10:12:11] I cannot give you any information, because at the police level, well,
14 you -- as to whether we had any evidence, we didn't have any evidence, we didn't
15 have any specific evidence and we did not have -- make any observations.

16 Q. [10:12:34] I didn't ask you whether you went to the hôtel du Golf to make
17 observations. I asked you whether you had gleaned any information, police was
18 functioning on the basis of information with regard to what was going on at the
19 hôtel du Golf?

20 A. [10:12:51] That's what I said. In order to provide information it would mean
21 that would you have checked it. I didn't have any information. If somebody calls
22 me to say we saw a tank at the hôtel du Golf I am not going to rely on that as
23 a policeman. I heard it but I am not going to rely on it. So that's why I say, once
24 again, that I can't give you an answer in that regard, as a policeman that is.

25 PRESIDING JUDGE TARFUSSER: [10:13:19] May I also say that "what was going

1 on" is a little bit generic. The English translation is "what was going on at the
2 hôtel du Golf?" Well, I think it's a bit generic. So if you want something specific,
3 please ask specifically because ...

4 MR ALTIT: [10:13:46] (Interpretation)

5 Q. [10:13:48] So, Mr Witness, we can put a specific question to you. Do you know
6 who was at the hôtel du Golf from September 2010 and who, more specifically, were
7 the rebel leaders in charge of the rebels there?

8 A. [10:14:04] I would come back with the same thing, I can't know who or which
9 rebels were there. As I said to you yesterday, we had a police roadblock that had
10 been forced through by Commander Mourou. I can -- that's all I can say as
11 a policeman there. With regard to everything else, I do not have any element of
12 information.

13 Q. [10:14:30] In order to be clear, you are saying to us that you knew nothing about
14 anything with regard to what was going on at the hôtel du Golf from the beginning to
15 the end of the crisis; is that right?

16 A. [10:14:44] I can't give you specific information but I know that at the
17 hôtel du Golf there were the rebels present, but which rebels I don't know, I don't
18 know what weapon they had either. So I can't give you a specific or precise answer.

19 Q. [10:15:08] Did you know whether there were any French military advisers at the
20 hôtel du Golf?

21 A. [10:15:14] The same thing applies, I can't tell you.

22 Q. [10:15:32] So you said that during operations in Abobo you lost many men.
23 Did you mean by that that the police stations and police units in Abobo had come
24 under attack?

25 A. [10:15:46] I can confirm that the units or the police stations in Abobo came under

1 attack.

2 Q. [10:15:54] Since when?

3 A. [10:16:00] I can't give you the date, but with regard to the facts, the police
4 stations did come under attack.

5 Q. [10:16:09] By whom?

6 A. [10:16:16] *Here too I can't give you names, but we heard that it was the
7 Invisible Commando that attacked the police station, so it's vague -- I can't give you
8 names, correction. So it's vague.

9 Q. [10:16:32] And who was the Commando Invisible?

10 A. [10:16:38] I would repeat to say that I can't say. But it was after the events that
11 we heard that the Commando Invisible was headed up by IB who was killed himself
12 just after the events. That's all I can tell you in that regard.

13 Q. [10:16:57] He was killed by whom?

14 A. [10:17:00] Once again, as a policeman I can't give you any names because
15 I didn't make any observations?

16 Q. [10:17:32] And who were the members of that Commando Invisible?

17 A. [10:17:36] I'm not in a position to reply. This was a word that was used at the
18 time that comprised a number of combatants, but I do not know who the members of
19 the Commando Invisible were. What I do know is that in Abobo the policemen were
20 attacked in the police stations, but I do not know who is referred to as
21 "Commando Invisible", under that expression.

22 Q. [10:18:03] And the policemen there on location, did they know who the
23 members of this Commando Invisible were?

24 A. [10:18:12] I believe that had they known they would have given us the names.
25 Because we lost men.

1 Q. [10:18:31] So there were attacks against the police stations, against the police in

2 Abobo. Well, that's what you say. So what did the police do, did they flee?

3 A. [10:18:44] The policemen did not flee. You know, man has an instinct to take
4 care of his own security. And policemen in Abobo did not have any weapons to
5 protect themselves. They left the area but they did not flee.

6 Q. [10:19:13] Very well. So I took note of the distinction. So they left the area.
7 When did they leave the area?

8 A. [10:19:24] When we could see that the death toll was high.

9 Q. [10:19:31] I'm sorry, sir, what do you mean by the toll, the toll of what?

10 A. [10:19:35] As I said to you, there were policemen who were killed. I'm talking
11 about killings and that for me was a death toll.

12 Q. [10:19:45] Very well. So the policemen left. Does that mean that the
13 government lost the control of Abobo at that moment in time?

14 A. [10:20:00] The police was not the only weapon in Abobo. In Abobo there was
15 the police, but in view of our weaponry I had requested that people come and protect
16 us, that other forces come and protect us. That was not case and that is why the
17 police left. But the gendarmerie remained in Abobo.

18 Q. [10:20:28] Very well. And remained in Abobo until when, the gendarmerie?

19 A. [10:20:36] I cannot give you a precise date. As I said, this is a structure that
20 does not fall under me so I do not have all the information in order to provide you
21 with a response.

22 Q. [10:20:58] Very well. How did the population react when the police left the
23 area?

24 A. [10:21:10] I do not have any observations at my fingertips. Because it was the
25 police that gave me the information but it was no longer in Abobo, so I do not know

1 what observations the population made.

2 Q. [10:21:28] But you said to us yesterday that there was an emergency number

3 that the population could use. The 111, if my memory serves me correctly, and that

4 people in danger who wanted to give information on any incidents could do so. Did

5 nobody use that number after the police left the location in Abobo?

6 A. [10:21:54] I would admit to not having any information on the basis of that

7 111 number.

8 Q. [10:22:04] Or from any other source, from any other source of information?

9 A. [10:22:11] I would say once again that I did not glean any further information

10 with regard to Abobo.

11 Q. [10:22:22] I'm thinking of something here and I do apologise, I'm coming back

12 a little bit to put a question to you: Were there any incidents in the north of the

13 country, to your knowledge, on the occasion of the second round of the elections?

14 A. [10:22:38] To my knowledge, no.

15 Q. [10:22:41] Very well. You say that you became a policeman in 1984; is that

16 correct?

17 A. [10:22:57] I have been a policeman since 1980. I started my activities as

18 a trained policeman in 1984.

19 Q. [10:23:07] I have taken good note. How many presidents of the republic have

20 you known during your career?

21 A. [10:23:20] I have worked with all the presidents, since Houphouët-Boigny,

22 founder, President Bédié, President Guéï Robert, President Gbagbo and

23 President Alassane. I have worked with them all until January 2017.

24 Q. [10:23:56] Has your ethnic origin played any role in your successive

25 appointments?

1 A. [10:24:04] I believe that it has nothing to do with -- *what I can say to you is that
2 I have been constant in my position.

3 Q. [10:24:21] Very well. You gave us the name of the people in charge of the six
4 districts in Abidjan, can you remember that?

5 A. [10:24:34] Yes, indeed.

6 Q. Now I would quite simply like you for each of them to tell us what their ethnic
7 origin is. And in order to simplify things, if you like, I could tell you the name and
8 you could tell me of which ethnic origin they are, all right?

9 A. Very well.

10 Q. District number one was in Kouka Koudou Michel; is that correct?

11 A. [10:25:02] That is correct.

12 Q. [10:25:03] And his ethnic origin?

13 A. [10:25:07] He is Dida.

14 Q. [10:25:10] District number 2 Karamoko Gaoussou; is that correct?

15 PRESIDING JUDGE TARFUSSER: [10:25:16] Without "is that correct". If it is not
16 correct he will tell you, but otherwise we -- we make three, out of one question we
17 make three. Just put the name.

18 MR ALTIT: [10:25:34] (Interpretation)

19 Q. So ethnic origin?

20 A. He is from the Grand Nord, from the north.

21 Q. [10:25:45] What does that mean?

22 A. [10:25:46] He is Dioula in a generic sense.

23 Q. [10:25:49] Very well. District number 3, Jean-Louis Tiagnéré, his ethnic origin?

24 A. [10:25:59] Jean-Louis Tiagnéré is from the west.

25 Q. [10:26:01] Very well. District number 4, Adomo Bonaventure?

- 1 A. [10:26:11] Adomo is Ébrié, that means that he is from the region of Abidjan.
- 2 Q. [10:26:18] Very well. District number 5, Zoumana Kamagaté?
- 3 A. [10:26:27] Zoumana Kamagaté is from Bondoukou which means to the extreme
- 4 north-east of Côte d'Ivoire.
- 5 Q. [10:26:35] So what is he?
- 6 A. [10:26:36] He is, he's called -- well, they are called Koulango.
- 7 Q. [10:26:40] Very well. Can we say that he is Dioula?
- 8 A. [10:26:45] Well, his case is far more particular. His mother is Ashanti and his
- 9 father is from Bondoukou.
- 10 Q. [10:26:55] Very well. District number 6, Alah N'Guessan, Alah N'Guessan?
- 11 A. [10:27:05] Alah N'Guessan is Baoulé from the centre.
- 12 Q. [10:27:11] Are they still in post today?
- 13 A. [10:27:15] Well, the first, he is deceased. May he rest in peace. The second is
- 14 still in post. The third is no longer in post, he was arrested just after the post-election
- 15 crisis. Adomo is in post. Zoumana Kamagaté is in post. And Alah N'Guessan is
- 16 also in post.
- 17 Q. [10:27:50] Very well. So you said to us that there were 35 arrondissement
- 18 police stations; is that correct?
- 19 A. [10:28:00] Yes.
- 20 Q. [10:28:00] Now we have a list of the arrondissement police stations.
- 21 Mr President, we have prepared a list with the names that we have at our disposal,
- 22 we would like to submit it to the witness so that he can fill in the names that he
- 23 remembers and that he adds the ethnic origin. We have printed out this list and we
- 24 can give a hard copy to the witness for him to be able to fill in the blanks, and we can
- 25 also give it to the OTP and to the other parties.

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1 PRESIDING JUDGE TARFUSSER: Mr MacDonald.

2 MR MACDONALD: [10:28:40] In order to save time it would have been preferable
3 to get that list earlier so that we can verify the names. But I just want a confirmation.

4 PRESIDING JUDGE TARFUSSER: [10:28:48] We do not verify the names, like
5 the Defence does not verify your hard copies. I think the verification of the names is
6 done by the witness. He will say no, it is the wrong name.

7 MR MACDONALD: [10:29:01] No, because -- no, no but the hard copies are sent
8 five days in advance, your Honour, but -- at a minimum, if they were not disclosed in
9 2015 or earlier --

10 MR ALTIT: Monsieur le Président.

11 MR MACDONALD: Just to finish, I just want to know, do these names come from
12 what the witness stated on record? If that's the case, then I have no objection.

13 PRESIDING JUDGE TARFUSSER: [10:29:21] From the assumption that that is the
14 case.

15 MR ALTIT: [10:29:25] (Interpretation) Mr President. Thank you, Mr President.

16 Now first and foremost if, with your leave, I would like to follow on from what your
17 argument. We didn't want to put any obstacles in place with regard to
18 the Prosecution's witness. You know, we could have got to our feet. Now it is the
19 witness who is going to be filling in the blanks and giving us his testimony.

20 And thirdly, I regret that I accepted the transmission, the last-minute transmission of
21 a 333rd element by the OTP of having been a learned good colleague, if we are then
22 told that we should not use things without observing that five-day period. And in
23 future I will be more strict with regard to the rules and I will request that
24 the Chamber did you see not accept belated transmissions. You know we have to be
25 logical, Mr President.

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1 PRESIDING JUDGE TARFUSSER: [10:30:37] Yes, but I do not like these polemic
2 interventions by the parties. I think we have to go to the core of the testimony in this
3 case without discussing among parties.

4 I would like to know, you said you have prepared this list, you have prepared this list
5 on the basis of what the witness said, I suppose, for the names. And therefore I
6 would give you, I would give this list to the, to the witness, to Mr Witness in order for
7 him to complete it and -- and of course to respond to the Prosecutor. Of course you
8 have done it five days before, it's okay. Not always. But that the copies, the hard
9 copies are clean, that is the, that was my observation.

10 Please.

11 MR ALTIT: [10:31:45] (Interpretation) Thank you, Mr President. So I would like to
12 request that the witness verify the information contained in this document. You
13 know, it's the document of commissioners, Mr President. May I finish, please.
14 Thank you. It is the list of commissioners or it is the names of the commissioners.
15 We have some police stations of neighbourhoods, we have a few written here, we
16 would like the witness to complete this list. It's the same process as when the OTP is
17 refreshing the memory of the witness and puts questions to him in addition. You
18 know, we would like the witness to confirm to us that these are the right individuals,
19 the ones that we have noted, and that he fills in the blanks so that the parties and the
20 bench has a list of the police stations because it is useful, and that we also include
21 their ethnic origin. And this would be his testimony.

22 PRESIDING JUDGE TARFUSSER: [10:32:43] Mr MacDonald.

23 MR ALTIT: [10:32:46] (Interpretation) If you don't mind, allow me to conclude, and I
24 have just been reminded that *as the director of the National Police he is the only
25 person who is in a position to give us such a list. It's therefore very important that he

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1 does so.

2 PRESIDING JUDGE TARFUSSER: [10:33:06] I think my only question is: Is this list
3 made on the basis of the names the witness gave on the record on the questioning by
4 the Prosecutor last week? Where he gave names and then sometimes he said "I can't
5 remember."

