

Trial Hearing  
WITNESS: CIV-OTP-P-0164

(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 Carbuccion and  
7 Judge Geoffrey Henderson  
8 Trial Hearing - Courtroom 1  
9 Monday, 19 June 2017  
10 (The hearing starts in open session at 9.30 a.m.)  
11 THE COURT USHER: [9:30:27] All rise.  
12 The International Criminal Court is now in session.  
13 Please be seated.  
14 PRESIDING JUDGE TARFUSSER: [9:31:01] Good morning. Good morning to  
15 everybody after a few days of no hearing, I was going to say recess, but it wasn't a  
16 recess.  
17 It is right we normally start at 9.15, but not everybody is used to it yet. So this was  
18 our fault. So tomorrow we start again at 9.15. Nothing has changed in that.  
19 (Interpretation) Good morning, Mr Witness.  
20 (Speaks English) Good morning, Mr Witness. Now we start --  
21 WITNESS: CIV-OTP-P-0164  
22 (The witness speaks French)  
23 THE WITNESS: [9:32:01] (Interpretation) Good morning, your Honour.  
24 PRESIDING JUDGE TARFUSSER: [9:32:03] We start now with your testimony.  
25 Before giving the floor to the parties for their questioning, we have to do some

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1 preliminaries. First of all, I would like you -- I would ask you to identify yourself  
2 completely with your name, the day of birth, the place of birth, the nationality and  
3 whatever else identifies you. Could you please do so? Thank you.

4 THE WITNESS: [9:32:46] (Interpretation) My name is Kangoute Idrissa. That's  
5 my name. I was born on 13 January, that's the first month, in 1967 in Blokosso in  
6 Côte d'Ivoire.

7 PRESIDING JUDGE TARFUSSER: [9:33:08] And you're an Ivorian citizen?

8 THE WITNESS: (Interpretation) Affirmative.

9 PRESIDING JUDGE TARFUSSER: [9:33:16] If you say that you were born in, and I  
10 can't read what is written because it's not written correctly yet, is this in Abidjan? Is  
11 this a part of Abidjan?

12 THE WITNESS: [9:33:37] (Interpretation) Yes, it is a neighbourhood of Abidjan,  
13 more specifically, a village.

14 PRESIDING JUDGE TARFUSSER: [9:33:42] Okay. Thank you. Can you tell us  
15 your ethnicity and your faith.

16 THE WITNESS: [9:33:52] (Interpretation) I am Camara from Bouna and I am of  
17 Muslim faith.

18 PRESIDING JUDGE TARFUSSER: [9:33:59] And last, what is your occupation?  
19 What was your occupation during the time of the crisis and what is your occupation  
20 today?

21 THE WITNESS: [9:34:09] (Interpretation) During the crisis I was a soldier, and I  
22 remain a soldier, but at the time I was a surface to air, \*surface to surface artilleryman.  
23 And currently I am a fireman.

24 PRESIDING JUDGE TARFUSSER: [9:34:32] And can you tell us the rank you had  
25 and you have.

1 THE WITNESS: [9:34:42] (Interpretation) At the time, at the time of the beginning  
2 of the crisis, I was a sergeant, and now I am a \*staff sergeant.

3 PRESIDING JUDGE TARFUSSER: [9:34:52] Okay. Thank you very much. Now I  
4 will give you some information also to put you at ease. First of all, we all call you  
5 "Mr Witness," not with your name. This is a practice in the courtroom.  
6 Then I will tell you that if you do not feel comfortable to give an answer on a  
7 question in public, meaning that you don't want the answer to be given in a broader  
8 space, but just in the courtroom, you just address me, tell me what your concern is,  
9 and then we might go into private session. So this is just for your -- to put you at  
10 ease.

11 THE WITNESS: [9:35:53] (Interpretation) All right. I have understood.

12 PRESIDING JUDGE TARFUSSER: [9:35:55] Then I have another issue regarding the  
13 language. I'm speaking slowly, as you can hear, because we have to take in account  
14 that this trial is bilingual, English and French, and that everything I say and you say  
15 has to be interpreted in the other language and then transcribed into reports,  
16 transcripts. And therefore we have to speak slowly in order to allow our  
17 interpreters and court reporters to interpret and to write down correctly what we are  
18 saying.

19 THE WITNESS: [9:36:45] J'ai compris.

20 PRESIDING JUDGE TARFUSSER: [9:36:49] Oui. This becomes even more  
21 problematic once you will be questioned in French because then the risk to overlap is  
22 bigger. But if this happens, I will give you a sign just to slow down, okay.

23 THE WITNESS: (Interpretation) Very well.

24 PRESIDING JUDGE TARFUSSER: [9:37:14] Now we come to your testimony.  
25 This Chamber has been established to try for the case of the Prosecutor against

1 Mr Gbagbo and Mr Blé Goudé. And you as a witness are called to assist the  
2 Chamber in the search of the truth. So your only duty here is to tell the truth. You're  
3 not having part in one or the other way, you're not part, you're not a Prosecutor  
4 witness or a Defence witness as such, you are a witness of the Court, and you have to  
5 tell the truth.

6 And to this effect, the law requests from you to make a solemn undertaking before  
7 starting the questioning. And therefore I would ask you to read out the formula you  
8 have in front of you.

9 THE WITNESS: [9:38:35] (Interpretation) I solemnly declare that I shall speak the  
10 truth, the whole truth, and nothing but the truth.

11 PRESIDING JUDGE TARFUSSER: [9:38:41] Thank you very much. Now the last  
12 information is that giving false testimony is an offence against the Court and as such  
13 punishable. (Interpretation) Did you understand?

14 THE WITNESS: [9:39:06] (Interpretation) I have indeed understood.

15 PRESIDING JUDGE TARFUSSER: [9:39:10] Thank you very much.

16 Now I give the floor to the Office of the Prosecutor first and then to the Defence teams  
17 of Mr Gbagbo and Mr Blé Goudé. If at any point, as I repeat, you have any problem,  
18 you don't feel at ease or there is anything you have to -- any problem you have, you  
19 just address me and we will address your concerns, okay?

20 THE WITNESS: [9:39:39] (Interpretation) I have understood. That's fine for me.

21 PRESIDING JUDGE TARFUSSER: [9:39:42] Now I give the floor to Ms Pack,  
22 representing the officer of the Prosecutor. Yours the floor.

23 MS PACK: [9:39:50] Thank you, Mr President. Good morning. Good morning to  
24 your Honours and to my colleagues in the courtroom.

25 QUESTIONED BY MS PACK:

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1 Q. [9:39:59] Good morning, Mr Witness.

2 A. [9:40:04] Good morning, sir.

3 Q. [9:40:05] Now, my name is Ms Pack, and I represent the Prosecution. I'll be  
4 asking questions on the Prosecution's behalf. And my colleague, Ms Rodriguez, sits  
5 next to me.

6 A. [9:40:23] Okay. I'm waiting for you.

7 THE INTERPRETER: Message from the interpreter: Could the witness please be  
8 requested to speak up. We can hardly hear him.

9 PRESIDING JUDGE TARFUSSER: [9:40:31] Can we ask the court usher to pose the  
10 microphones so that they are more in front of the witness' mouth.

11 And you, Mr Witness, can you speak clearly so that the interpreters can understand  
12 you properly. Thank you.

13 THE WITNESS: (Interpretation) Yes, I have understood you.

14 MS PACK:

15 Q. [9:41:09] Mr Witness, as his Honour said, I will be referring to you as  
16 "Mr Witness." It is the practice of this courtroom. By that I mean you no disrespect,  
17 it is simply a practice in this courtroom.