6 MR ALTIT: [10:33:34] (Interpretation) Your Honour, when the Prosecution asks the
7 witness a question and says "I shall refresh your memory" we do not ask what
8 document is that based on. We have found the names of a number of commissioners
9 and we want an entire list and this gentleman is the only person who can give us the
10 entire list, a complete list.

11 PRESIDING JUDGE TARFUSSER: [10:34:01] I know, but when you said "we have
12 found" I ask where did you find it? Random or in the record?

13 MR ALTIT: [10:34:11] (Interpretation) On the case record.

14 MR MACDONALD: [10:34:14] Very briefly, your Honour.

15 I have -- we can do this, but the Defence was not answering your question. It does
16 not come from the transcript of the testimony of the witness. Therefore we need to
17 see that list, because I was suggesting names indeed to the witness but here it is
18 a document prepared by the Defence which we have never seen, which is not on their
19 list of material. I have no qualms with that.

20 PRESIDING JUDGE TARFUSSER: [10:34:48] That is what I asked and that is why I
21 insisted to ask where did they come from, these names. Are they coming from the
22 record, meaning what I see here, or are they coming from something which I also
23 could possibly --

24 MR MACDONALD: The transcript.

25 PRESIDING JUDGE TARFUSSER: -- not have ever seen, yes.

1 MR MACDONALD: [10:35:03] Because my colleague is saying "record" in the sense
2 of the record of disclosure of the Prosecution's file. The transcript is the exact word
3 to be asked.

4 PRESIDING JUDGE TARFUSSER: [10:35:13] Let us please see this document. Also
5 to the Prosecutor.

6 THE INTERPRETER: [10:35:22] Message from the interpreters, may the interpreters
7 be sent a copy of the document in question?

8 MR MACDONALD: [10:35:30] It does not come from the transcript, it comes from
9 outside sources. We will need time, brief time. Second session we will come back
10 with that and we will get it. Because we have a list, your Honour, ourselves, but we
11 need to correlate this list.

12 MR ALTIT: [10:35:44] (Interpretation) Your Honour, your Honour, if you don't mind,
13 I believe we have lost sight of the fact that we have a witness here, we are putting
14 questions to the witness to elicit information, it's not complicated. *If you follow the
15 Prosecutor, it will force us, every time he puts a question to the witness, so you
16 remember the name of this person», « Where did you get this name from » « Is it the
17 case that », « Ah, give us five days to check the source » But that makes no... The
18 witness is there your Honour.

19 PRESIDING JUDGE TARFUSSER: [10:36:10] No, we don't have to double and triple
20 check because we have a witness here who can say, "no, this is wrong" and put the
21 right name in. So the problem is, I think is we are making a problem out of something
22 which is not a problem. Here are some names. If the witness says, "no, this name, it
23 was not the first arrondissement commander," he just says who the one was. So
24 the Defence could come here and ask the whole list through and say the first
25 arrondissement, who was it, where was it, and things like this, which would

1 be -- I don't know if more or less cumbersome, but in any case would be the same
2 thing. And sorry if I'm running. It's -- okay.

3 Mr Prosecutor --

4 MR MACDONALD: Yes, that's fine.

5 PRESIDING JUDGE TARFUSSER: I don't understand where the problem is.

6 MR MACDONALD: [10:37:04] Well we could have just asked the questions for the
7 names that we don't have on record and indicate, you know, we have the following
8 names, instead of going to 36 names. Which is fine.

9 Can we just have a copy of the list for ourselves, your Honour?

10 PRESIDING JUDGE TARFUSSER: Yes.

11 MR MACDONALD: So that we will do the verifications immediately as we go along.

12 PRESIDING JUDGE TARFUSSER: [10:37:21] Yes. In any case, let's, let's give this to
13 the witness and (Overlapping speakers).

14 MR ALTIT: [10:37:29] (Interpretation) And for the Prosecution.

15 PRESIDING JUDGE TARFUSSER: [10:37:31] Let's give to the witness and the
16 witness can start and put on the record without drafting in, I mean he can put it on
17 the record.

18 MR ALTIT: [10:37:50] (Interpretation) If it is possible, your Honour (Overlapping
19 speakers)

20 MR MACDONALD: [10:37:54] (Overlapping speakers) that were on the record
21 already.

22 PRESIDING JUDGE TARFUSSER: [10:37:58] Yes.

23 Mr Witness, Mr Witness, you have now a list in front of you, can you now please, on
24 your own motion, that means without being asked for everyone, so to accelerate, say
25 first arrondissement and then continue to give the name, or to say that it is right or

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1 wrong, and give the ethnicity of the person.

2 Can you do this?

3 THE WITNESS: [10:38:50] (Interpretation) Your Honour, I have already said that

4 I don't remember all the commissioners within the various arrondissement. But

5 I can try to provide their ethnicity.

6 MR ALTIT: [10:39:08] (Interpretation) Your Honour, if you don't mind, with your

7 leave.

8 PRESIDING JUDGE TARFUSSER: [10:39:10] Yes, just a minute.

9 Please, can you go through and say first arrondissement and say what you recall.

10 Obviously if you don't recall you say "I don't recall." It's clear.

11 Maître Altit.

12 MR ALTIT: [10:39:28] (Interpretation) Exactly my point. That the witness provide

13 the information that he can. We don't expect him to have a perfect memory.

14 THE WITNESS: [10:39:41] So I am supposed to write down or do I speak?

15 PRESIDING JUDGE TARFUSSER: [10:39:45] No. Please speak, but following the

16 list.

17 THE WITNESS: [10:39:55] Thank you, your Honour.

18 The first name, Touré Mabonga --

19 PRESIDING JUDGE TARFUSSER: [10:40:01] No, start first arrondissement, so we

20 have -- go through the line and then go second arrondissement, third, et cetera.

21 THE WITNESS: [10:40:16] Thank you, your Honour.

22 1st arrondissement, in the Plateau, Touré Mabonga. That is a lady, and she is from

23 the north.

24 2nd arrondissement, Treichville area, I don't remember.

25 3rd arrondissement.

- 1 PRESIDING JUDGE TARFUSSER: [10:40:46] You don't remember the name, just for
2 the record. You don't remember the name of the person, right?
- 3 THE WITNESS: [10:41:03] (Interpretation) Thank you, your Honour.
4 2nd arrondissement, Treichville area, I don't remember the name of the person during
5 the time in question.
6 3rd arrondissement, Adjamé, close to the city hall, Jean-Bedel Gnali. He is a Bété
7 person.
8 4th arrondissement, zone number 4, once again I don't remember the name.
9 5th arrondissement, Port Bouët, I don't remember the name of the person.
10 6th arrondissement, Koumassi, I don't remember the name.
11 7th arrondissement, 220 lodgement Adjamé area, Gnakoua, Gnakoua GN, Gnakoua
12 Charles. That is the name. Gnakoua Charles. I believe he is from the west.
13 8th arrondissement, Cocody, Kambou Sansan. He is from the north-east, he is from
14 the Lobi group, ethnic group.
15 9th arrondissement, Marcory, I don't remember the name.
16 10th arrondissement, Attécoubé Bakayoko, I don't remember if it's that person.
17 I don't quite remember.
18 11th arrondissement, Williamsville, I think this must be a mistake. It's not him.
19 That person was the assistant to the commissioner of the 1st arrondissement
20 le Plateau *Léopold, he was the deputy to the commissioner of the 1st arrondissement,
21 that is to say Touré Mabonga's deputy.
22 He wasn't the one in the 11th in the 11th arrondissement, Ossohou, he is from the west.
23 12th arrondissement, Deux Plateau, Sabona Joseph.
24 I don't think that's the right person.
25 I believe he would have been at the 13th arrondissement.

- 1 Sabona is from the north.
- 2 13th arrondissement, I don't remember the name.
- 3 The 14th arrondissement, I don't remember either.
- 4 15th arrondissement, I don't remember.
- 5 16th arrondissement, I don't remember.
- 6 17th arrondissement, I don't remember that person either.
- 7 18th arrondissement, I don't remember.
- 8 19th arrondissement, I don't remember.
- 9 20th arrondissement, I don't remember the name.
- 10 21st arrondissement, I don't remember the name either.
- 11 Deux Plateau, I don't remember, that's the 22nd.
- 12 23rd arrondissement, I don't remember.
- 13 24th arrondissement, I don't remember.
- 14 25th arrondissement, I don't remember.
- 15 26th arrondissement, I don't remember.
- 16 27th arrondissement, Adjamé Bracody, that name does not ring a bell at all.
- 17 28th arrondissement, Moussikro.
- 18 Moussikro, the name, I don't think it's spelled quite right. I think it's Hienye Ifini
- 19 (phon), I believe.
- 20 I don't know what his ethnicity is.
- 21 29th, don't remember.
- 22 30th arrondissement, Attoban, don't remember.
- 23 Pergola.
- 24 32nd arrondissement, I don't remember.
- 25 33rd arrondissement, I don't remember.

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- 1 34th arrondissement, I don't remember.
- 2 35 arrondissement, I don't remember.
- 3 PRESIDING JUDGE TARFUSSER: [10:46:32] Thank you very much. First let's give
- 4 us number to this document and upload it into the -- in the eCourt, please.
- 5 THE COURT OFFICER: [10:47:34] ERN of the list presented to P-0046 is
- 6 CIV-REG-0001-0137 is going to be uploaded into eCourt.
- 7 PRESIDING JUDGE TARFUSSER: [10:47:49] Thank you very much.
- 8 Maître Altit.
- 9 MR ALTIT: [10:47:52] (Interpretation) Thank you, your Honour.
- 10 Q. And, Mr Witness, I thank you for your cooperation in this exercise. Now the
- 11 interventions, you mentioned a number of units, the CRS1, 2, 3, 4, the BAE and the
- 12 CIPPA. Now for each one of these intervention units can you tell us who the
- 13 commander was and what the ethnicity. Let's start with CRS1, that particular unit.
- 14 A. [10:48:27] Thank you, Counsel. CRS1 was led by Commander Djédjé Gbagro.
- 15 He is a Bété person.
- 16 Q. [10:48:45] And CRS2?
- 17 A. [10:48:50] CRS2, that was led by Touré Marius, Touré Marius who is from
- 18 Katiola.
- 19 Q. [10:49:09] His ethnicity?
- 20 A. [10:49:11] I don't know. Katiola. Well, he is from Katiola, I don't know if I'm
- 21 supposed to -- the people from there are Tagbana.
- 22 Q. [10:49:22] What group are they part of?
- 23 A. [10:49:25] That's a sensitive issue, because they're a small group and they are
- 24 *between the Baoulé and the Dioula.
- 25 PRESIDING JUDGE TARFUSSER: [10:49:39] The Baoulé and?

1 THE WITNESS: [10:49:45] (Interpretation) They are kind of between the Baoulé
2 and the Dioula peoples.

3 They were from the greater north.

4 MR ALTIT: [10:49:56] (Interpretation)

5 Q. CRS3?

6 A. [10:50:00] I must acknowledge that I don't remember exactly the commanders in
7 question of those two units, CRS3 and 4.

8 Q. [10:50:15] And the BAE the riot brigade?

9 A. [10:50:21] Gnango Emmanuel was the leader, Loba Patrice. Gnango Emmanuel
10 Loba Patrice.

11 Q. [10:50:31] Which group?

12 A. [10:50:32] He is an Ébrié person from Abidjan.

13 Q. [10:50:45] And the CIPPA?

14 A. [10:50:46] *The CIPPA, I don't remember the name at the moment.

15 Q. [10:50:51] If you don't mind, we will discuss this organisational chart and the
16 DGPN.

17 So reporting to you there was a chief of staff who was between you and the three
18 sub-directors; is that correct?

19 A. [10:51:14] No, no, no, that's not exactly the way of it. In actual fact, you see, the
20 director general has an office who is led by a chef de cabinet, a chief of staff who is not
21 the boss of the sub-directors. This person, his sole task is to run the office of the
22 director general, and then the three sub-directors or deputy directors report directly
23 to the director general of the national police.

24 Q. [10:51:54] Very well. And who was this person, your chief of staff?

25 A. [10:51:58] My chief of staff at the time was Mr *Élie Ndoua.

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1 Q. [10:52:10] His ethnicity?

2 A. He is a Dida person.

3 Q. [10:52:16] Then after that we see three deputy directors general; is that correct?

4 One responsible for public safety, one for the scientific police and the third
5 responsible for the judicial police; is that correct?

6 A. [10:52:41] That's correct.

7 Q. [10:52:42] Could you give us the names of these three people and their
8 ethnicities?

9 A. [10:52:48] The deputy director general responsible for public security was Sami Bi
10 Dieudonné. He is a -- he is Gouro. After him, the deputy director general responsible
11 for the judicial police, that was Mr *Gnapkoué... Gnapkoué Eugène... Gnapkoué Eugène.
12 Eugène. He was from the west. And next comes Mr -- the deputy director general
13 responsible for the scientific or forensic police, a Baoulé person, Kouadio Eugène.

14 Q. [10:54:03] And the judicial police, that group or directorate. So there were
15 *three subdivisions, the economic police, the criminal police and the drug police; is
16 that correct?

17 A. [10:54:18] Correct.

18 Q. [10:54:19] Do you remember who the leaders were of these three subdivisions,
19 and if so, can you give us their names and ethnicity?

20 A. [10:54:32] The judicial police, there was Mr Niagne, Niagne I remember was his
21 name. *He is Adioukrou from Dabou. And then the drug police or the drug squad --

22 Q. [10:54:58] What was the ethnicity exactly? Because we do not have the same
23 knowledge of these groups. What general group did he belong to?

24 A. [10:55:11] They are part of --

25 THE INTERPRETER: [10:55:14] Inaudible.

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1 THE WITNESS: [10:55:17] (Interpretation) *The Adjoukrou are part of the large
2 Akan group, it is from the South.

3 *After that we have the Director of the drug squad, so to speak, I don't see the actual
4 name, but if I remember I will tell you. And then the director of the financial and
5 economic police, I don't see the name. As soon as I remember I will tell you.

6 MR ALTIT: (Interpretation)

7 Q. [10:56:04] Very well, very well. So there *are three major departments: the
8 training department at the national police school, the health services department and
9 the personnel department of the police. Do you remember who headed up these
10 three directorates?

11 If you remember, please give us the names and ethnicity.

12 A. [10:56:30] The national police school was led by a lady. I don't remember her
13 name. I think she was from the west, unless I'm mistaken. Then the personnel
14 directorate was led by a commissioner who was from west, but I don't remember the
15 person's name. Then the third directorate --

16 Q. [10:57:12] We've covered a number, health and so --

17 A. [10:57:17] Health, Dr Adou was the person. He is an Agni person from
18 Abengourou. I beg your part, the lady who headed up the school, her name was
19 Viviane. I am sure I will remember her surname sooner or later.

20 Q. [10:57:41] Very well. Vivian Atsin, might that be the name?

21 A. [10:57:46] Yes, indeed.

22 Q. [10:57:48] And what is she up to these days?

23 A. [10:57:51] She was arrested after the crisis and she is no longer working.

24 THE INTERPRETER: [10:57:59] Inaudible. Microphone, please.

25 THE WITNESS: [10:58:03] (Interpretation) I haven't understood.

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1 MR ALTIT: [10:58:06] (Interpretation)

2 Q. [10:58:06] Where was she or where is she?

3 A. [10:58:10] She's at home.

4 Q. [10:58:21] So she's at home in her home; that's right?

5 A. [10:58:26] Yes, that's right.

6 Q. [10:58:28] Very well. Thus, now if we could turn now to the public security
7 area. The Abidjan police prefecture was part of that; is that right?

8 A. [10:58:52] Right.

9 Q. [10:58:53] Who was the prefect and what was that person's ethnicity at the time?

10 A. [10:58:58] The Abidjan was Djehanin Bi Tra, and he is a Gouro person.
11 Djehanin Bi Tra.

12 Q. [10:59:13] Very well. So in light of what you have told us, would it be fair to
13 say that police officials were of various origins?

14 A. [10:59:34] From my view point, the police officials were from various
15 backgrounds or origins.

16 Q. [10:59:48] Do you know whether the police officers and the rank and file were
17 made up of people from all walks of life and origins?

18 A. [11:00:06] The police, you see, are appointed after a national competition is held.
19 That is how police officials are recruited. One does not base one's self on religion or
20 ethnicity, or earlier duties. We take the people who have passed the competition, the
21 best, the people who have been able to successfully complete the competition.

22 Q. [11:00:49] Thank you.

23 Mr President, I am in your hands.

24 PRESIDING JUDGE TARFUSSER: [11:00:52] I was going to block you, and that's
25 why I had my finger on the console.

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1 And I think we take the break now until 11.30. The hearing is adjourned and then
2 we continue with the questioning by the Defence of Mr Gbagbo.

3 THE COURT USHER: [11:01:15] All rise.

4 (Recess taken at 11.01 a.m.)

5 (Upon resuming in open session at 11.32 a.m.)

6 THE COURT USHER: [11:32:47] All rise.

7 Please be seated.

8 PRESIDING JUDGE TARFUSSER: [11:33:11] Just before giving the floor back to the
9 Defence of Mr Gbagbo, I just would like to -- the Chamber gives the term of tomorrow
10 morning, first thing, to make their observations to the filing which came in today at
11 10.02 by the counsel for the witness, okay. Tomorrow morning, first thing,
12 observations by the parties.

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

14 Orally, orally, tomorrow morning orally. Okay, we so have -- but, okay, short.

15 Maître Altit.

16 MR ALTIT: [11:34:16] (Interpretation) Thank you, Mr President.

17 Q. [11:34:23] Now, Mr Witness, are you with me? Is everything all right?

18 A. [11:34:41] Very well.

19 Q. [11:34:42] So we'll continue, if you don't mind. After 11 April 2011 were police
20 commissioners arrested?

21 A. [11:34:55] Before answering that question, I now recall the name of the director
22 of the economic and financial police, and I told you that if I did remember I'd tell you,
23 his name is *Djo Bi Irié. Now, in order to answer your question --

24 Q. [11:35:20] I'm sorry, and his ethnic origin?

25 A. [11:35:23] He is Gouro. So to answer your last question, after 11 April 2011,

1 there were arrests of commissioner commanders under all the intervention units.

2 Q. [11:36:00] Could you give us the names of those who were arrested?

3 A. [11:36:10] There was Tiagnéré Jean-Louis, Yoro Claude, Joachim, Joachim -- well,
4 if the second name comes back to me I'll tell you.

5 Q. [11:36:36] Sorry to interrupt you, but might I suggest to you Robé?

6 A. [11:36:41] Yes, that's right, Joachim Robé, that was the name I was looking for.
7 And there was a fourth person.

8 Q. [11:37:04] Might I suggest the fourth person César Négblé.

9 A. Yes, that's correct, Négblé César.

10 Q. [11:37:17] Where are those four individuals today, where are they to be found?

11 A. [11:37:21] Négblé César is deceased. Joachim Robé is retired. However,
12 Tiagnéré and Yoro Claude are at home.

13 Q. [11:37:42] So none of them is in prison?

14 A. [11:37:44] They did do some prison, that's true, but they're all at home, apart
15 from the one who is deceased.

16 PRESIDING JUDGE TARFUSSER: [11:37:55] May I just ask the difference between
17 being retired and being at home, if there is. In the English translation it came out
18 like this.

19 THE WITNESS: [11:38:23] (Interpretation) Thank you, Mr President. The one
20 who is retired, Joachim Robé, reached the age limit to work in the police. And the
21 two others whom I say are at home have not yet reached the age limit for them to get
22 their retirement rights, but they do not have a post.

23 PRESIDING JUDGE TARFUSSER: [11:38:46] Were they dismissed?

24 THE WITNESS: [11:38:48] (Interpretation) No. For the time being, they haven't
25 been dismissed from their post as policemen. They are still policemen, but they do

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1 not have a post and they are at home. You know, that's my case presently, if you
2 like.

3 PRESIDING JUDGE TARFUSSER: [11:39:12] So in other words, they are paid but
4 without working?

5 THE WITNESS: [11:39:22] (Interpretation) That is correct.

6 PRESIDING JUDGE TARFUSSER: [11:39:24] Maître Altit.

7 MR ALTIT: [11:39:26] (Interpretation) Thank you, Mr President.

8 Q. [11:39:33] Those who to your knowledge did some prison, some time in prison
9 of those four individuals, how long did they stay in prison?

10 A. [11:39:43] I would admit to not knowing the amount of time spent in prison. I
11 can't say precisely.

12 Q. [11:39:50] Were they tried, to your knowledge?

13 A. [11:40:02] Yes. They were sent to be tried before the tribunal.

14 Q. [11:40:13] To your knowledge, in which circumstances were they arrested?

15 A. [11:40:22] Well, I, during the month of April 2011, received a summons *sent by
16 Mr Mian Gaston, commander. And I then notified this summons to them and I had
17 the opportunity to accompany them myself as their hierarchical superior. And I
18 would admit that I did not at all appreciate the fact that they were arrested or that
19 they remained, correction, at l'hôtel du Golf, because I told -- or I was told that they
20 came of their own volition accompanied by their hierarchical superior, so there was
21 no question that they should be retained at the Golf. Unfortunately, of the four or
22 the five who were summoned there was only one of them that I was able to obtain the
23 release of. He went home. His name is Mr Kola Gnépa Philippe. He was handed
24 over and I accompanied him back to his home.

25 However, the four others, despite all I had to say during a two-hour discussion,

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1 Commander Mian refused for them to go home. And that is how their detention
2 began.

3 PRESIDING JUDGE TARFUSSER: [11:42:17] I think that when you said Commander
4 Mian Gaston, commander of what? I think you have said it, but it was not caught by
5 the interpreter. Commander of what was Mian Gaston?

6 THE WITNESS: [11:42:38] (Interpretation) During that period, Mian Gaston was
7 the director de cabinet of the minister of defence. But he had the rank of colonel
8 major because he was in the navy and that's why he was called a commander.

9 PRESIDING JUDGE TARFUSSER: [11:42:57] Okay. Thank you.
10 Maître Altit.

11 MR ALTIT: [11:43:01] (Interpretation) Thank you, Mr President.

12 Q. [11:43:07] On the rebel side that's what you mean, that's what's going to help us
13 to understand. So Mian Gaston had those functions on the rebel side; is that correct?

14 A. [11:43:20] Well, he was the director de cabinet for the minister of defence on the
15 rebel side indeed.

16 Q. [11:43:34] Very well. So in order to understand things and your story correctly,
17 you are telling us that those five individuals were summoned without being told why.
18 They certainly did not expect to be arrested. You accompanied them and, according
19 to what you said, you said that you did not appreciate the fact that they were arrested.
20 So what you are saying to us is that they were taken by surprise. Nobody expected
21 that. Is that what you are saying?

22 A. [11:44:05] That's correct.

23 PRESIDING JUDGE TARFUSSER: [11:44:06] Well, that was very clear, I add. Yes.

24 MR ALTIT: [11:44:15] (Interpretation) Thank you.

25 Q. [11:44:20] So you said, if I understood correctly, that for a duration of two hours

1 you attempted to dissuade those individuals who wanted to arrest those five
2 individuals, you attempted to dissuade them from arresting them. Did you talk
3 about the accusations levelled against them? What happened?

4 A. [11:44:42] No. The accusations levelled against them were not presented to me.
5 I was told that they had received a summons. I received that summons because they
6 had a hierarchical superior, and I accompanied them to the Golf. We did not discuss
7 any accusation.

8 But at the time when they requested that they arrest them or detain them, I requested
9 that they not do so because they had come of their own volition. They were not
10 sought individuals, they were not sought after, and they had come with their
11 hierarchical superior.

12 Q. [11:45:28] Very well. So amongst the four individuals who were arrested, do
13 you know whether any of them were tortured?

14 A. [11:45:35] I am not in a position to say because I was not with them in the
15 detention facility.

16 PRESIDING JUDGE TARFUSSER: [11:45:46] Did you know after? Did you come to
17 know after from them or from somebody else?

18 THE WITNESS: [11:45:55] (Interpretation) No, I did not hear anything because,
19 well, this might be the opportunity to talk about this. I told you that I did not
20 appreciate the fact the four who were remanded in detention thought that I was in
21 cahoots with their detention. So in their mind I had participated in their arrest.

22 So as I said to you, all of those who were there, they're all alive. I can tell you that
23 for a long time I talked about them not being arrested. I had a lengthy discussion.

24 MR ALTIT: [11:46:41] (Interpretation)

25 Q. [11:46:42] Very well. So there is one of them who is not alive amongst the four.

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1 One died, didn't he?

2 A. [11:46:51] I've already said, if you want me to repeat, it's *Néglé César
3 unfortunately is no longer alive.

4 Q. [11:47:02] And you know nothing surrounding the conditions of his decease?

5 A. [11:47:08] No. I know nothing. I know that after he was released he went to
6 hospital, I believe, in Morocco in one of the Maghreb countries, and unfortunately he
7 died there and his remains were brought back to Abidjan.

8 Q. [11:47:29] Very well. Sir, you will recall that the Prosecutor presented to you a
9 video in which you are seen addressing a number of police units after the elections.
10 Do you recall that and do you recall said video?

11 A. [11:47:58] Yes, indeed.

12 PRESIDING JUDGE TARFUSSER: [11:48:04] Everybody recalls.

13 MR ALTIT: (Interpretation)

14 Q. [11:48:15] Okay. So in the video that you remember only too well, you say one
15 thing first of all, and stop me if I am mistaken, you said that before the election you
16 had to be neutral as a policeman because each and every person had their candidate.
17 Did you mean in so saying that all positions were represented, all political positions
18 were represented in the police?

19 PRESIDING JUDGE TARFUSSER: [11:48:45] Mr Prosecutor.

20 MR MACDONALD: [11:48:46] What was meant by that?

21 PRESIDING JUDGE TARFUSSER: [11:48:52] Well, what was meant by that what
22 was said.

23 MR MACDONALD: [11:48:55] Yes, but what was meant by that phrase? That, I
24 understand, would be the questions if it's to be non-leading.

25 PRESIDING JUDGE TARFUSSER: [11:49:04] No, but -- well now I have difficulties

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1 to understand.

2 MR MACDONALD: [11:49:19] I will withdraw the objections.

3 PRESIDING JUDGE TARFUSSER: [11:49:21] Okay. Thank you.

4 Maître Altit.

5 MR ALTIT: [11:49:28] (Interpretation) Thank you, Mr President.

6 Q. [11:49:30] So, Mr Witness, what I am attempting to ascertain is very simple.

7 You intervened in a video. It would seem to me that you said two important things.

8 The Prosecutor did not ask you questions on that video. He didn't put any questions

9 to you. So we need to know what you wanted to say. It's important for us to

10 understand correctly. That's why I'm asking you this question. When you say in

11 this video that people need to be neutral because each person has their candidates,

12 what exactly do you mean? You were talking to policemen at that moment in time.

13 You remember only too well, do you not?

14 A. [11:50:02] Yes, I do. The -- well, policemen are men. They have the

15 opportunity to express their ideas. We cannot say that they do not have the right to

16 make a choice, especially since this is permitted by law. So I wanted to say that

17 during the campaign, each person can choose their own candidate according to their

18 conscience.