18 A. [9:41:22] I have understood only too well.

19 MS PACK: [9:41:24] Mr President, I believe you were alluding to this, but there were  
20 no special measures for this witness, but of course it is the month of Ramadan, and I  
21 just make that observation in case that witness is feeling --

22 PRESIDING JUDGE TARFUSSER: [9:41:38] Whatever the witness' concerns are --

23 MS PACK: Yes.

24 PRESIDING JUDGE TARFUSSER: -- he will address them. I think he understood  
25 very well --

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1 MS PACK: [9:41:44] Of course.

2 PRESIDING JUDGE TARFUSSER: [9:41:46] -- that this is a big picture. So whatever  
3 his problems are, we will address them. Thank you.

4 MS PACK: [9:41:54] Your Honours, thank you very much.

5 Q. [9:41:56] Now I'm just going to start, Mr Witness, with some of your  
6 background, your educational and your professional background. So just quickly,  
7 the level you attained at secondary school was what?

8 A. [9:42:13] I had the BEPC and I got to second grade.

9 Q. [9:42:25] You entered the army in what year?

10 A. [9:42:29] I started my military career in 1987.

11 Q. [9:42:39] You have attained what rank in the military?

12 A. [9:42:45] I reached the rank of staff sergeant.

13 Q. [9:42:54] Now, your military experience and training, where was the first  
14 training that you undertook? Where did that take place?

15 A. [9:43:10] Firstly I was recruited in Abidjan. My training commenced at the  
16 3<sup>rd</sup> infantry battalion \*training centre in Bouaké. And subsequently I was then  
17 transferred to the BASA, that is to say the surface to air battalion, where I was  
18 trained as a surface to air artillery soldier.

19 Q. [9:43:39] How many years did you spend in the BASA?

20 A. [9:43:45] I spent at least 20 years within the BASA.

21 Q. [9:43:53] Where was the BASA based in Abidjan?

22 A. [9:43:58] BASA is based at le Riviera, more specifically Akouédo.

23 Q. [9:44:13] And is that the new or the old camp of Akouédo?

24 A. [9:44:18] I'm speaking about the new camp in Akouédo.

25 Q. [9:44:23] Now, just pausing a moment with BASA, is BASA one of two artillery

1 units in the army?

2 A. [9:44:33] Subsequent to the crisis that occurred in 2002, there was the BASS that  
3 was relocated at the BASA. Otherwise the BASA is unique in its kind.

4 Q. [9:44:55] And just to remind their Honours, what is the BASS?

5 A. [9:44:58] The BASS is the surface to surface artillery battalion.

6 Q. [9:45:07] Now, so far as your trainings that you received once you were  
7 transferred to the BASA, can we just go through those please, the trainings and  
8 qualifications that you received, if you could just list them?

9 A. [9:45:30] In fact, when I was relocated \*to the BASA or transferred there, I did the \*CPN  
10 artillery, which is just an apprenticeship, in order to enable us to use the surface to air artillery.  
11 And then I did the CA1 – or sorry, the P1 artillery \*. It went on for so long \*as we could not  
12 find internships. And then \*after that I did the CA1 ASA, which is the first \*command  
13 internship within the artillery, after which I did the CA2 ASA and then the BA1 ASA.

14 Q. [9:46:24] And are those both also command trainings?

15 A. [9:46:28] In fact, these are command \*internships, but one acquires a number of  
16 responsibilities \*during that time, which means that when one \*obtains the BA1, for  
17 example, one becomes a chief of detachment. \*Whereas, when one has the CA1, one is  
18 only a \*gunman. When one has the CP1\*gunner, one \*only supplies or assists people in  
19 service, for example, when we are either \*using the 20 millimetres cannon or the VDA,  
20 which today are museum artillery, and also the \*40 cannon, which is a museum  
21 \*artillery piece.

22 Q. [9:47:28] Okay. I'll ask you about the weapons in a moment. To become an,  
23 in quote French, "chef de pièce," what would be the qualification required for that?

24 A. [9:47:43] To become a chef de pièce or squad leader, one has to either have a  
25 CA1 -- sorry, a CA2 or a BA1 qualification in order to be a chef de pièce, squad

1 leader.

2 Q. [9:48:05] Now, your qualifications, were these BASA qualifications or were they  
3 BASS qualifications or both? Can you explain?

4 A. [9:48:19] During my training, when I was following the CA2 surface to air  
5 artillery, as we had BASS elements, we were allowed to do the two training courses at  
6 the same time, that is to say the surface to air training and the surface to surface  
7 training in the CA1 -- sorry, in the CA2 and at the BA1.

8 Q. [9:48:49] Now, after the post-electoral crisis, were you assigned to another  
9 unit?

10 A. [9:49:02] After the post-election crisis, I was assigned to the staff headquarters,  
11 more specifically to the BSPD, which was the Security Defence Prospection Bureau.

12 Q. [9:49:22] Can you tell us the date when you were assigned to that bureau?

13 A. [9:49:28] Well, I don't have that in my memory, I'm afraid.

14 Q. [9:49:32] Now I want to move to during the post-electoral crisis and just ask you  
15 some brief questions about one particular period towards the end of the crisis. Was  
16 there a time when you were arrested?

17 A. [9:50:00] Yes, indeed. I was arrested on 18 March 2011.

18 Q. [9:50:14] Why were you arrested?

19 A. [9:50:19] I was arrested for having violated state security.

20 Q. [9:50:26] Specifically what was the allegation that was made against you?

21 A. [9:50:34] Well, when I was sent to the research brigade, this is what was said to  
22 me, I was told that I had given my mobile phone to Colonel Kouassi Patrice, who was  
23 at the Golf Hotel and I was in Akouédo. I don't know whether this is possible.  
24 And having given my mobile phone, allegedly this mobile phone was utilized to  
25 threaten Staff Sergeant Pegard Egni.



1 Q. [9:51:18] Now, I'm going to come back specifically to this allegation and your  
2 arrest a bit later, but just for the moment you've mentioned a name there, Patrice  
3 Kouassi, Colonel Patrice Kouassi, and just let me ask about this person. Did he have  
4 a position -- what was his position before the crisis?

5 A. [9:51:46] Before the crisis, well, I can't really confirm this, but I know he's a  
6 colonel. I know that he was my chef de corps at the BASA. And just before the  
7 crisis, I also know that he was at the Golf Hotel according to the information that we  
8 had in our possession. And because he was at the Golf Hotel, he called me. I don't  
9 know via whom. He got hold of my phone number to ask me for assistance.

10 Q. [9:52:19] And just a couple of things to clarify. You say he was your chef de  
11 corps. That was before which commander of the BASA?

12 A. [9:52:35] After him there was Colonel Traoré Noun (phon).

13 Q. [9:52:49] So about what time, what year or years was Kouassi the chef de corps  
14 of BASA?

15 A. [9:52:56] Well, it's such a long time ago that I wouldn't be in a position to say.

16 Q. [9:53:05] During the crisis, who was the chef de corps of BASA?

17 A. [9:53:10] During the crisis the chef de corps, \*commanding officer, of the BASA  
18 was Colonel Dadi Rigobert.

19 Q. [9:53:20] Now, you say that -- thank you. You say that Patrice Kouassi was at  
20 the Golf Hotel and that he called you. Can you say approximately when he called  
21 you?

22 A. [9:53:36] I wouldn't be able to tell you specifically at what moment in time he  
23 called me, but it was at the time when the violent acts had already commenced within  
24 Abidjan. And he said to me that because the 12.7 and the 20 millimetre guns were  
25 killing people because, of course, whenever the BASA came out there were

1 violent acts in the town, and he asked me a way of stopping those guns.

2 Q. [9:54:12] And just briefly, did you thereafter assist him as he had requested?

3 A. [9:54:19] Yes, indeed.

4 Q. [9:54:28] Briefly, in what way?

5 A. [9:54:29] I helped him because I know that by putting salt in the fuel reservoirs,  
6 there is no way of detecting the breakdown that ensues, and that was what I had to  
7 do.