19 Q. [11:50:36] Very well. And then you said, and still in the same video, that after

20 the announcement of the constitutional council of the results, policemen can no longer

21 be neutral. So what you are saying is that after the announcement of the results, the

22 approach of policemen must be different. What do you mean by that? What do

23 you say or what are you saying to your policemen when you say that, so that we

24 understand the thrust of your intervention?

25 A. [11:51:13] Thank you very much. Since the beginning of my statements and

1 until today, if you pay attention you will see that I am consistent. For me, to my
2 mind, a policeman is applying the law. And if an institution of the state takes a
3 decision, the policeman will only be doing it or applying it.

4 Q. [11:51:54] So that's your message when you say that, is it?

5 A. [11:51:59] I can confirm.

6 Q. [11:52:03] Very well. So with regard to the curfew, you said, you remember we
7 talked about this, you said that it lasted five days around the second round of the
8 elections; is that correct?

9 A. [11:52:22] I do not recall having said that.

10 Q. [11:52:25] Well, I'll have to go back over it then. How many days were
11 there -- was there a curfew around the second round of the election?

12 A. [11:52:34] I do not remember. We talked about documents. The curfew
13 document I do recall. But as to the duration, I do not recall.

14 Q. [11:52:44] Very well. But it doesn't matter. I shall put to you a somewhat
15 general question. It doesn't matter how long it lasted, with regard to the question
16 that is, otherwise of course it is important, but with regard to the question, which is as
17 follows: Did the curfew enable people to bring tension down and to do away with
18 the roadblocks at nighttime? Because you said to me that there were roadblocks
19 during that period. Did the curfew that was in force from the nighttime until the
20 morning, did it enable people to do away with the roadblocks during the time that it
21 was in force?

22 A. [11:53:27] Yes, indeed. On the major area of Abidjan itself, yes.

23 Q. [11:53:36] Thank you. So let's come to 3 March 2011. The first question, were
24 there any FDS positions in Abobo 3 March 2011?

25 A. [11:54:01] I do not recall that there were any FDS positions, but I do know that

1 there were missions, FDS missions, FDS going to the Camp Commando.

2 Q. [11:54:12] So I'm going to phrase my question somewhat differently. With the
3 exception of Camp Commando, to your knowledge, were there any other positions
4 that were held by the FDS in Abobo on 3 March 2011?

5 A. [11:54:28] I do not believe so.

6 Q. [11:54:34] From when did the Abobo-Anador main road, from when was it
7 blocked?

8 A. [11:54:45] I can't say the date with any precision, but we should say that from
9 the end of March, that road was no longer usable.

10 Q. [11:55:00] What was blocking it? Why was it no longer usable?

11 A. [11:55:07] I spoke to you of the presence of the Invisible Commando in
12 Abobo Gare. It was they who reigned over the Abobo territory.

13 Q. [11:55:23] My question is a little bit more specific. This road which is a main
14 road, were there things that were blocking traffic?

15 A. [11:55:38] I would come back with the same answer. The Commando Invisible
16 was impeding free traffic on that road or free movement of traffic on that road.

17 Q. [11:55:48] Very well. So I'm not going to come back on what you've already
18 told us. I would like for us to shed light on two or three points however. On
19 3 March there was this incident that we spoke about and you said to us that there was
20 a meeting at the HQ, staff HQ with most of the FDS so that people knew what had
21 gone on. Do you remember having said that to us?

22 A. [11:56:19] Yes, that is correct, I do remember.

23 Q. [11:56:21] Very well. So my question is: Did that meeting occur on the day of
24 the alleged incident?

25 A. [11:56:30] The meeting occurred the next day, that is to say after the event.

1 Q. [11:56:38] Very well. And the aim of said meeting is clear. Was it the chief of
2 general staff who was asking those in attendance what had happened?

3 A. [11:56:54] I would repeat the same thing. The chief of general staff wanted to
4 understand what had gone on in Abobo Gare.

5 Q. [11:57:05] That is to say that the alleged gunshot -- that is to say the alleged
6 gunshot on women, are we in agreement?

7 A. [11:57:16] That is correct.

8 Q. [11:57:19] My question is: During the meeting that we are talking about here,
9 had each person already been informed by the media of the existence of said incident?

10 A. [11:57:33] Well, I can't put myself in other people's skin, but I know that we did
11 have the information that the march had occurred on 3 March, and then we held the
12 meeting. But as to whether they had the information or not, I'm not in a position to
13 confirm.

14 Q. [11:57:51] Very well. I'm going to phrase things somewhat differently. At
15 that moment in time, at the time of the meeting, to your knowledge, had the media
16 already talked about this alleged incident?

17 A. [11:58:08] I do not precisely recall because it was just the day after. Maybe I
18 know that it was talked about in the press, but I don't know whether it was that day
19 because this was just the day after the event. I don't recall.

20 Q. [11:58:19] The media is not only the press, it's also radio, television, et cetera.

21 A. [11:58:32] I'm talking about all of that as a whole.

22 Q. [11:58:35] Very well. Another point of clarification.

23 *Commander Mody... You said that you recognized a GR tank in the pictures; is that
24 what you said?

25 A. [11:58:57] I repeated what he told us.

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1 Q. [11:58:59] Very well. So he told you that after having seen the images; is that
2 correct?

3 A. [11:59:09] I believe that after the discussions -- well, we were trying to ascertain
4 what had happened. And if I'm not mistaken, there must have been a video that had
5 been shown, whether it was on the television, whether it was at the location, there
6 was a video that he had seen. He had seen a tank go by.

7 Q. [11:59:36] On the video?

8 A. [11:59:38] Yes, precisely.

9 Q. [11:59:44] Very well. The Prosecutor showed a document to you that
10 pinpointed a number of incidents, and he noted that in the document no mention was
11 made of any possible women's march on Abobo. Do you recall that document?
12 This is a document that pinpointed or detailed the incidents of 3 March 2011.

13 PRESIDING JUDGE TARFUSSER: [12:00:19] Mr Prosecutor.

14 MR MACDONALD: [12:00:19] Just a question of process. I'm being informed that
15 my colleague should refer to the ERNs to make it clear for the record.

16 PRESIDING JUDGE TARFUSSER: [12:00:27] Yes.

17 MR MACDONALD: [12:00:28] Be it videos or documents that have been referred to
18 in the past. We don't need to show them, just the ERN.

19 PRESIDING JUDGE TARFUSSER: [12:00:35] Absolutely, I would say yes, because
20 otherwise we don't -- we will have difficulties.

21 MR ALTIT: [12:00:44] (Interpretation)

22 Q. [12:00:50] Mr Witness, the Prosecutor showed you the document. The
23 reference is CIV-OTP-0045-0173, page 46. And if you recall, this document described
24 the events that took place on 3 March; do you remember that?

25 A. [12:01:14] Yes, I do.

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1 Q. [12:01:15] Very well. On the one hand there was no mention of a women's
2 march on Abobo, but there was mention of a different incident in Abobo; do you
3 remember that?

4 A. [12:01:36] I don't remember exactly what you're referring to.

5 Q. [12:01:44] In that case I'll ask you a different question. Do you remember that
6 in that document there was reference to a women's march in Attécoubé?

7 A. [12:01:56] No, I don't remember at all.

8 MR ALTIT: [12:02:02] (Interpretation) Well, perhaps we can display the document
9 for the witness, and that will enable us to move forward. Should I repeat the ERN
10 number?

11 MR MACDONALD: [12:02:19] (Interpretation) There is no page 46 so we need to
12 have a clear ERN number if you can.

13 MR ALTIT: [12:02:40] (Interpretation) Yes, I was referring to page 46 of the
14 transcript. This is CIV-OTP-0045-0173. And that document is mentioned on
15 page 46 of the February 20th transcript.

16 THE COURT OFFICER: [12:03:04] The document displayed on evidence channel 1.

17 MR ALTIT: [12:03:16] (Interpretation)

18 Q. [12:03:17] Witness, can you see the document?

19 A. [12:03:18] Yes, I can see it, but I don't remember those events.

20 Q. [12:03:31] Mr Witness, take a look please at the fourth section as you go down.
21 You can see to the left it says "Adjamé police district" and at 10.05 and I'm reading
22 and I quote, "Attécoubé: Presence of approximately 500 women in the streets of the
23 commune. Order was given to disperse them."

24 Can you see that?

25 A. [12:04:15] I will repeat what I said a moment ago. I can see it, I can read it, but

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1 I don't remember that event.

2 Q. [12:04:22] Well, you answered my question even before I had a chance to ask it.

3 Thank you.

4 PRESIDING JUDGE TARFUSSER: [12:04:51] What day was this at 10.05? Can we
5 see the document at the top?

6 MR MACDONALD: [12:05:14] 3 March, your Honour.

7 PRESIDING JUDGE TARFUSSER: [12:05:17] Yes, it was sent 3 March, but the
8 document has no date as such.

9 MR MACDONALD: [12:05:21] We can confirm with the witness. I don't want to
10 speak at his place. But it's a BQI of that day.

11 PRESIDING JUDGE TARFUSSER: Yeah, yeah.

12 MR MACDONALD: So which are the --

13 PRESIDING JUDGE TARFUSSER: [12:05:30] No, no. It's written there.

14 (Interpretation) The day of March 3rd".

15 (Speaks English) Okay. It's in the subject, the "texte," the subject.

16 MR MACDONALD: [12:05:42] And you have the fax number --

17 PRESIDING JUDGE TARFUSSER: [12:05:43] Yeah, yeah, of course, of course.

18 MR MACDONALD: [12:05:46] -- hour, everything.

19 PRESIDING JUDGE TARFUSSER: [12:05:47] Yes, yes.

20 Maître Altit.

21 MR ALTIT: [12:05:49] (Interpretation) Thank you, your Honour.

22 Q. [12:05:53] I'd like to discuss a different topic, Mr Witness, and I'd like to clarify a
23 few points first of all and these are important matters.

24 Regarding the militiamen, in response to one of the Prosecutor's questions and the
25 reference is page 21 of the February 20th transcript, line 28, at what point in time, and

1 here you were referring to the militiamen, when did they work with the BAE?

2 And your response was, and I quote: "I can't answer precisely because I did not
3 have knowledge of that. It was afterwards that the rebels told me what had
4 happened." End of quote.

5 Do you remember that?

6 A. [12:07:01] Yes, indeed. I remember.

7 Q. [12:07:03] My question is as follows: You were informed of that by the rebels,
8 in particular the Colonel Mian Gaston; is that correct?

9 A. [12:07:26] *Yes, that's correct. Now that we have all the aspects, indeed, I will
10 put it into context. The five police officers who were summoned... I had
11 succeeding in getting Commissionar Gnépa Kola Philippe released The other four
12 were and it was at that point that Colonel Mian Gaston said "You don't even know
13 what happened, what acts had been committed," and that's when explanations were
14 given as to what had happened in the BAE.

15 Q. [12:08:12] In other words he explained his version of the facts, what he believed
16 happened?

17 A. [12:08:18] Yes, that's correct.

18 Q. [12:08:19] Yes, indeed. But you, if you set aside what that colonel told you at
19 the hôtel du Golf, did you know during the crisis whether or not militiamen had
20 worked with the police or not? Setting aside what he told you, but what you knew.

21 A. [12:08:44] If I knew whether militiamen were working with the police, I would
22 never have accompanied those policemen to the Golf hotel. Because I could not have
23 predicted at that point in time taking responsibility for that.

24 Q. [12:09:13] Very well. Yesterday when we were discussing the --

25 PRESIDING JUDGE TARFUSSER: [12:09:33] May I just come back to the militia, just

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1 before you stop.

2 What do you understand under militiaman when you say militia?

3 THE WITNESS: [12:09:45] (Interpretation) Well, it's a term that's been used and
4 overused. A militiaman is working for a chief. But at the time we referred to
5 militiamen when we were talking about the patriots.

6 MR MACDONALD: [12:10:16] I'm very sorry to interrupt. Could we, unless the
7 Chamber has follow-up questions, which of course I will sit down, but on this very
8 topic, could we briefly ask the witness to retire in order for me to address the
9 Chamber very briefly on this topic as to also -- it involves the method of questioning
10 at the moment on this topic. And I want to be able to speak freely, your Honour,
11 without being accused of influencing the witness in any way.

12 PRESIDING JUDGE TARFUSSER: [12:10:55] No, no. Yes, but this is a request. It's
13 not -- you are not intervening on --

14 MR MACDONALD: [12:11:00] Yes, it's a request to be able to address this topic and
15 the questions, very briefly.

16 PRESIDING JUDGE TARFUSSER: [12:11:08] Maître Altit.

17 MR ALTIT: [12:11:10] (Interpretation) Well, your Honour, that does break up the
18 cross-examination. I don't know what the purpose is. There are other procedures
19 expressing an objection, for example, where the Chamber makes a ruling. I don't see
20 the point, the purpose. And I believe that the effect is simply to break up the
21 cross-examination.

22 MR MACDONALD: [12:11:34] It is an objection.

23 PRESIDING JUDGE TARFUSSER: [12:11:42] Yes, but an objection to what?

24 Because I put a question, there was a response --

25 MR MACDONALD: [12:11:45] It's not to the question of the Chamber. I

1 understand the Chamber elicited additional information that was not touched upon
2 on the record.

3 PRESIDING JUDGE TARFUSSER: [12:11:53] Yes, but excuse me, excuse me. Before
4 the Chamber asked this question on the militia, I did it before Maître Altit started to
5 discuss another matter. We did not, the militia matter was, to my understanding,
6 was over. And that's why I intervened just to close this with the understanding of
7 the word.

8 MR MACDONALD: [12:12:17] Very well. We shall come back then in
9 re-examination, your Honour.

10 PRESIDING JUDGE TARFUSSER: [12:12:21] Okay, okay.
11 Maître Altit.

12 MR ALTIT: [12:12:27] (Interpretation) Thank you, your Honour.

13 Q. [12:12:34] Then the Prosecutor quoted your statement where you said that the
14 commander of CRS1 and commander of BAE called you, and please stop me if I am
15 mistaken, to talk about potential presence of militiamen.

16 And given that that exchange was not perfectly clear, I would like to ask you to help
17 us clarify. Was that a question put to you by the two commanders, in other words,
18 were they asking you whether it was possible, whether it was something you would
19 consider to work with the militiamen, or were they confirming that they were going
20 to work with the militia or they intended to work with the militia? Could you just
21 explain exactly what you meant by those words so we understand what you said?

22 A. [12:13:40] The two commanders of the riot squad, the BAE and CRS1, asked me
23 whether I had been informed of the presence of militiamen in their barracks or
24 whether or not they could work with militiamen. And my answer was very clear, it
25 was written down and I told them I had no knowledge of that and I had not received

1 any information from any authority.

2 Q. [12:14:14] Let's go on to something else, Mr Witness. You stated -- well, no.

3 I'll come back to that later.

4 Can we talk about a weakening of the police toward the end of the crisis?

5 A. [12:15:14] I'm afraid I didn't understand your question.

6 Q. [12:15:20] Let me rephrase it. Toward the end of the crisis things had evolved.

7 Can we say that toward the end of the crisis there was no longer any police, or would

8 you say that things were functioning normally still? Do you understand that

9 question?

10 A. [12:15:38] Yes, I understand. Indeed, I said that starting on March 31, around

11 10 o'clock, from then on there was virtually no police anymore.

12 Q. [12:16:01] Very well. At what point in time did the rebel troops from the north

13 come into Abidjan?

14 A. [12:16:18] Well, that's exactly why I mentioned the date of March 31, because as

15 of March 31 they arrived in Yopougon and they attempted to enter the city of

16 Abidjan.

17 Q. [12:16:33] They arrived in Yopougon. And did they carry out any atrocities?

18 A. [12:16:43] Let me repeat what I've been saying. I cannot confirm because I did

19 not have any reports. I told you that as of 31 March the police was virtually

20 non-existent.

21 Q. [12:17:02] Very well. Can you tell us what was the composition of the rebel

22 troops that arrived in Abidjan on March 31? What soldiers were amongst the rebels

23 that arrived in Abidjan?

24 A. [12:17:20] Well, I can't really respond because I didn't have any contacts with

25 them. I just know that they entered the city.

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1 Q. [12:17:31] Well, I'm going to ask you a few questions, maybe that will help you.

2 Were there any Dozos amongst them?

3 A. [12:17:41] I can't really confirm that. I can't state that.

4 Q. [12:17:51] Were there mercenaries from other countries such as Burkina Faso?

5 A. [12:17:59] My answer is the same. I told you that as of March 31 I myself was
6 no longer in the city of Abidjan. I was in a military camp.

7 MR ALTIT: [12:18:27] (Interpretation) Your Honour, ladies and gentlemen --
8 (Counsel confer)

9 MR ALTIT: [12:18:35] (Interpretation) If you will allow me, I would like to carry
10 out an exercise whereby I will be asking the witness to identify a number of
11 documents. He is the only one who can identify them, and there are 51 documents,
12 but it will be quick. It is absolutely essential that we introduce these documents
13 through this witness. Madam Naouri is going to be showing them to the witness.
14 It's a matter of procedure. And once we have finished I will rise again for a very
15 short time, which means that in fact we're going to be finishing earlier than expected,
16 your Honour.

17 PRESIDING JUDGE TARFUSSER: [12:19:28] Mr MacDonald.

18 MR MACDONALD: [12:19:29] We have no objections with that.

19 And actually we can even go faster. If these are all documents from the police that
20 were seized by the Prosecution, then we have no objections that they be submitted on
21 record automatically. But of course if there are questions on these documents to the
22 content, that's another story. The Defence will then have to put the questions and
23 get the answers. But just the submission of them without even asking the questions,
24 the Prosecution is willing to submit them, if they are police documents pursuant to a
25 search exercise of the Prosecution.

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1 So if even we can have five minutes to deal with this it could maybe save court time,
2 but that's all.

3 MR ALTIT: [12:20:26] (Interpretation) Your Honour, if I may.

4 PRESIDING JUDGE TARFUSSER: [12:20:27] I just think that Maître Altit is best
5 placed. But thank you for this. But I leave it to Maître Altit, who is best placed to
6 know what it is about. Maître Altit.

7 MR ALTIT: [12:20:38] (Interpretation) Thank you, your Honour. I would just like
8 to state that it's not up to the parties to authenticate the documents. It's the witness.
9 The purpose is to be objective and follow a certain methodology to verify that these
10 are indeed authentic documents, and I believe that the opinion of the Prosecutor is
11 not relevant.

12 The purpose is to ask the witness to authenticate these documents, not the Prosecutor.
13 That is why we requested that we be able to carry out this exercise, and Maître Naouri
14 will be carrying out this exercise.

15 MR MACDONALD: [12:21:20] I understand the documents will have to be called up
16 each time. That's why I was proposing that.

17 PRESIDING JUDGE TARFUSSER: [12:21:24] Yes, I know. But you have called the
18 documents up each time. So I think we are here.
19 Madam Naouri.

20 MS NAOURI: [12:22:11] (Interpretation) Thank you, your Honour.

21 QUESTIONED BY MS NAOURI:

22 Q. [12:22:12] Good afternoon, Witness.

23 A. [12:22:14] Good afternoon.

24 Q. [12:22:18] You've understood that we're going to go through a number of
25 documents. I'm going to be giving the ERN number for the court officer so that we

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1 can display them on the screen. And when you are ready, or if you so desire, you
2 can have a hard copy and the court usher will give you a hard copy, because we do
3 have copies for you, just as was the case when you were questioned by the OTP.

4 Is that clear?

5 A. [12:22:54] Yes.

6 Q. [12:23:02] Very well. Let's continue.

7 The reference is CIV-OTP-0045-1476.

8 PRESIDING JUDGE TARFUSSER: [12:23:27] Excuse me, can we have a list of the
9 documents for the court officer so he is prepared, instead of waiting always when you
10 dictate the numbers so we accelerate.

11 MS NAOURI: [12:23:44] (Interpretation) I'm told that the list was sent to the court
12 officer.

13 THE COURT OFFICER: [12:23:52] Who just received it, yes.

14 PRESIDING JUDGE TARFUSSER: [12:23:54] Just received it, so.

15 MS NAOURI: [12:23:57] (Interpretation) Very well.

16 PRESIDING JUDGE TARFUSSER: [12:24:04] And if you -- and -- excuse me, always
17 in the sense of accelerating, if you have already the hard copies, all the documents,
18 said 51, just give them to the witness and --

19 MS NAOURI: [12:24:14] (Interpretation) No problem. We can give the witness a
20 binder. There are a few that we will not be showing him, but we can indicate that he
21 just turn the pages. Very well. Yes.

22 PRESIDING JUDGE TARFUSSER: [12:24:39] So they are in the order you are calling
23 them?

24 MS NAOURI: [12:24:43] (Interpretation) Indeed, yes.

25 PRESIDING JUDGE TARFUSSER: Merci.

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1 MS NAOURI: (Interpretation)

2 Q. [12:24:54] Witness, do you have the binder?

3 A. [12:24:59] Yes, I do.

4 Q. [12:25:02] We're going to be working with the binder. I have already quoted
5 the reference for the first one. This is an information note sent on October 25, 2010 to
6 the DGNP, in other words to you. Have you already seen this document?

7 A. [12:25:22] Yes, I have.

8 Q. [12:25:23] Very well. Therefore you were aware of the fact that about 10
9 individuals were sent by Chérif Ousmane in Burkina Faso mid-October 2010 to obtain
10 equipment for his troops under training in the training group in Bouaké, that they
11 came back during the night of October 22nd, 23rd, 2010 with two 10-tonne trucks
12 accompanied by eight individuals whose identity remains unknown. You were
13 informed of that; is that correct?

14 A. [12:26:05] I recognize the document. Well, it says "information note". And
15 you can see "source", and you see "value". I don't know if you understand what that
16 means.

17 Q. [12:26:24] Tell me, do tell me.

18 A. [12:26:27] When it says source B, that means it's not totally true. And value 2,
19 that also means it's not true. In other words, the source is doubtful, but the
20 information is nonetheless relayed. That's what that means.

21 Q. [12:26:48] Very well. And you received this information?

22 A. [12:26:55] Yes, indeed.

23 Q. [12:26:59] I'm trying to be quick.

24 MR LAUCCI: [12:27:05] (Interpretation) Your Honour, well, given that I know
25 nothing about what these documents contain, I would like to request, well, I'd like to

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1 know whether these documents are being broadcast to the public or not?

2 MS NAOURI: [12:27:25] (Interpretation) *Like the Prosecutor, by default, the
3 documents are confidential.

4 MR LAUCCI: [12:27:32] (Interpretation) So they're not being broadcast to the
5 public? In that case -- I just wanted to remind you of the risk of self-incrimination, if
6 there are any documents of that nature.

7 MS NAOURI: [12:27:52] (Interpretation)

8 Q. [12:27:53] I'd like to give you the ERN number for the second document that you
9 have before you, CIV-OTP-0045-0077. Did you sign this document?

10 A. [12:28:17] Yes, indeed, it's my signature.

11 Q. [12:28:19] Very well. Thank you very much.

12 Next document.

13 A. [12:28:24] Well, but we need to go further. You asked me if I've signed it. But
14 what about the content?

15 Q. [12:28:37] Witness, we have chosen to go into further detail for some of the
16 documents, but you see there are very many of them. You can see how thick the
17 binder is. So in some cases we're simply going to ask you whether you signed the
18 document or not. If you say yes, we know that you drafted the document.

19 A. [12:28:57] Your Honour, I would like to have this document discussed because
20 it's extremely important for me because what it means is that I'm returning a
21 document that was not signed, which means it was not authenticated by the person
22 who wrote it. And, therefore, if you ask me if I can authenticate the document, I
23 don't see what the purpose is. In fact, here the purpose is the content. It's not the
24 form of the document as such, the fact that I signed it.

25 PRESIDING JUDGE TARFUSSER: [12:29:27] Please, give your explanation to this

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1 document.

2 THE WITNESS: [12:29:38] (Interpretation) I was saying that this corresponded to a
3 mission in the centre north-west region, but there is no indication. And I asked that
4 the chief of the mission provide additional evidence. And there had been no
5 follow-up to it. And that's what I'm saying in this document.

6 PRESIDING JUDGE TARFUSSER: [12:30:16] Madam Naouri. Merci.
7 Madam Naouri.

8 MS NAOURI: [12:30:17] (Interpretation) Thank you, your Honour.

9 Q. [12:30:19] And thank you to the witness.

10 The third document is CIV-OTP-0045-0429. Are you the author of this document,
11 Witness?

12 A. [12:30:38] Yes, indeed.

13 Q. [12:30:39] We're going to move on to the third document, unless you have a
14 comment -- well, sorry, the fourth, unless you have a comment to make, thank you,
15 all right?

16 A. [12:30:51] That's okay.

17 Q. [12:30:54] So fourth document CIV-OTP-0045-0034.

18 PRESIDING JUDGE TARFUSSER: [12:31:06] Excuse me. The third document was
19 already shown to the witness by the Office of the Prosecutor; is that right, the third?
20 No? No. They tell me no. Okay.

21 MS NAOURI: [12:31:23] (Interpretation) I thank you, Mr President.

22 Q. [12:31:30] So, Mr Witness, can you see document number four?

23 A. [12:31:35] Yes, I can.

24 Q. [12:31:36] Very well. Is this document addressed to you?

25 A. [12:31:38] Yes, I am the recipient.

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1 Q. [12:31:40] Have you seen it?

2 A. [12:31:41] Yes, indeed.

3 Q. [12:31:45] We understood that this is a document with value 2 but, however,

4 you were aware that "The militants of the Rassemblement des Républicains, the RDR,

5 residing in the CNO, decided to go in great numbers to Abidjan after the vote of 28

6 November 2010 in order to wait for the results of the second round of the election, the

7 presidential election. In these groups there were militants, combatants of the Forces

8 Nouvelles. In adopting this position, there is no doubt as to their intentions. They

9 intend to act violently if the results are not favourable to their candidate Alassane

10 Ouattara."

11 A. [12:32:35] Yes, I have seen the document.

12 Q. [12:32:37] So you were aware of the existence of the Forces Nouvelles?

13 A. [12:32:40] Yes, everyone knew about the existence of the Forces Nouvelles.

14 Q. [12:32:45] But as director of the police, you must have taken into account this

15 information, did you not?

16 A. [12:32:54] Yes, but I shall say the same thing to you again. You are -- once

17 again, look at the source and the value of this document. I am taking into account

18 this information nevertheless.

19 Q. [12:33:08] Thank you. Fifth document, the fifth document in your binder, we're

20 going to go past that one, we're going to skip it because it's -- we withdrew it from

21 our binder.

22 So next document, that is the sixth in your binder, CIV-OTP-0045-1187. You seem to

23 be the sender of this document. Can you confirm?

24 A. [12:33:58] I can confirm that I am indeed the sender.

25 Q. [12:34:03] Could you please help us with regard to the date of this document

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1 because it would seem that the date is not clearly indicated?

2 A. [12:34:21] Well, I do not have any reference documents here.

3 Q. [12:34:26] Well, as you are the author of said document and there is the
4 handwritten --

5 THE INTERPRETER: Number said at great speed.

6 MS NAOURI: (Interpretation) *-- number 152, dated 17/02/2011 at 8.00 pm, this
7 information cannot assist you in knowing the date of this document?