8 So specifically in the tarpaulined lorries that were carrying the 12.7 millimetre guns, I  
9 committed myself to stop those guns that were continually killing people, especially  
10 those who came from the north.

11 Q. [9:55:13] Now, going back to your arrest, were you detained after your arrest?

12 A. [9:55:26] Detained? Yes, because firstly I was interviewed at the research  
13 brigade, and I spent a day -- a week and three days at the research brigade,  
14 subsequent to which Colonel Gbeugre, who was in charge of the research brigade,  
15 who had not found anything after the \*investigations, requested that I be transferred  
16 to the MAMA, to the thingie -- \*now I forget his name -- under Ange Kessi, \*I am  
17 sorry, Colonel Ange Kessi under his responsibility. And there I chanced upon  
18 Colonel Roger, who requested that I go to the MAMA, which is the military  
19 penitentiary until Ange Kessi came back to the country, because he wasn't there at the  
20 time.

21 Q. [9:56:20] The MAMA, in which, in which -- whereabouts is that located, that  
22 military penitentiary?

23 A. [9:56:27] It is to be found at the BCS at the staff headquarters.

24 Q. [9:56:37] And that's at what location in Abidjan?

25 A. [9:56:44] It's between Adjamé and Plateau.

- 1 Q. [9:56:53] You mentioned a name Ange Kessi. Who was he?
- 2 A. [9:56:57] He is the prosecutor of the republic, the military prosecutor.
- 3 Q. [9:57:11] And Colonel Roger, who was he?
- 4 A. [9:57:17] It was his replacement or his public prosecutor.
- 5 Q. [9:57:29] At one point did you leave the MAMA?
- 6 A. [9:57:37] I escaped from the MAMA. I was not released.
- 7 Q. [9:57:43] Do you recall the date when you escaped?
- 8 A. [9:57:49] I do not recall the date of my escape, but I know that when the Forces
- 9 Nouvelles arrived in Abidjan, there was an element who opened the door at the other
- 10 end of the BASA leading to the hospital, and I made the most of that to escape,
- 11 because what was going on the other side was not a good situation for me, because at
- 12 the time people were firing willy-nilly at the BCS, and people could hear people
- 13 speaking English and French; people who were dressed in black T-shirts, others
- 14 wearing jeans, and those people, had they found me there, knowing my situation, I
- 15 know that I would have gone to the other side.
- 16 So it was better for me to leave, even if my departure might have risked that I lost my
- 17 life, because I could have been shot in the back, but it would have given me a chance,
- 18 and it worked for me.
- 19 Q. [9:59:00] And just an acronym, I note that their Honours will be familiar, but the
- 20 BCS, is that the Brigade de commandement de service?
- 21 A. [9:59:12] The bataillon, the Command and Service Battalion, Bataillon de
- 22 commandement et de service.
- 23 Q. [9:59:24] Thank you for clarifying that for me.
- 24 Now, so far as the youth who opened the door for you, was he FDS?
- 25 A. [9:59:34] Yes, he was FDS.

1 Q. [9:59:42] Now, after you escaped from the MAMA, did you remain in service or  
2 did you leave the service of the FDS?

3 A. [9:59:50] No, I did not remain at the FDS because I had nothing further to do  
4 there.

5 Q. [10:00:00] So where did you go?

6 A. [10:00:06] From there, the spot where I could \*make my first stop was at the  
7 Habitat, a house that my \*deceased uncle had left. I took refuge there. And there  
8 one of my cousins was there, a cousin by the name of Merie.  
9 Now, before I got to that house, at the \*Gouro market I \*had been stopped by some  
10 people. Most of them were speaking English. None of them spoke French,  
11 actually. And then this man came along, he spoke French. And when I spoke to  
12 him, I showed him my insurance card, and he realised that since this was a card  
13 from the military pension service, he realised what was going on. I said I was  
14 going to get some food for my family. And then ultimately I was able to get to the  
15 Habitat to the house of my late uncle. I met up with my cousin Merie and I spent a  
16 few days there.

17 Q. [10:01:20] After that, where did you go?

18 A. [10:01:28] Well, after that, you see, I heard rumours that the patriots were going  
19 to be searching houses, and I didn't want to put my cousin in danger, so I had to find  
20 another hideout. So I decided, and I didn't even tell my cousin, I said I was just  
21 going to go out for a stroll. But I decided to go out to the Golf hotel.

22 Q. [10:01:57] Did you go with anyone to the Golf Hotel?

23 A. [10:01:58] Yes, I went to the Golf Hotel because I had been able to meet up with  
24 Ouattara Babaï, a friend of mine also from the north, and together we headed  
25 towards the Golf Hotel.

1 Q. [10:02:12] And was Ouattara Babaï, what unit was he in?

2 A. [10:02:20] He also was a member of the BASA.

3 Q. [10:02:23] Now, just now you mentioned \*the Gouro market. Can you tell us  
4 whereabouts that market was?

5 A. [10:02:33] In Adjamé, that's where that market is to be found, not far from the  
6 Adjamé forum.

7 Q. [10:02:39] And these people you were detained by who then released you who  
8 were speaking English, do you know who they were?

9 A. [10:02:55] I couldn't tell you. I didn't even know them. Maybe President  
10 Gbagbo could give you some kind of idea.

11 Q. [10:03:02] Did you know from looking at them and speaking to them where they  
12 were from?

13 A. [10:03:07] Well, the militiamen that we knew of at that time were Liberians.

14 Q. [10:03:20] And these men, you're talking about militiamen, were these men  
15 armed?

16 A. [10:03:28] Yes. They had machetes and Kalashnikovs.

17 Q. [10:03:35] Now, earlier on when you were talking about your arrest, you  
18 mentioned someone called Pegard Egni. We'll come back to that name. I won't  
19 deal with that now. We'll come back to that later on in your testimony.

20 For now I would like to move on with you to talk about some locations which I will  
21 be asking you about during your testimony.

22 PRESIDING JUDGE TARFUSSER: [10:04:00] May I, excuse me, may I just before you  
23 go further --

24 MS PACK: [10:04:03] Yes.

25 PRESIDING JUDGE TARFUSSER: [10:04:05] -- ask a question to the witness. You

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1 were talking about these militiamen, Liberians, and you're talking plural. Can you  
2 tell us about how many, if you know, how many of those as you call them  
3 militiamen you knew were there?

4 THE WITNESS: [10:04:26] (Interpretation) At the \*Gouro market where I was, at  
5 least, there were at least 40 people.

6 PRESIDING JUDGE TARFUSSER: [10:04:38] Thank you.

7 Ms Pack.

8 MS PACK: [10:04:43] Thank you, your Honour.

9 Q. [10:04:45] Now we move on to some locations, and I would like to have the map,  
10 please, the agreed map brought up onto the screen. It's CIV-OTP-0092-0410.

11 Mr Witness, there is going to be a map coming up on your screen which you'll need  
12 to look at. If you need any assistance, please just do let their Honours know.

13 Your Honour, I also have, if convenient, I have aide mémoire as in three paper  
14 copies of the parts that I'm going to magnify. If it will assist the Chamber, the  
15 parties and indeed the witness to have these to hand while I'm showing the  
16 electronic map, then we've got copies for everyone. So, your Honours, it's a matter  
17 for you obviously.

18 PRESIDING JUDGE TARFUSSER: [10:05:33] No. We have them, because we have  
19 them. I don't have the map here, but we have them.

20 MS PACK: [10:05:39] Yes, okay.

21 PRESIDING JUDGE TARFUSSER: [10:05:40] So I have looked at them.

22 I don't know if you -- do you need them?

23 No.

24 MS PACK: [10:05:48] Thank you very much, your Honours.

25 THE COURT OFFICER: [10:05:50] Evidence channel 1 for the map.

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1 MS PACK: [10:05:53] Now, just for madam court officer, I would ask to be  
2 magnified the image corresponding to image 1 on the piece of the courtesy copy that  
3 I've given her at least, so if we can magnify onto that area. So to correspond to  
4 image 1 it would need to go a little to the right and upwards.

5 THE COURT OFFICER: [10:06:43] The court clerk computer just broke down, so I'm  
6 going to try to take over. I'm sorry for the inconvenience.

7 It's not possible for the Registry currently to display any maps.

8 MS PACK: [10:07:34] Well, we can perhaps -- well, why don't we, if your Honour is  
9 content with this course, perhaps we can come back to the map a bit later. I had  
10 wanted to have it up for your Honours at the beginning, but perhaps we can just deal  
11 with it later on in the testimony.

12 PRESIDING JUDGE TARFUSSER: [10:07:48] Yes, of course. I think we cannot do  
13 anything else. I once again say there is always a problem, a technical problem. I  
14 don't remember a day where we didn't have any technical problems.

15 Yes, if you go ahead, then we come back to this.

16 MS PACK: [10:08:05] Thank you, your Honour, Mr President.

17 Q. [10:08:08] We're going to leave that map actually, Mr Witness. So you don't  
18 need to worry about looking at that. Just on to another topic, and that is go back to  
19 camp Akouédo, the new camp where you were based as a member of the BASA.

20 A. [10:08:30] Oui.

21 Q. [10:08:31] Can you tell us which other units apart from BASA were based there  
22 at the new Akouédo camp?

23 A. [10:08:38] In Akouédo there was the BASA, the 1st battalion, the 1st armoured  
24 battalion, \*there is the FANCI musical corps and the GR. Now, at the former camp  
25 there was the \*parachute and the COMTER.

1 Q. [10:09:10] Thank you, Mr Witness. Apart from trained soldiers like yourself,  
2 was there anyone else based at Akouédo camp, whether it was part of BASA or  
3 another unit?

4 A. [10:09:27] They became soldiers because the patriots who had been recruited at  
5 the headquarters had been sent to us in Akouédo. And our mission was to train  
6 these people. But you must realise when you train someone and the person leads  
7 you, it is best to let that person stay where they are.

8 Q. [10:09:59] Now, just to break that down a bit, you are talking about the patriots.  
9 Who do you mean by that, the patriots?

10 A. [10:10:09] In actual fact if I were to tell you who those people were, I think I  
11 might be going too far. Mr Blé Goudé would be in a better position to answer that  
12 question. They were all his men.

13 Q. [10:10:27] Now, you tell us that these patriots were recruited at the headquarters.  
14 When was that? Can you tell us roughly what year?

15 A. [10:10:40] I know that they were recruited in 2002 and 2003 at the headquarters.

16 Q. [10:10:51] Do you know where these patriots came from, which part of Côte  
17 d'Ivoire?

18 A. [10:10:59] Those patriots specifically, most of them came from the south \*and from  
19 the west, \*that is to say the centre west and the southwest. A few were from the east, but  
20 just a handful. It was quite rare for any people from the north to be amongst their ranks.

21 Q. [10:11:26] And are you able to say what different ethnicities these patriots  
22 were?

23 A. [10:11:40] Quite a few Bété people, Guéré people, Kroumen, people from the  
24 south, let's say, the Alladian, the Ébrié people, and a few people were from the east,  
25 the Attié, the Abé and others. Those were the people to be found amongst the



1 patriots. But generally speaking, a lot of Bété and Guéré people.

2 Q. [10:12:13] How is it that you personally know about these patriots who were  
3 recruited?

4 A. [10:12:29] Well, since they were at the BASA with us, of course I would know  
5 that.

6 Q. [10:12:33] Were they recruited by the état-major to the BASA and --

7 A. [10:12:44] They were recruited by the army headquarters and dispatched here,  
8 there and everywhere within the army of Côte d'Ivoire, that is to say from, let's say  
9 from the centre of Côte d'Ivoire, because, you see, Côte d'Ivoire had already been  
10 divided in two, the north and the south, and then there was the buffer zone, the zone  
11 de confiance, in French. Then you see there was the 2nd battalion, the 1st battalion,  
12 the army headquarters itself, the ministry of defence. So, you see, these people had  
13 been sent all over the place.

14 Q. [10:13:23] About how many of them were at where you were based, at the new  
15 Akouédo camp?

16 A. [10:13:31] Well, I wouldn't want to tell you a lie or get something wrong. I  
17 don't know how many. But a lot, there were a lot of them.

18 Q. [10:13:46] Now, you have told us that you trained them. So who was it who  
19 was training these patriots?

20 A. [10:14:04] I wasn't one of the instructors, but at the BASA there was a training  
21 or an instruction office, and those people are responsible for giving military training  
22 to those young fellows. And for the most part I remember quite well that they  
23 didn't do the three months required, the 90 days of mandatory training. Most of  
24 them did maybe 45 days, a month and a half of training, and then they would be  
25 sent out into the field.

1 Q. [10:14:33] And so you tell us then that they didn't receive the mandatory  
2 training. They received half of that. Were they otherwise treated in the same way  
3 as the fully trained soldiers who were at Akouédo?

4 THE COURT OFFICER: [10:15:09] Please note that the Registry's problem is fixed  
5 and we can display the map.

6 THE WITNESS: [10:15:22] (Interpretation) May I go ahead?

7 MS PACK:

8 Q. [10:15:22] Yes.

9 A. [10:15:27] Well, in terms of the way they were treated, to say that, well, we were  
10 not all that well looked upon in comparison to them, they listened to them more than  
11 to us. During the training, you see, when you are training someone and, you know,  
12 they think they know better, best to let them be, because, you see, there was a  
13 problem between them and us. And when they -- they would make references to the  
14 high command, that sort of thing, and they would say things not so nice to hear. So  
15 best to just let them be.

16 And often we would issue orders and they would not particularly follow them.  
17 They did whatever they wanted. Some of them would even just turn up for training  
18 when they felt like it. And there was no way of punishing them or  
19 reprimanding them.

20 Q. [10:16:29] You say "we would issue them orders." Did you personally have any  
21 of these elements under your command?

22 A. [10:16:38] I did have some under my command, because I did some  
23 administration, and those people were working as pourvoyeurs, junior staff. They  
24 would help set up a particular piece of equipment or assemble or disassemble or  
25 maintain weapons after each, after each mission, because, you see, after each mission

1 you have to do some maintenance on the equipment that has been used.

2 Q. [10:17:18] And you tell us that there was no way of punishing them if they failed  
3 to obey orders. What do you mean by that?

4 A. [10:17:31] It was absolutely not possible to discipline them or punish them or  
5 reprimand them. They were not -- people listened to them more than they listened  
6 to us.

7 Q. [10:17:52] What people listened to them?

8 A. [10:17:57] The commanding officer of BASA. And since the commanding  
9 officer had a great deal of influence on all the officers within BASA, who would dare  
10 say no in response to something they had said? Because if you said no, you were  
11 risking your career or perhaps even your very life.

12 Q. [10:18:20] Which commanding officer are you talking about?

13 A. [10:18:26] Colonel Dadi, who was the commander of the BASA.

14 Q. [10:18:34] And these men that you've described who were recruited in 2002 to  
15 2003, were they known collectively by any name?

16 A. [10:18:43] The only name that I knew them by was Blé Goudé's soldiers. But it  
17 wasn't sort of a military baptismal name, so to speak. But people would refer to  
18 them as Blé Goudé's soldiers.

19 Q. [10:19:08] Now I want to move away from this topic on to another topic, which  
20 is to ask you about BASA's organisation and the equipment that was available to  
21 BASA.