8 THE INTERPRETER: [12:34:47] Message from the interpreter: Could counsel
9 please slow down when quoting numbers at the speed of light.

10 PRESIDING JUDGE TARFUSSER: [12:34:53] Could counsel please slow down.
11 Thank you.

12 MS NAOURI: [12:35:06] (Interpretation)

13 Q. [12:35:07] So document number 7 of your binder bearing number

14 CIV-OTP-0045-0075, you seem to be the sender of said document. Can you confirm
15 this?

16 A. [12:35:29] I can confirm that this is indeed my signature.

17 Q. [12:35:34] You are addressing this report from the DST to the deputy director in
18 charge of public security; is that correct?

19 A. [12:35:55] That is correct.

20 Q. [12:35:57] And in this report from the DST --

21 MR LAUCCI: [12:36:06] (Interpretation) Maître Naouri, I would like to ask you
22 whether it is indispensable to read out the contents of said document, and if so if this
23 would not require for us to move into private session? Thank you.

24 MS NAOURI: [12:36:23] (Interpretation) Thank you, Mr Laucci. I will indeed
25 finish the contents of this document. But there is no risk at all of self-incrimination

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1 because these are acts that were committed by entirely different individuals from
2 your witness. So it has absolutely no risk whatsoever. I would like to reassure you.

3 MR LAUCCI: [12:36:43] (No interpretation) --

4 PRESIDING JUDGE TARFUSSER: Also wait --

5 MR LAUCCI: Pardon.

6 PRESIDING JUDGE TARFUSSER: [12:36:48] -- until we have the translation
7 finished.

8 Now, please, Maître Laucci.

9 MR LAUCCI: [12:36:53] (Interpretation) May I remind you of the principles
10 relative to the responsibility of hierarchical superiors that imply that an individual
11 may be incriminated if he or she was in a position and did not take any measures to
12 prevent or obstruct the commission of any offences.

13 PRESIDING JUDGE TARFUSSER: [12:37:20] Well, it's a bit broad, as you said it, I
14 would say.

15 MS NAOURI: [12:37:26] (Interpretation) There are no risks here because these are
16 actions committed by rebels. So do not worry whatsoever. I shall be very careful as
17 to any risk of self-incrimination.

18 Q. [12:37:39] Now, Mr Witness, the document says to us, and I quote: "From a
19 source introduced into the RHDP milieu, it says that the offensive led by the FAFN on
20 the Thursday 16 December 2010, with a view to installing a new director at the RTI,
21 there is, as a result, a plan B that is envisaged. And this plan B forced these, the -- in
22 addition to the attack of defensive positions, the practice of guerilla, urban guerillas,
23 the practice of urban guerilla warfare in Abidjan and in the neighbouring areas. The
24 modus operandi of this action, it is said, will consist in attacking overnight on board
25 vehicles, unmarked vehicles the police stations and other posts held by the FDS."

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1 End of quote.

2 So you were informed of this information that there were sources introduced into the
3 RHDP milieu, were you?

4 A. [12:39:14] That is what is written here. This is an information note that we had.

5 Q. [12:39:19] So you had this information?

6 PRESIDING JUDGE TARFUSSER: [12:39:23] Yes, yes, he said it three times, he had
7 this information.

8 MS NAOURI: [12:39:31] (Interpretation) Thank you, Mr President.

9 Q. [12:39:35] Next document, CIV-OTP-0045-0667. Do you have the document
10 before you, Mr Witness?

11 A. [12:39:58] Yes, I do.

12 Q. [12:39:59] Are you the sender?

13 A. [12:40:00] Precisely.

14 Q. [12:40:01] Very well. Next document, CIV-OTP-0045-0679. Do you have the
15 document before you, Mr Witness?

16 A. [12:40:35] Yes, indeed.

17 Q. [12:40:36] Are you the sender?

18 A. [12:40:39] Yes.

19 Q. [12:40:40] Thank you. Next document, CIV-OTP-0045-0964. These are two
20 tables prepared by your cabinet dated *19 January 2011. Have you already seen
21 these tables?

22 A. [12:41:17] It was signed by me, so I have seen them.

23 Q. [12:41:20] Very well. Next document --

24 PRESIDING JUDGE TARFUSSER: [12:41:31] Can we just go to the number
25 without reading the whole thing, it's --

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1 MS NAOURI: [12:41:36] (Interpretation) You mean the number on the list that we
2 have given you? Very well.

3 PRESIDING JUDGE TARFUSSER: [12:41:41] Yes, the final number without
4 CIV-OTP, all what is obvious, because we have the list.

5 MS NAOURI: [12:41:49] (Interpretation) All right.

6 Q. [12:41:55] So this is the 11th document on our list finishing with 0045-1085.

7 Can you see the document, Mr Witness?

8 *A. [12:42:12] This document was read out yesterday if I am not mistaken.

9 PRESIDING JUDGE TARFUSSER: [12:42:22] This document was?

10 MS NAOURI: [12:42:24] (Interpretation)

11 Q. [12:42:25] Could you repeat, Mr Witness?

12 A. [12:42:28] I think it was presented yesterday.

13 Q. [12:42:34] It is possible, because we did prepare this binder ahead of time, of
14 course.

15 Now, could you please be so kind as to confirm to us that you are the recipient of said
16 document?

17 A. [12:42:50] Yes, I am the recipient.

18 Q. [12:42:51] Thank you.

19 Document number 12 on our list, which finishes with 0045-1147. Can you see the
20 document, Mr Witness?

21 A. [12:43:19] Yes, I do have the document before me.

22 Q. [12:43:22] Are you the sender?

23 A. [12:43:24] Yes.

24 Q. [12:43:25] Thank you.

25 Thirteenth document on our list, finishing with the number 0045-1178. This is a table

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1 prepared by your cabinet entitled "Table summarising the policemen who were
2 wounded in the management of the post-election crisis of December 2010 to January
3 2011 compiled by the DGPN."

4 Have you already seen this document?

5 A. [12:44:13] Well, I ask the question to you: How did you get hold of the
6 document? How did you get hold of this document? It's not signed. It's not
7 recorded. How did it get out of my office?

8 Q. [12:44:27] Well, that's the question we're putting to you.

9 A. [12:44:30] Well, I'd like to put the question to you. I don't understand. It's not
10 signed. It's not recorded. It's not dated.

11 Q. [12:44:38] Mr Witness, that is why I'm showing the document to you, to know
12 whether this document is authentic. Your name does appear on this document, we
13 agree?

14 A. [12:44:49] No. This document is not authentic.

15 Q. [12:44:52] Well, there we are then.

16 And why, can you tell us please why so that it can be entered into evidence?

17 A. [12:45:03] I've already told you it's not dated, it's not signed, it's not registered,
18 so logically speaking it should not have come out of my office.

19 Q. [12:45:11] It shouldn't come out of your office, but you have already seen this
20 document, yes or no?

21 A. [12:45:19] Since last week, I have told you that there are many documents that
22 were compiled at the DGPN cabinet, but for them to come out, for them to be
23 authenticated, they need to be registered, dated and signed.

24 PRESIDING JUDGE TARFUSSER: [12:45:38] The question is: Have you ever seen
25 before this document?

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1 THE WITNESS: [12:45:46] (Interpretation) Of course I've seen the document, but
2 it's not an authenticated document. It is not a document that is formal.

3 PRESIDING JUDGE TARFUSSER: [12:45:54] Well, right. But you have seen it?
4 This is a document which was generated, is the question, where was it generated, this
5 document?

6 THE WITNESS: [12:46:06] (Interpretation) Yes, well, in the context there it was
7 written or compiled or drafted in the cabinet. But it is not authenticated. It's not
8 authenticated. It's not signed. So it could be any old scrap.

9 PRESIDING JUDGE TARFUSSER: [12:46:25] Yes, right. But it's not a fake
10 document?

11 THE WITNESS: [12:46:31] (Interpretation) Well, that's why I picked up on it,
12 because if I didn't sign it, it does not mean to say that it comes from the cabinet of the
13 directeur général, and that's why that I'm really underscoring this.

14 PRESIDING JUDGE TARFUSSER: [12:46:48] Yes. But just to be clear, you have
15 seen it and it was prepared, was written, was drafted within your office? Then it is
16 not perfect, it is not a perfect document because you have not signed it, it has no date,
17 whatever. But the question is have you seen it? And do you realise that this is a
18 document you have seen and which was generated in your office?

19 THE WITNESS: [12:47:21] (Interpretation) *I don't want to confirm that.

20 PRESIDING JUDGE TARFUSSER: [12:47:27] Okay.
21 Madam Naouri.

22 MS NAOURI: [12:47:33] (Interpretation)

23 Q. [12:47:36] Thank you, Mr Witness, for this clarification. This document was
24 transmitted to us by the Office of the Prosecutor, who says that they seized this
25 document when they were gathering documentation within your service. So it is

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1 very important for you to tell us things.

2 I'm not going to put the questions that the president has put to you again, *just a
3 follow-up question. You told us the date. It has to be signed and dated. Some
4 documents were presented to you that were not dated. Does this have an impact on
5 the authentication of the document with regard to what you just told us?

6 A. [12:48:17] Mr President, I do believe that we broached this subject yesterday at
7 length. And I said there were many documents that were given to the Office of the
8 Prosecutor that I have no knowledge of.

9 Q. [12:48:34] Thank you, Mr Witness. Now, 14th document on our list, ending
10 with numbers 0045-0785. Can you see the document?

11 A. [12:48:59] Yes.

12 Q. [12:49:00] You are the recipient, are you not?

13 A. [12:49:03] Yes, indeed.

14 Q. [12:49:05] Have you seen this before?

15 A. [12:49:07] Yes, I have.

16 Q. [12:49:09] Thank you. Very well. Fifteenth document on our list, ending in
17 0045-0969. Can you see the document?

18 A. [12:49:29] Yes, I can.

19 Q. [12:49:30] Are you the recipient?

20 A. [12:49:32] Precisely.

21 Q. [12:49:33] Have you already seen this document?

22 A. [12:49:34] Yes, I have.

23 Q. [12:49:38] Thank you, Mr Witness. Sixteenth document on our list, finishing
24 with number 0045-0975. Can you see the document, Mr Witness?

25 A. [12:49:56] Yes, I can see the document.

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- 1 Q. [12:49:57] Are you the sender?
- 2 A. [12:50:00] Yes.
- 3 Q. [12:50:01] Thank you. Document number 17 on our list, ending with 0045-0980,
- 4 can you see the document, Mr Witness?
- 5 A. [12:50:20] Very well.
- 6 Q. [12:50:26] Are you the sender of the document?
- 7 A. [12:50:28] Yes.
- 8 PRESIDING JUDGE TARFUSSER: [12:50:29] Mr Witness, it goes without saying that
- 9 if you want to comment, if you think you have a comment to make on each document
- 10 you are shown, you can.
- 11 THE WITNESS: [12:50:45] (Interpretation) Thank you, Mr President.
- 12 MS NAOURI: [12:50:57] (Interpretation)
- 13 Q. [12:50:58] Mr Witness, can you see that the date was erased on the document?
- 14 A. [12:51:05] No, the date is not erased. It is just it's been photocopied so many
- 15 times that the date has disappeared.
- 16 Q. [12:51:20] Could you assist us with regard to the date of the document?
- 17 A. [12:51:24] No. I do not have any reference documents in my hands here.
- 18 Q. [12:51:32] Were we to find the original, you're saying that the date would be on
- 19 the document, is that what you are saying?
- 20 A. [12:51:38] Yes, because it is indeed registered and signed.
- 21 Q. [12:51:43] So document number 18 on our list, ending with 0045-1042, can you
- 22 see the document, I'm sorry, Mr Witness?
- 23 A. [12:52:00] Yes, I can see it.
- 24 Q. [12:52:01] Are you the sender of this document?
- 25 A. [12:52:03] Precisely.

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1 Q. [12:52:07] And the date is also erased. I suppose that the same remark is valid
2 for this document?

3 A. [12:52:16] Precisely.

4 PRESIDING JUDGE TARFUSSER: [12:52:21] Mr MacDonald.

5 MR MACDONALD: [12:52:22] *In order to save time, maybe we can ask the witness
6 how the date is indicated with a stamp.

7 PRESIDING JUDGE TARFUSSER: [12:52:32] Everybody knows, everybody knows I
8 think.

9 MS NAOURI: [12:52:38] (Interpretation)

10 Q. [12:52:41] Mr Witness, document number 19 on our list, 0045-1275, can you see
11 the document, Mr Witness?

12 A. [12:52:52] Yes, I can see it.

13 Q. [12:52:57] Are you the recipient?

14 A. [12:53:00] Yes, I am the recipient.

15 Q. [12:53:03] Have you already seen this document?

16 A. [12:53:09] Yes, I have seen the document. But there is a lot of handwritten
17 matter. I do not know whether you got it like this or whether you made annotations.
18 You can see in the first column of line 1, next to 01, they put 06. I don't know
19 whether you are the one who annotated it.

20 Q. [12:53:33] No. We didn't touch the documents in any way whatsoever. It was
21 disclosed to us by the OTP. We received it in its present state as you see it before
22 you.

23 A. [12:53:47] And then on the second page there are lots of figures that have been
24 brought to the document. In column 2 you can see the figures 10, 16. I don't know
25 what that corresponds to. I do not believe that the document was drafted in such a

1 state at the DGNP. These are new additions that I would like to point out.