22 So we'll just start with the organisation of BASA. And you've told us that the  
23 commanding officer during the post-electoral crisis was Dadi. Let me just ask you  
24 about --

25 A. [10:19:44] Yeah.

1 Q. [10:19:46] Now, can you describe Dadi for us, please?

2 A. [10:19:54] He's about 1 metre 70 tall, fairly light-skinned, bald, naturally we  
3 don't keep a beard, but naturally when he kept a beard. Now I know he does go to  
4 Abidjan, because I have heard about that from friends who have told me that. And,  
5 you see, to go unnoticed, he grows his beard rather than shaving.

6 Q. [10:20:36] What type of commander was he? Can you describe him as a  
7 commander?

8 A. [10:20:42] Well, I don't know whether there is another way to put it. But  
9 honestly, he was the only, the only boss really. He was the head honcho. He knew  
10 everything. And we had to obey his orders instantaneously. Several times I had  
11 trouble with him, because when I saw that his orders did not suit me, I would not  
12 follow them, and that is ultimately what led to my imprisonment.

13 Q. [10:21:28] Okay. We'll come back to what led to your imprisonment. So far as  
14 just dealing with what you said about his orders not suiting me, what do you mean  
15 by that? Why do you say that some of his orders didn't suit you?

16 A. [10:22:11] Well, when I knew that the order would lead me to ending up before  
17 the Bench, it would be better not to obey the order because it would be contrary to my  
18 responsibilities. And you see, his orders were rarely in writing. And you see, a  
19 boss like that, usually he gives an oral order. And so you see, in some cases he  
20 would issue these orders and really it was better not to follow them.

21 Q. [10:22:49] Can you give any specific examples of oral orders that he gave you  
22 that you didn't follow?

23 A. [10:23:03] When I was supposed to go on the 3rd of March to Abobo, well, first of all,  
24 when we're designated, we're not told exactly what we are supposed to do. But once you  
25 head out for the mission, then you \*are told, you, the chef de détachement, you are given

1 the order to be executed, and which was the shelling of the roundabout at the town hall of  
2 Abobo and the roundabout at N'Dotré. He spoke briefly, but the order was given to me by  
3 Commander Niamké, who was the head of the detachment at Camp Commando. And not  
4 having complied with that order, after the shelling of that place the, the town -- no, the  
5 market and the SOS, I was put in prison allegedly for giving my phone. And I don't know  
6 if that's really possible, being at the BASA, would it have been possible for me to give my  
7 mobile phone to someone who was at the Golf Hotel? That's just, it's utter fantasy.

8 Q. [10:24:18] I'll come back to the detail about this particular incident later on in  
9 your testimony. For now let's just go back to BASA and the organisation of BASA.

10 So I've asked you about Dadi. Did he have a deputy?

11 A. [10:24:34] Yes, he did have a deputy. At the time he was a captain. Now he's  
12 a commander, Goué Blépou Hilaire.

13 Q. [10:24:51] And just for the record, I think in English it's come out differently. I  
14 think in the French it would have come out as Goué Blépou, so not Blé Kouakou, but  
15 Goué Blépou.

16 Right. Let me ask you about --

17 A. [10:25:07] Blépou, P-O-U. He's in --

18 Q. [10:25:16] Thank you.

19 A. [10:25:17] It is a French name.

20 Q. [10:25:19] Now, let's just ask about your position in BASA. You've told us that  
21 you had certificates or qualifications to be a squad leader and also a head of  
22 detachment?

23 A. [10:25:32] No, no, not head of, not head of squadron. That would be too high.  
24 For that you have to be a commander. I was chef de pièce, and I could have been  
25 chef de détachement, the head of a detachment, but not squadron leader. That

1 would be too high for my rank.

2 Q. [10:25:52] I think it's a translation problem, but yes, I had understood that, too.

3 Thank you for clarifying.

4 Now, your position as chef de pièce, were there elements that were subordinate to  
5 you in that position?

6 A. [10:26:05] Entirely. So, for example, the 20 millimetre guns, there would be five  
7 of us on that equipment. It would be me, the chef de pièce, two assistants, a driver  
8 and the person who actually fired it. So there would be five of us. So I would have,  
9 I would have five people reporting to me.

10 Q. [10:26:38] So would it be right to say that the elements that you had subordinate  
11 to you as chef de pièce depended upon the weapon that you were in charge of at any  
12 given time?

13 A. [10:26:47] Exactly.

14 Q. [10:26:48] Who was your immediate hierarchical superior in the BASA?

15 A. [10:26:55] My immediate superior was Captain Epokou Nazaire, who is now a  
16 commander.

17 Q. [10:27:12] And can you just spell for us please, if you don't mind, his last name  
18 just so we can have it on the record properly.

19 A. [10:27:30] Epokou Nazaire.

20 Q. [10:27:32] I think for the record that is E-P-O-K-O-U?

21 A. [10:27:35] Yes, that's right.

22 Q. [10:27:37] Thank you, Mr Witness.

23 Now, can you describe then the chain of command from Dadi down to you. You  
24 told us about Epokou. But who was there? Above Epokou, who was there?

25 A. [10:27:54] Well, there was Dadi at the top. Then what's his name, capitaine

1 d'alors -- Goué Blépou. Then my squadron leader or squad leader,  
2 commander -- now he's a captain -- no. He was a captain then, Epokou Nazaire,  
3 Epokou Nazaire.

4 Q. [10:28:23] And so far as the number of men in BASA during the post-electoral  
5 crisis, can you say roughly how many men there were in BASA in total?

6 A. [10:28:35] At least 600, quite easily 600, the ones who were actually at the camp  
7 at that time. Other than that, well, many, many others were on the front lines. So  
8 the total staff strength, I couldn't tell you. I don't know.

9 Q. [10:28:57] And you've described your role as chef de pièce. Was your unit the  
10 smallest of the units in BASA?

11 A. [10:29:06] Well, to say that my unit was the smallest one within BASA, perhaps  
12 within Akouédo. And when they came to provide reinforcements, those men from  
13 elsewhere, namely, Blé Goudé's men, then we weren't the smallest unit. Then we  
14 were one of the most powerful units, because with the weapons we had I do believe  
15 that the power of a unit depends on the power of the equipment, not necessarily the  
16 number of people.

17 Q. [10:29:47] I think I didn't put my question in a very clear way. Let me just go to  
18 the different units in BASA. So starting with the largest unit, that would have been  
19 the battery, is that right, within BASA?

20 A. [10:29:59] The BASA is a battalion. Within battalions there is or there are  
21 sections. And those platoons are various sections. There is the command, there is  
22 the first section, the second section and/or the first platoon, second platoon and the  
23 third platoon.

24 Q. [10:30:34] Okay. Let me just go and ask you please to look at a document.  
25 I'll have it put on the screen in front of you. It is CIV-OTP-0048-0857. And it's

1 item 23 on the list of material for my learned colleagues.

2 A. [10:31:00] Could somebody please come and point this out to me? That would  
3 be a good thing.

4 MS PACK: [10:31:05] Actually if I could get the witness please a hard copy, I think it  
5 would be easier for him as well if he could just have a hard copy?

6 PRESIDING JUDGE TARFUSSER: [10:31:12] Yes, yes, of course.

7 MS PACK: [10:31:13]

8 Q. [10:31:13] And it's just going to come on the screen and then I'm going to make a  
9 copy available so you can have it in front of you. Just while it's coming up and while  
10 we wait for it to come to you, Mr Witness --

11 PRESIDING JUDGE TARFUSSER: [10:31:23] Yes.

12 MS PACK: [10:31:24]

13 Q. [10:31:24] -- can you just tell us this, which of the heavy weapons that are  
14 available -- were available to BASA?

15 A. [10:31:30] Indeed, the heavy weapons that we had at the BASA, well, they were  
16 the multiple rocket launchers that we commonly called the Staline \*organs. And  
17 then the 120 mortars, \*i.e. Stalin's organs and 120 mortars, those were the two heavy  
18 weaponry that we had within the BASA.

19 But generally speaking, those weapons do not belong to the surface to air artillery,  
20 rather, the surface to surface artillery, that is to say the BASS. But having completed  
21 both trainings, I had the capacity to use both of them.

22 Q. [10:32:21] And the weapons available then to BASA, the slightly smaller calibre  
23 weapons, can you just tell us what they were?

24 A. [10:32:41] Firstly there were the rather extensive weapons such as the 12.7 and  
25 the AKAs. Before that there was the 20 millimetre gun and the dual tube that was



1 called ZU 23.

2 Q. [10:32:59] That was the 23 millimetre dual tube, was it, the last one?

3 A. [10:33:05] Yes.

4 Q. [10:33:14] Now, if you would just take a look at this document in front of you, I  
5 just have a few questions to ask you about it. Firstly, is it a document that you have  
6 seen before?

7 A. [10:33:27] There are things that I can see in here, but I have never myself seen  
8 this document.

9 Q. [10:33:58] All right. Let me just ask you then, I won't ask you to look through it  
10 yourself, but I will just be referring to it as I ask you some questions about it. If we  
11 can turn, please, just for the benefit of the parties and the Chamber to page 0867.

12 Mr Witness, you might want to look at it too, because I'm just going to show you in a  
13 moment where your name appears on this document. But there is a heading here 3  
14 and it says battery de bitube (Interpretation) "Dual tube batteries of 23  
15 millimetres."

16 (Speaks English) Now, if we just go please to the following page, 0868. Perhaps the  
17 witness could be assisted to find page 0868 on the copy that he has in front of him.

18 And this is just to situate us in terms of the organisation of BASA.

19 Would it be possible for him to be shown this page in case he isn't aware of how to  
20 navigate these documents.

21 A. [10:35:36] I'm not in that habit.

22 THE INTERPRETER: [10:35:38] Says the witness looking down below his  
23 microphone, very difficult to hear.

24 PRESIDING JUDGE TARFUSSER: [10:35:44] The microphone, if you can put it a  
25 little bit down; otherwise we can't hear it.

1 MS PACK: [10:35:49]

2 Q. [10:35:50] I'll just be very brief with this. If we can look at item 57 on page 0868,  
3 and we see your name appearing there. No need to read it out, but your name  
4 appears there. Do you see your name alongside the title "chef de pièce"? Please, if  
5 you can't read it because of difficulties, then we'll just leave this document.

6 A. [10:37:05] I see at number 57 chef de pièce, then my name and my number and  
7 the diploma that I had, and then my unit.

8 Q. [10:37:33] And would it be right, and just tell me if this is correct, that at this  
9 point you were operating as a chef de pièce in the first section of the batterie de bitube;  
10 would that be correct?

11 A. [10:37:54] Yes, indeed. When I was MDL I was in the first section, the first  
12 dual-tube section.

13 Q. [10:38:06] And did you stay in the same section in the same battery, or did you  
14 move to different batteries over time?

15 A. [10:38:18] I do believe that I remained within the same section. But when I  
16 increased in rank, of course, then my function changed as well.

17 Q. [10:38:26] Was there a -- let me just ask you then more specifically, we'll leave  
18 this document, about the different weapons that you were operating. So you've told  
19 us that you had trainings in various weapons. Now, did you have specific training  
20 in the 120 millimetre mortar?

21 A. [10:38:57] Yes. When I was completing my CA2 and my BA1, I received  
22 training in the 120 millimetre.

23 Q. [10:39:09] Apart from the 120 millimetre mortar, were there any other mortars in  
24 the possession of BASA during the post-electoral crisis?

25 A. [10:39:21] To my knowledge, no, because, well, I wouldn't called Stalin's organs

1 mortars as such.

2 Q. [10:39:36] Was there ammunition available to BASA during the crisis to your  
3 knowledge?

4 A. [10:39:40] There was a great deal of ammunition at the BASA during the crisis.

5 Q. [10:39:49] And how are you aware of that? How do you know that?

6 A. [10:39:54] Because the guard was in the maintenance room, and as the chef de  
7 poste, of course, if you act as a guard, then you have an overview of the type of  
8 material or equipment that is there. And the equipment as regards ammunition was  
9 held in the maintenance garage. And so I know that that ammunition was in  
10 existence there.

11 Q. [10:40:33] Now, just going to deal with each of these weapons in a bit more  
12 detail, did you -- you can start with the lowest calibre weapon that I think you  
13 described, or you've described, I think, an AKA. But we'll leave that, yes, we'll leave  
14 that weapon and we'll move up to the 12.7 millimetre weapon. Can you just  
15 describe that weapon briefly?

16 A. [10:41:19] The 12.7 is a small calibre weapon. Now, it conducts extensive fire  
17 that -- and it is used to protect the installations at the BASA or to protect, what do we  
18 call it? Or to conduct convoys, and that's what the 12.7 was used for by the BASA at  
19 that moment in time.

20 Q. [10:41:50] And just to be clear, is it a weapon that is mounted on a vehicle?

21 A. [10:42:00] It can't be borne on the back of a man, because it's heavy, so of course  
22 it has to be mounted on a vehicle.

23 Q. [10:42:09] And the next weapon I think you described was a 20 millimetre  
24 weapon. Can you just describe that weapon, please?

25 A. [10:42:22] In fact, the 20 millimetre barrels are mounted on vehicles, on combat

1 vehicles called VLRA, and these are surface-to-air artillery. They can also be used  
2 to terrestrial combat were the état-major to ask for that, either as support or for the  
3 artillery. It can also be used as a weapon within the artillery or for support. But at  
4 the BASA more specifically, this was a surface-to-air weapon, that is to say, for  
5 fighting against helicopters and aircraft in general.

6 Q. [10:43:13] I think you've described this briefly a bit earlier, but was there a crew  
7 required to use this weapon?

8 A. [10:43:18] Well, as the composition I provided you with, this was a team  
9 from -- what do we call it? This is the 20 millimetre barrel where the chef de  
10 pièce -- there was the gunner, the two ammunition handlers and the driver.

11 Q. [10:43:51] And moving to the 23 millimetre bitube weapon, can you just describe  
12 that briefly?

13 A. [10:43:58] The 23 millimetre dual tube is a weapon of 23 millimetre calibre,  
14 which means that the ammunition put inside is 23 millimetre. It is a two tube  
15 weapon, that's why it's called a dual-tube weapon, and it is a weapon that is mounted  
16 on wheels. But in order to use it, you have to put it in a battery. And this is an  
17 artillery weapon that can also be used for protecting either our installations or -- but  
18 generally speaking, it is an artillery weapon, but as I say, it can also be used for our  
19 protection if we are out on mission. We use it along with a 23 -- well, we use the 23  
20 millimetre along with other things.

21 Q. [10:44:56] And there was a crew, was there, required to use this weapon?

22 A. [10:44:59] Of course, you need a team of people because in the case of the  
23 dual-tube 23 millimetres, you can't use it alone because it's not easy to manoeuvre.  
24 Firstly, there are -- well, not just one person can bring one ammunition crate along.  
25 And of course, you need somebody also to be in command. You need someone to

1 fire. You need the ammunitions handlers to bring the crates along if you run out of  
2 ammunition. So you do need personnel. One man on his own can't use it.  
3 Of course, you can use it alone, but that person will take an extensive amount of time  
4 to put everything in place, and then he will take the position of gunner, which is  
5 something that is not easy to do for somebody who is, you know, quite tired. It's not  
6 really easy.

7 Q. [10:46:10] Now, do you know where these weapons, the 12.7, the 20 millimetre  
8 gun and the 23 millimetre bitube, do you know where they came from originally, the  
9 ones that were held by BASA?