2 Q. [12:54:10] You are right in so doing, and that's why we are conducting this
3 exercise. Thank you.

4 So let's move on to the next document, document number 20 on our list ending with
5 0045-1391. Can you see the document, Mr Witness?

6 A. [12:54:28] Yes, I can see the document.

7 Q. [12:54:30] Are you the recipient?

8 A. [12:54:32] Precisely.

9 Q. [12:54:33] Have you already seen this document?

10 A. [12:54:34] Yes.

11 Q. [12:54:35] Thank you. Document number 21 on our list ending with numbers
12 0045-1401. So this is a document addressed to the deputy director general of the
13 national police in charge of public security. Have you already seen this document?

14 A. [12:55:14] I do not believe that I have already laid eyes upon this document, but
15 I do know its contents.

16 Q. [12:55:21] Very well. And if we were to move on to page 1403 at the bottom,
17 they talk here about ampliations. Can you please explain to us, DGNP, CR.

18 A. That means to say that I was CCed into this document, the word "ampliation".
19 But it isn't obvious because, if you've noted, the person who reports to their chief will
20 then report back. It doesn't mean to say that if this is written here it is a known fact
21 that I received the document.

22 Q. [12:56:05] *Does the word "ampliation" not mean an authentic copy of the
23 original administrative document?

24 A. [12:56:17] Are you giving us a class in legal administration? It's not at all one
25 and the same thing.

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1 Q. [12:56:26] That's why we're putting the question to you, Witness.

2 Now next document, document number 22 on our list.

3 A. [12:56:36] Please, as you've just talked about the form of the administrative note,
4 you can see that under SDASP for information. He can't actually send a document to
5 the SDASP. It really was, you know, for us to have a look at the form.

6 Q. [12:56:57] Very well. Thank you. So document 22 on our list ending with
7 0045-1443, so this is also a document that is addressed by the deputy director general
8 of the national police in charge of public security addressed to the préfet de police.
9 Have you already seen this document?

10 A. [12:57:37] Yes, I have.

11 Q. [12:57:38] Thank you, Mr Witness.

12 Document number 23 on our list.

13 PRESIDING JUDGE TARFUSSER: [12:57:52] After document 25 we stop for the
14 lunch break. So we are half through it, okay, this cumbersome exercise.

15 MS NAOURI: [12:58:02] (Interpretation)

16 Q. [12:58:03] Document number 23 finishing with 0045-1445. Mr Witness, can you
17 see the document?

18 A. [12:58:12] Yes, I can.

19 Q. [12:58:13] This document was addressed to you, was it not?

20 A. [12:58:16] Yes, indeed.

21 Q. [12:58:17] And you have already seen it?

22 A. [12:58:19] Yes.

23 Q. [12:58:20] Very well. Now in the knowledge that we have done away with
24 numbers 24 and 25 of our list, Mr President, we're going to come to a stop here --

25 PRESIDING JUDGE TARFUSSER: Then we go to 26.

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- 1 MS NAOURI: -- and resume after -- all right, all right we'll go to number 26?
- 2 PRESIDING JUDGE TARFUSSER: [12:58:40] Because 51, there is no half.
- 3 MS NAOURI: [12:58:45] (Interpretation)
- 4 Q. [12:58:46] So document number 26 bearing number 0045-1068, can you see the
- 5 document, Mr Witness?
- 6 A. [12:59:00] Yes, I can see it.
- 7 Q. [12:59:02] It is addressed to you, is it?
- 8 A. [12:59:04] Yes.
- 9 Q. [12:59:04] Have you already seen it?
- 10 A. [12:59:05] Yes, indeed.
- 11 PRESIDING JUDGE TARFUSSER: So.
- 12 MS NAOURI: [12:59:14] (Interpretation) I no longer dare.
- 13 PRESIDING JUDGE TARFUSSER: [12:59:17] So let's go for lunch. We come back at
- 14 2.30 for the continuing of this questioning. Thank you. The hearing is adjourned.
- 15 THE COURT USHER: [12:59:27] All rise.
- 16 (Recess taken at 12.59 p.m.)
- 17 (Upon resuming in open session at 2.34 p.m.)
- 18 THE COURT USHER: [14:34:03] All rise.
- 19 Please be seated.
- 20 PRESIDING JUDGE TARFUSSER: [14:34:20] Good afternoon.
- 21 Madam Naouri, I suppose.
- 22 MS NAOURI: [14:34:33](Interpretation) Thank you, your Honour.
- 23 Q. [14:34:41] Good afternoon, Mr Witness.
- 24 A. [14:34:44] Good afternoon.
- 25 Q. [14:34:49] We're going to be continuing with the documents. The next one is

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1 number 27 on our list, which bears the number 0046-0336. Can you see the
2 document?

3 A. [14:35:08] Yes, I can see it.

4 Q. [14:35:13] Are you the recipient of this document?

5 A. [14:35:16] Yes.

6 Q. [14:35:17] Have you already seen this document?

7 A. [14:35:19] Yes.

8 Q. [14:35:21] Thank you very much, Witness.

9 MR MACDONALD: [14:35:31] I'm sorry, I think there's a problem with the
10 displaying right now.

11 MS NAOURI: [14:35:48](Interpretation) Fine.

12 MR MACDONALD: Yes, you were a bit quick.

13 MS NAOURI: (Interpretation)

14 Q. [14:35:55] I will try to slow down.

15 The next is number 28 on our list, the number is 0045-0630. Can you see the
16 document, Witness?

17 A. [14:36:10] Yes, I can see it.

18 Q. [14:36:14] Were you a recipient of this document?

19 A. [14:36:16] Yes, indeed.

20 Q. [14:36:20] In that case we'll go on to the next one, number 29 on our list. The
21 number is 0046-0336. Can you see the document, Mr Witness?

22 A. [14:36:42] No.

23 Q. [14:36:46] Do you mean it's not in the binder, is that what you're saying?

24 A. [14:36:51] Yes, indeed.

25 Q. [14:36:52] In that case, we're going to give you a copy with the help of the

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- 1 court usher.
- 2 Can you see the document now, Witness?
- 3 A. [14:37:27] Yes, I can see it.
- 4 Q. [14:37:29] Were you the recipient of this document?
- 5 A. [14:37:32] Yes.
- 6 Q. [14:37:35] Have you already seen this document?
- 7 A. [14:37:37] Yes, indeed.
- 8 Q. [14:37:38] Very well.
- 9 The next document is number 30 on our list, the ERN is 0046-0316.
- 10 Can you see the document, Mr Witness?
- 11 A. [14:38:07] Yes, I can see it in the binder.
- 12 MR MACDONALD: [14:38:12] Your Honour, just that we have to wait that the
- 13 Chamber sees it, that it is -- I understand we want to do this quickly, but --
- 14 PRESIDING JUDGE TARFUSSER: [14:38:19] We see it. We see it now.
- 15 MS NAOURI: [14:38:25](Interpretation) I will check to be sure that the documents
- 16 are indeed displayed on the screen.
- 17 Q. [14:38:30] Mr Witness, were you a recipient of this document?
- 18 A. [14:38:33] Yes.
- 19 Q. [14:38:34] Have you already seen this document?
- 20 A. [14:38:37] Yes, I've seen it.
- 21 Q. [14:38:52] Let's go on to number 31 on our list, the ERN is 0045-0347. Here it
- 22 is. We can see it on the screen. Can you see this document, Mr Witness?
- 23 A. [14:39:15] Yes, I can see the document.
- 24 Q. [14:39:19] Were you the person who sent this document?
- 25 A. [14:39:21] Yes, indeed.

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1 Q. [14:39:28] The next one on our list is number 32, which bears the ERN
2 0045-1170. Can you see the document, Mr Witness?

3 A. [14:39:52] Yes, I can see it.

4 Q. [14:39:54] Were you the recipient of this document?

5 A. [14:39:57] Yes.

6 Q. [14:39:58] Have you already seen this document?

7 A. [14:40:00] Yes, indeed.

8 Q. [14:40:04] Thank you very much.

9 The next one, number 33, we're going to skip it, that's why you don't have a
10 document in your binder. And we're also going to skip number 34. We're also
11 going to skip number 35.

12 Which brings us to number 36, which bears the ERN 0045-1140. Can you see the
13 document, Mr Witness?

14 A. [14:41:14] Yes, I can see it.

15 Q. [14:41:17] Were you the sender of this document?

16 A. [14:41:20] Yes, indeed.

17 Q. [14:41:26] There is no date on this document. Can you confirm that that is the
18 case?

19 A. [14:41:31] Yes, indeed, I can confirm that.

20 Q. [14:41:35] Is there any means of knowing the precise date of this document?

21 A. [14:41:43] Yes, on the basis of the registration number one can ascertain the
22 date.

23 Q. [14:41:51] Very well. Thank you very much.

24 PRESIDING JUDGE TARFUSSER: [14:41:54] The highlighting is yours, I think?

25 MS NAOURI: [14:42:02](Interpretation) No, no. It was the OTP that underlined

1 the document.

2 Q. [14:42:09] Let's go on to number 37, which bears the number 0045-1395. Can
3 you see the document, Mr Witness?

4 A. [14:42:24] Yes, I can see it.

5 Q. [14:42:29] Were you the recipient?

6 A. [14:42:32] Yes.

7 Q. [14:42:34] Have you already seen this document?

8 A. [14:42:36] Yes, indeed.

9 Q. [14:42:39] Very well. Let's go on to number 38 on our list, which bears the
10 number 0045-0122. Can you see the document, Mr Witness?

11 A. [14:43:06] Yes, I can see it.

12 Q. [14:43:09] Were you the recipient of this document?

13 A. [14:43:12] Yes, indeed.

14 Q. [14:43:15] The word at the top of the page "vu" that is seen written in French,
15 did you write that?

16 A. [14:43:22] Yes, indeed.

17 Q. [14:43:29] Let's go on to number 39 in our list, which bears the number
18 0045-1090. Can you see the document, Mr Witness?

19 A. [14:43:54] In my binder, yes.

20 Q. [14:44:00] Were you the recipient of the document?

21 A. [14:44:02] Yes.

22 Q. [14:44:03] Have you already seen the document?

23 A. [14:44:05] Yes.

24 Q. [14:44:09] I'm waiting for the document to be displayed on the screen.

25 In this document on the second page it is indicated, and I'm quoting, "Three major

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1 zones have been identified as clearly hostile territories vis-à-vis the FDS. Those
2 neighbourhoods are rear bases to prepare attacks or military response to the FDS.
3 The zones are as follows."

4 So my question is did you receive that information?

5 A. [14:44:55] Yes, indeed.

6 Q. [14:44:58] Thank you very much.

7 The next document is number 40 on our list, which bears the number 0045-0140. Can
8 you see the document, Mr Witness?

9 A. [14:45:23] Yes, indeed.

10 Q. [14:45:24] Were you the recipient?

11 A. [14:45:28] Yes.

12 Q. [14:45:28] The word "vu" in French, V-U, "seen" at the top, was it written by
13 yourself?

14 A. [14:45:39] Yes, it is my handwriting.

15 Q. [14:45:57] Very well. Number 41, 0045-0664. Can you see the document,
16 Mr Witness?

17 A. [14:46:16] Yes, I can see it.

18 Q. [14:46:18] Were you the sender of this document?

19 A. [14:46:20] Yes.

20 Q. [14:46:21] Is that your signature?

21 A. [14:46:22] Yes, it is.

22 Q. [14:46:24] Thank you. The next one is number 42 on our list, it bears the
23 number 0045-0712. Can you see the document?

24 A. [14:46:47] Yes.

25 Q. [14:46:47] Were you the sender of this document?

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- 1 A. [14:46:51] Yes.
- 2 Q. [14:46:51] Is that your signature?
- 3 A. [14:46:53] Yes, indeed.
- 4 Q. Number 43 on our list, the number is 0045-0768. Can you see the document,
- 5 Mr Witness?
- 6 A. [14:47:20] Yes.
- 7 Q. [14:47:23] Were the sender of this document?
- 8 A. [14:47:25] Yes, indeed.
- 9 Q. [14:47:26] And it's your signature at the bottom of the second page?
- 10 A. [14:47:30] Yes, indeed.
- 11 Q. [14:47:31] Thank you.
- 12 PRESIDING JUDGE TARFUSSER: [14:47:34] Question: What does this document
- 13 mean?
- 14 THE WITNESS: [14:47:43] (Interpretation) It was a request sent to my hierarchy.
- 15 PRESIDING JUDGE TARFUSSER: [14:47:52] And did you receive what you
- 16 requested or part of it?
- 17 THE WITNESS: [14:48:02] (Interpretation) We didn't receive anything.
- 18 PRESIDING JUDGE TARFUSSER: [14:48:05] Thank you.
- 19 MS NAOURI: [14:48:13](Interpretation)
- 20 Q. [14:48:15] We're going to skip number 44 and go on to number 45 on our list,
- 21 which bears the number 0045-1271. Have you already seen this document?
- 22 A. [14:48:47] Yes.
- 23 Q. [14:48:48] Very well. Let's go on to number 46, which bears the number
- 24 0045-1515. This is a report drafted by the district chief of district 4, Adomo
- 25 Bonaventure, and it is sent to the préfet de police in Abidjan. Have you already seen

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1 this document?

2 A. [14:49:33] No.

3 Q. [14:49:39] The next one -- the date was December 15, 2010 for the previous
4 document.

5 The next one bears the number 0048-1266.

6 Can you see this document, Mr Witness?

7 A. [14:50:02] Yes, I can see it.

8 Q. [14:50:03] Were you the sender of this document?

9 A. [14:50:06] Yes.

10 Q. [14:50:08] And is this your signature?

11 A. [14:50:11] Yes, indeed.

12 Q. [14:50:13] Thank you. The next one is 48 on our list, it bears the number
13 0045-1013. Can you see the document, Witness?