10 A. [10:46:26] Well, the 12.7, the 12.7, at the time of our first president,  
11 Houphouët-Boigny, we didn't have very many 12.7 millimetres at the time. We just  
12 had 20 millimetre barrels. We had anti-aérienne defence vehicles, the VDAs, and the  
13 40 millimetre barrels. Those today are in the museum. Only the 20 millimetre  
14 remain. That was our first president's guns that were given out. And then the 23  
15 millimetres came into existence, the Zu. I think the Zu comes from Russia. And  
16 when I talk about Stalin's organs, I also believe that these come from Russia as well.  
17 Commonly speaking, at the BASA, people would say that this came from Russia.  
18 From 2003 to 2009 we did have Russian instructors who were giving training at the  
19 BASA on Stalin's organs, and in 2009, 2010, they had already disappeared. So I  
20 suppose that those weapons came from Russia because the trainers were Russian.  
21 We had a university professor, Félix Houphouët-Boigny, who was an interpreter  
22 when those Russian trainers dispensed their training. But I in particular did not  
23 study Stalin's organs because there were people who were chosen for that. I wasn't  
24 chosen. I was not welcome with regard to utilisation of said weapon.

25 Q. [10:48:26] So we'll then look at the 120 millimetre mortar. You've told us you

1 had specific training in relation to that weapon. Do you recall who trained you?

2 A. [10:48:35] As brigade commander, I don't know whether he's a captain or not,  
3 but at the time he was a lieutenant, his name was Meh Kouakou.

4 Q. [10:48:57] And his position at the time was what during the post-electoral  
5 crisis?

6 A. [10:49:06] At the time he was a lieutenant.

7 Q. [10:49:12] During the post-electoral crisis, what was his position, not his rank,  
8 his position?

9 A. [10:49:19] Well, when he was training us, he was the brigade commander, which  
10 means to say that he was the one who was in charge of all the training at the  
11 time.

12 Q. [10:49:32] Now, these weapons, 120 millimetre mortar, can you describe them?  
13 Let's just start with this, where are these weapons usually used?

14 A. [10:49:46] Generally speaking, the 120 millimetre weapons are \*artillery used in the  
15 countryside, but they can also be used in a built up area whenever there are buildings or  
16 extensive \*pieces of land which cannot be passed through to reach the enemy. This would  
17 normally be the cases where the 120 would be used. But generally speaking, \*where I  
18 used the 120 was at the Grand Bassam shooting range, \*during training.

19 Q. [10:50:32] What was the purpose of this weapon?

20 A. [10:50:37] I don't understand what you mean by that.

21 Q. [10:50:42] When would this weapon be deployed? What would be the military  
22 purpose in deploying this weapon usually?

23 A. [10:50:54] Well, in view of the fact that the mortar itself, \*when it falls, well, the  
24 shrapnel, \* can go as far as 300 metres wide \*to cover a diameter of 600 metres. This  
25 means that this is for \*more or less massive scale destruction.

1 Q. [10:51:17] When you say that these weapons generally speaking are used in the  
2 countryside, why is that?

3 A. [10:51:23] In a built up area with regards our crisis, I do not see why such  
4 weapons would have been used. The RPG sufficed.

5 Q. [10:51:40] But why is it that these weapons are used in the countryside, as  
6 you've said, generally speaking?

7 A. [10:51:45] Well, in the countryside, I can say that when combat is ongoing, when  
8 \*fighting an enemy force \*takes place out in the bush, and when such \*a weapon is used, I don't  
9 see any impact upon the civilian population. But in the town, if I had used it right in the centre  
10 of the town, then I wouldn't be pursued today.

11 Those who did it in Abidjan, more specifically, in Abobo, did not \*succeed in their mission  
12 because when the mortar \*was fired and it fell at the \*Mayor's office intersection, \*and even if it  
13 dropped at the Mayor's office intersection, there would have had \*other points of impact,  
14 because the \*Mayor's office intersection \*itself is not 600 metres \*in diameter. \*Obviously.  
15 Even if it fell right in the middle of the \*said intersection, right next door to that intersection  
16 there was the market and the town hall, and you will agree with me that, \*as you know, in  
17 Africa a market is always full of people. It's a very vulnerable spot. And when these mortars  
18 were fired in Abobo, it was firstly in the market. The first thing I know is that it fell with the  
19 SOS and there was a lot of destruction there.

20 \*As for the second mortar, I heard when I was in prison that it fell at Abobo market.  
21 And \*for a weapon or a mortar that has shrapnel that can go 300 \*metres, cover  
22 300 metres radius, \* it's not a good idea to use it in such \*sectors.

23 Q. [10:53:30] Are there any particular rules that you were aware of related to the  
24 use of the 120 millimetre mortars?

25 A. [10:53:37] Well, to say specific rules, that would be excessive. But in moral

1 terms, one is not supposed to fire at vulnerable people. You are a woman, and I am  
2 a man. If I was to do something to you, would you think that that was right? If  
3 there is a particular rule, is that a rule of moral standing?

4 Q. [10:54:13] Did you during the course of your training on these weapons and any  
5 of the other weapons, did you receive training in international humanitarian  
6 law?

7 A. [10:54:26] Well, that is the lucky thing for me in the army, that international  
8 humanitarian law was taught to us by the French, not during my CA2 or BA1 training,  
9 rather, before that. There were people who had come to dispense training in  
10 international humanitarian law, in humanitarian law, and in the law of battle. And I  
11 knew what my place was when using such weapons.

12 Q. [10:55:05] When, can you recall, when you received this training, such training?

13 A. [10:55:11] Well, I received this training. I can't tell you the specific date, but I  
14 was still a corporal at the time when I received that training.

15 Q. [10:55:27] One moment, please.

16 Now, just then also you've told us a bit about how these mortars, the effect of -- their  
17 effect upon explosion and the radius to which shrapnel travels upon explosion. Let  
18 me just ask you a bit more detail about the weapon, how it works. How do these  
19 weapons fire, the 120 millimetre mortars?

20 A. [10:56:15] Prior, one places the mortar in a battery, that means to say one sets up.  
21 And then after having set up, there is a rope that is there. The ammunition is  
22 introduced whilst leaving the rocket in the air. And then it is placed, something is  
23 placed in the tube, and the orientation of the gun is already done. You pull on the  
24 rope and the mortar is fired.

25 And when -- the mortar explodes.



1 Q. [10:56:57] Did you want to continue? I have you stopping in -- was there more  
2 that you -- okay. As you're describing the way in which the mortar is used, is it a  
3 front-loading weapon?

4 A. [10:57:16] There is a rocket that is screwed onto the front, and then there is a  
5 cartridge at the back.

6 Q. [10:57:36] Is this weapon capable of rapid fire?

7 A. [10:57:42] Rapid fire, no, because at least between the first fire and the second  
8 fire, well, 5 to 10 minutes can go by, so 12.7 or 23 millimetres which can fire rapidly.  
9 It depends on the efficiency of the individual using the weapon. If that person is  
10 very efficient, between the various fires, well, it will take 5 to 10 minutes between  
11 them. But if that person is not efficient, then the time elapse can attain 30 minutes.  
12 You need to go and adjust the weapon. So it takes time.

13 Q. [10:58:33] Is it capable of direct fire?

14 A. [10:58:37] In fact, the mortar fires in a curved fashion. It's not direct because  
15 when the mortar is fired, it goes up into the air and descends upon the position, on  
16 the indicated spot.

17 Now, before even firing, one has to charge it. So there are -- how can I explain that  
18 to you. There are things that are put at the back of it, so if you want to, you want to  
19 fire it to 1 or 2 or 3 kilometres, you put it at 1, 2 or 3 charge. But the maximum  
20 distance that it can be fired to is 6 kilometres. But according to the range that one  
21 wants to attain, one indicates the charge or selects the charge at the back.

22 Q. [10:59:40] So these charges that you add to increase the range, how many  
23 charges for the mortars that were in the possession of BASA, how many charges  
24 would be required to achieve the maximum range?