14 A. [14:50:38] Yes, I can see it.

15 Q. [14:50:44] Did you write this document?

16 A. [14:50:46] Yes.

17 Q. [14:50:51] Number 49 on this list, which bears the number 0045-1232. Can
18 you see the document?

19 A. [14:51:11] Yes.

20 Q. [14:51:12] Were you the recipient of this document?

21 A. [14:51:16] Yes.

22 Q. [14:51:18] Have you already seen this document?

23 A. [14:51:20] Yes, I've seen it.

24 Q. [14:51:23] Thank you very much.

25 The next is number 50 in our list, the number is 0045-1388.

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1 Can you see the document?

2 A. [14:51:47] Yes, I can see it.

3 Q. [14:51:51] If we could turn to the page 1390 you can see that the author is the
4 deputy in charge of public security, deputy director.

5 A. [14:52:01] Yes.

6 Q. [14:52:02] Have you already seen this document?

7 A. [14:52:03] Yes, I have.

8 Q. [14:52:05] Thank you. The next one is number 51 on our list, which bears the
9 number 0045-1003. Can you see the document, Mr Witness?

10 A. [14:52:35] Yes, I can see it.

11 Q. [14:52:39] Is it sent to you?

12 A. [14:52:41] Yes.

13 Q. [14:52:41] Have you already seen this document?

14 A. [14:52:43] Yes, indeed.

15 Q. [14:52:50] We're going to skip number 52, 53, and 54 and skip all the way to
16 number 55, which bears the number 0045-1425. Can you see the document,
17 Mr Witness?

18 A. [14:53:22] Yes, I can see it.

19 Q. [14:53:24] Are you a recipient of this document?

20 A. [14:53:26] Yes.

21 Q. [14:53:27] Have you already seen this document?

22 A. [14:53:29] Yes.

23 Q. [14:53:31] Thank you very much.

24 Number 56 on our list, the number is 0046-0018. This is a special BQI dated
25 December 17, 2010 drafted by the police préfet. Did you receive this document?

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1 A. [14:54:04] Yes, I received it.

2 Q. [14:54:06] Very well.

3 And lastly, number 57, which bears the number 0045-0042. Can you see the
4 document?

5 A. [14:54:22] Yes, I can see it.

6 Q. [14:54:26] Did you draft this document?

7 A. [14:54:28] Yes.

8 Q. [14:54:30] Thank you very much, Mr Witness.

9 PRESIDING JUDGE TARFUSSER: [14:54:36] Maître Altit, this was an oral, how
10 you call it, a Bar table motion, it was an oral Bar table motion, wasn't it?

11 MR ALTIT: [14:54:54] (Interpretation) It was also a means of authenticating
12 documents by the witness. So of course I do thank you for having allowed it,
13 your Honour.

14 Your Honour, I have a question for the witness.

15 Q. [14:55:19] Mr Witness, can you hear me?

16 A. [14:55:21] Yes, very well.

17 Q. [14:55:23] Yesterday after the hearing or this morning, did you have any
18 exchanges either in writing or by telephone with Côte d'Ivoire?

19 A. [14:55:34] This morning. You asked me two questions, yesterday or this
20 morning.

21 Q. [14:55:42] I will rephrase my question. Since the end of yesterday's hearing,
22 which finished around 4 o'clock in the afternoon, I believe, until we resumed this
23 morning at 9.30, did you have any exchange, whatever type, telephone, email with
24 Côte d'Ivoire?

25 A. [14:56:08] No. Well, I described already yesterday the conditions of my stay

1 here. I don't have use of email. I have a telephone which allows me to call people
2 who are here.

3 Q. [14:56:29] You don't have your own telephone with you?

4 A. [14:56:33] They took my telephone.

5 Q. [14:56:36] Very well. That's perfectly clear.

6 Your Honour, I have no further questions on behalf of Mr Laurent Gbagbo.

7 PRESIDING JUDGE TARFUSSER: [14:56:49] Now I would like to ask the Defence
8 for Mr Blé Goudé.

9 MR KNOOPS: [14:56:56] Mr President, Mr Gbougnon will conduct the
10 examination on behalf of the Defence team of Mr Blé Goudé.
11 Thank you.

12 PRESIDING JUDGE TARFUSSER: [14:57:04] Thank you very much.
13 Mr Gbougnon.

14 Mr Gbougnon. Maître Gbougnon, je m'excuse.

15 MR GBOUGNON: [14:57:15] (Interpretation) Good afternoon, your Honours.

16 I'm not quite sure I understand why the Presiding Judge was laughing, but I have a
17 request to make to the Chamber. And since I know that you're very much in favour
18 of efficiency and precision, and given the questions -- the cross-examination of my
19 colleagues, I'm going to have to go over my notes and go over the documents that I
20 want to use and, therefore, I would like to request that we rise now and resume
21 tomorrow morning, but I would like to reassure you that we intend to finish
22 tomorrow during the first session. If there aren't too many interruptions, we will
23 finish during the first session, but of course one never knows given the uncertainties
24 of procedure.

25 I believe I can say, however, that we will finish tomorrow morning, at the most before

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1 lunch, maximum.

2 Thank you very much, your Honour.

3 PRESIDING JUDGE TARFUSSER: [14:58:35] I was just smiling because I expected

4 exactly this request, so I, in the expectation of this request I consulted with my

5 colleagues, and we do agree that we break for today, that we go to tomorrow morning,

6 that we have the first session probably for the Blé Goudé Defence and then, if

7 requested, re-examination during the second, and then we should be through by

8 lunch time.

9 MR KNOOPS: [14:59:13] Mr President, I --

10 PRESIDING JUDGE TARFUSSER: [14:59:15] Mr Knoops.

11 MR KNOOPS: [14:59:17] May I remark that the first session is of course excluding

12 the oral arguments on the request.

13 PRESIDING JUDGE TARFUSSER: [14:59:23] Yes, yes, well, we have enough time.

14 MR KNOOPS: [14:59:25] Of course. Thank you.

15 PRESIDING JUDGE TARFUSSER: Yes, of course.

16 MR KNOOPS: Merci.

17 PRESIDING JUDGE TARFUSSER: [14:59:29] Well, that is clear. So I think we

18 agree that more -- most likely during the first two sessions we are through. This is

19 good news for the witness as well.

20 Therefore, I adjourn the hearing to tomorrow morning 9.30. Thank you very much.

21 THE COURT USHER: [14:59:47] All rise.

22 (The hearing ends in open session at 3.00 p.m.)

23 CORRECTIONS REPORT

24 The Language Services Section has made the following corrections in the transcript:

25 *Page 3, line 5: "Q. [9:39:49] So I'm going to quote your statement." is translated and

1 added.

2 *Page 4, line 13: "after" is corrected to "before"

3 *Page 4, line 14: "To give us an idea" is translated and added.

4 *Page 4, lines 15-16: "That was just, just -- well, the information came in, thank God,
5 that was -- but the other was a long time after the march." is corrected to "That
6 happened just ... well, the information... they came to say thanks... at a time
7 thereabouts. But that that was long before the march, the second march."

8 *Page 5, lines 17-18: "So you had to make last minute adjustments the actual day of
9 the march, change your strategy," is corrected to "So you had to make last minute
10 adjustments the actual day of the march, on the day itself, did you not?"

11 *Page 5, lines 21-22: "And the Prosecution showed some documents and those
12 documents speak to these measures that we took in Abidjan." is corrected to
13 "Prosecutor, you will have seen that we took a certain number of measures, in a
14 roundabout way, in Abidjan."

15 *Page 7, lines 19-20: "except if they think that it is not possible to ensure the security
16 of the march or the ceremony." is corrected to "except if he thinks that it is not
17 possible to provide enough men to ensure the security of the march or the ceremony."

18 *Page 8, lines 6-7: "The 17th march was a continuation of the 16th." is corrected to "As
19 far as I am concerned, one march was a continuation of the other"

20 *Page 9, line 6: "Well, that's just a natural continuation. You just have to be logical."
21 is corrected to "Well, that's a logical continuation."

22 *Page 9, lines 23-24: "a list of civilian victims during the march." is corrected to "a list
23 of civilian victims of the RHDP march"

24 *Page 11, lines 6-7: "I really couldn't take such considerations into account." is
25 corrected to "I really couldn't say that because the police did not report on that."

1 *Page 18, line 6: "I can give you names" is corrected to "Here too I can't give you
2 names"

3 *Page 21, lines 1-2: "what I can say to you is that I have been constantly present and
4 my position has been of use." is corrected to "what I can say to you is that I have been
5 constant in my position."

6 *Page 24, lines 24-25 and page 25, line 1: "as the director of the National Police he is
7 the only person who is in a position to give us such a list, and indeed perhaps the list
8 even needs to be redone." is corrected to "as the director of the National Police he is
9 the only person who is in a position to give us such a list. It's therefore very
10 important that he does so."

11 *Page 26, lines 14-18: "If we follow the Prosecution suggestions, that means that we
12 are going to have, are we going to have to cross-check each and every thing, ask and
13 double-check and triple check?" is corrected to "If you follow the Prosecutor, it will
14 force us, every time he puts a question to the witness, so you remember the name of
15 this person», « Where did you get this name from » « Is it the case that », « Ah, give us
16 five days to check the source » But that makes no... The witness is there your
17 Honour."

18 *Page 29, lines 20-22: "-- THE INTERPRETER: [10:43:38] Inaudible. THE WITNESS:
19 (Interpretation) [10:43:40] -- Léopold, he was the assistant to the commissioner. He
20 wasn't the one in the 11th" is corrected to "Léopold, he was the deputy to the
21 commissioner of the 1st arrondissement, that is to say Touré Mabonga's deputy. He
22 wasn't the one in the 11th"

23 *Page 31, line 24: "kind between the Baoulé and the --

24 THE INTERPRETER: [10:49:35] Inaudible.

25 THE WITNESS: [10:49:38] (Interpretation) -- group." is corrected to "between the

1 Baoulé and the Dioula.”

2 *Page 32, line 14: “The CIPPA, I don't remember the name of the president.” is

3 corrected to “The CIPPA, I don't remember the name at the moment.”

4 *Page 32, line 25: “Elie Doua ” is corrected to “Élie Ndoua”

5 *Page 33, line 11: “Kpakpoue, Kpakpoue Eugène” is corrected to “Gnapkoué...

6 Gnapkoué Eugène... Gnapkoué Eugène”

7 *Page 33, line 15: “three subdivisions, I see there were the economic police, the drug

8 police and a third;” is corrected to “three subdivisions, the economic police, the

9 criminal police and the drug police;”

10 *Page 33, line 21: “He is from Dabou.” is corrected to “He is Adioukrou from Dabou.”

11 *Page 34, lines 1-2: “They are from the south.

12 THE INTERPRETER: Correction: From the Akan group.

13 THE WITNESS: (Interpretation) They are from the South” is corrected to “The

14 Adjoukrou are part of the large Akan group, it is from the South”

15 *Page 34, lines 3-4: “After that we have the drug squad, so to speak, I don't see the

16 actual name” is corrected to “After that we have the Director of the drug squad, so to

17 speak, I don't see the actual name”

18 *Page 34, lines 7-9: “were three major divisions or directorates, there was the

19 national police, there was the health unit and then there was the personnel unit” is

20 corrected to “are three major departments: the training department at the national

21 police school, the health services department and the personnel department of the

22 police”

23 *Page 36, line 23: “Djobi Irié” is corrected to “Djo Bi Irié”

24 *Page 41, line 2: “Nyebe César” is corrected to “Néglé César”

25 *Page 45, line 23: “You said that Commander Mody told you that he recognized a

1 Republican Guard as GR tank on the images" is corrected to "Commander Mody...
2 You said that you recognized a GR tank in the pictures"
3 *Page 49, lines 9-10: "Yes. Now that we have all the aspects, indeed, I remember the
4 context. The five police officers who were called in, who were summoned,
5 their -- Kola Gnépa Philippe were not detained." is corrected to "Yes, that's correct.
6 Now that we have all the aspects, indeed, I will put it into context. The five police
7 officers who were summoned... I had succeeding in getting Commissioner Gnépa
8 Kola Philippe released"
9 *Page 57, lines 2-3: "By default, I believe the documents" is corrected to "Like the
10 Prosecutor, by default, the documents"
11 *Page 60, lines 6-7: "-- number 152, dated 17 December 2011, this cannot assist you" is
12 corrected to "-- number 152, dated 17/02/2011 at 8.00 pm, this information cannot
13 assist you"
14 *Page 63, lines 8:"A. [12:42:12] This document was --
15 THE INTERPRETER: [12:42:17] Inaudible.
16 THE WITNESS: [12:42:20] (Interpretation) -- if I am not mistaken." is corrected to "A.
17 [12:42:12] This document was read out yesterday if I am not mistaken."
18 *Page 65, line 19: "I can't confirm that." is corrected to "I don't want to confirm that."
19 *Page 66, lines 2-3: " just a follow-up question. You said it has to be signed and
20 dated" is corrected to "just a follow-up question. You told us the date. It has to be
21 signed and dated"
22 *Page 68, lines 5-6: "In order to save time, maybe we can ask the witness how the date
23 is indicated, with what type of --" is corrected to "In order to save time, maybe we can
24 ask the witness how the date is indicated with a stamp."
25 *Page 69, lines 22-23: "Does the word ampliation or CC, does it not mean copy of the

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- 1 original and thereby giving it its authenticity?" is corrected to "Does the word
- 2 "ampliation" not mean an authentic copy of the original administrative document?"
- 3 The Court Management Section has made the following corrections in the transcript.
- 4 *Page 62, line 20: "9" is corrected to "19"