25 A. [10:59:55] You need six charges.

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1 Q. [11:00:02] And that would achieve a range of 6 kilometres, would it?

2 A. [11:00:07] Yes.

3 MS PACK: [11:00:12] I see the time, your Honours. Perhaps now is a convenient  
4 time?

5 PRESIDING JUDGE TARFUSSER: [11:00:15] I was going to stop you because it's  
6 time for the break, Mr Witness. We have now 30 minutes break and then we come  
7 back for the continuing of the questioning by the Office of the Prosecutor. Thank  
8 you. The hearing is adjourned to 11.30.

9 THE COURT USHER: [11:00:34] All rise.

10 (Recess taken at 11 a.m.)

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

12 THE COURT USHER: [11:33:40] All rise.

13 Please be seated.

14 PRESIDING JUDGE TARFUSSER: [11:33:55] Good morning. Good morning once  
15 again. Good morning, Mr Witness.

16 THE WITNESS: [11:34:06] (Interpretation) Good morning.

17 PRESIDING JUDGE TARFUSSER: [11:34:07] I give the floor back to the Office of the  
18 Prosecutor immediately for its questioning. Ms Pack, please.

19 MS PACK: [11:34:14] Thank you, Mr President.

20 Q. [11:34:15] Greetings again, Mr Witness.

21 A. [11:34:22] Good morning, your Honour.

22 Q. [11:34:27] Now, we were just talking about the 120 millimetre mortar, and you  
23 just finished off last by talking about the use of charges to increase the range of this  
24 weapon. You mentioned earlier on the process of orienting the gun. Can you tell  
25 us how this weapon, this mortar is oriented to a given target?

1 A. [11:34:59] Well, to aim at a target, you have to take into account the orientation,  
2 that is to say, you are given particular co-ordinates that you have to display on the  
3 weapon, and then once you have that, you aim the weapon towards the target.

4 Q. [11:35:32] And how is the weapon adjusted to hit any given target?

5 A. [11:35:41] Well, you turn various controls on site or off site and so in that way  
6 the weapon is aimed.

7 Q. [11:36:03] Is there an aiming slide attached to the weapon?

8 A. [11:36:10] No, not attached to the gun. You see, you are given co-ordinates,  
9 graduations on the actual barrel, and then in light of the distance that the shell has to  
10 travel, either on site you make adjustments and you change the gradient or  
11 horizontally, so you aim the barrel in that direction.

12 Q. [11:36:53] How precise is this weapon in terms of meeting the target?

13 A. [11:37:03] Well, myself, I wouldn't say that the weapon is reliable. It all  
14 depends on the user. When the user is very experienced, it is quite likely that you  
15 will obtain the target. But when I'm told that you have to engage in grouped firing  
16 with a 120 millimetre gun to hit a bridge, for example, that means the reliability will  
17 not be all that precise. In other words, with a single shell, you may not hit the bridge.  
18 It may fall just before, just after or just right on top of the particular target.

19 Q. [11:37:56] Just to understand what you mean by "grouped firing," is it the case  
20 then that a single mortar isn't used in isolation?

21 A. [11:38:14] Well, when I speak of grouped firing, with a single mortar you can  
22 conduct grouped shooting. Let me explain. First I fire off the first shell, then the second  
23 one. But during our training we were taught that there always is someone ahead, \*a scout  
24 who tells us to fire slightly to the right, slightly to the left, or slightly more forward or  
25 behind.

1 But \*during that period, for example, the situation in Abobo was such that it was not possible  
2 to have a look-out\*or scout, a guetteur in French. It was not possible to ask \*an FDS person  
3 to assume a forward position to \*guide the gunner\*who was firing the shells.

4 \*So for me, he just had to manage and fire the weapon and it might hit the target, \*it might not.

5 Q. [11:39:24] Okay. And I think perhaps my question wasn't caught. What I  
6 asked is whether a single mortar round is used in isolation. And what I understood  
7 you to be saying is, no, that isn't the case. A single mortar round isn't used in  
8 isolation, there is rather a practice called group firing; is that right?

9 A. [11:39:43] No. The charges have nothing to do with grouped firing. The  
10 charges are behind the shell and propel it. Grouped firing occurs when in relation to  
11 a defined point one decides to fire multiple shells from a single gun, not a single  
12 mortar.

13 Q. [11:40:11] Yes, I understand. Thank you.

14 Now, so far as documents you have provided to the office of Prosecutor is concerned,  
15 let me just ask you to look at CIV-OTP-0028-0514\_R01. So it's the redacted version of  
16 this document, so it can be displayed publicly, please.

17 Is this a photograph that you provided to the Office of the Prosecutor when you were  
18 questioned?

19 A. [11:41:24] Yes, indeed. That is a mortar in a battery formation.

20 Q. [11:41:32] And is this the type of mortar that was used by the BASA during the  
21 post-electoral crisis or is it a different type of mortar?

22 A. [11:41:47] It is very similar to the ones that we used within the BASA.

23 Q. [11:41:51] So is this a 120 millimetre mortar?

24 A. [11:41:58] I don't know the calibre of this particular weapon, but it looks a lot  
25 like a 120 millimetre gun.

1 Q. [11:42:11] Where did you obtain the photo?

2 A. [11:42:17] In actual fact that was off the computer, from the computer. We  
3 were looking for the kinds of mortars, and this was quite similar to the kinds of  
4 mortars that we used.

5 Q. [11:42:38] When you say "we were looking for mortars," is that you and who  
6 else, just to be clear?

7 A. [11:42:47] The person who took a statement from me at that time. Otherwise I  
8 didn't come with a photograph of a mortar to show him. I talked about the mortar,  
9 and the lady who took a statement from me wanted to know more. And I said that if  
10 you could show me some on the computer, I might be able to point one out.

11 Q. [11:43:19] Thank you. And what type of ammunition was in BASA's  
12 possession for use with the 120 millimetre mortar?

13 A. [11:43:30] 120 millimetre shells, that's what we had, that we would put into the  
14 barrel of the mortar.

15 Q. [11:43:46] And I'd ask just to be shown another document, which is  
16 CIV-OTP-0028-0513\_R01. Do you recognize this photograph?

17 A. [11:44:28] Yes, I do. But for the most part the shells that we had at the BASA  
18 were grey. This one is black. But it's more or less the same kind of mortar, I mean  
19 the same kind of shell.

20 Q. [11:44:47] And can you tell us how you came to have this attached to your  
21 statement, how you got this photograph?

22 A. [11:45:00] The same lady that took the statement from me, because, you see, she  
23 had a computer, and I didn't have any photographs, so I said to her, if you could  
24 show me some different kinds of shells, I could designate which one was used. And  
25 this was a typical example. And the ones we had where we were were grey in

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1 colour.

2 Q. [11:45:33] I want to show you another document, please, and that is to be  
3 displayed confidentially and it is CIV-OTP-0028-0524.

4 PRESIDING JUDGE TARFUSSER: [11:46:21] Maître Altit.

5 MR ALTIT: [11:46:22] (Interpretation) Thank you, your Honour. Just a very quick  
6 question. Why would this be confidential?

7 PRESIDING JUDGE TARFUSSER: [11:46:35] I have no idea. But now we ask.

8 MS PACK: [11:46:38] Well, it was attached to the witness statement. In fact, at this  
9 point there is no need to. I don't see any other -- yes, on the first page there are some  
10 initials from OTP staff members that I don't think should be displayed publicly, but  
11 other than that --

12 PRESIDING JUDGE TARFUSSER: [11:47:01] Not even the initials? I mean --

13 MS PACK: [11:47:03] That's certainly the practice that is adhered to by the OTP.  
14 But after the first page, I think it could be displayed publicly. And certainly, your  
15 Honour, we could aim to upload a redacted version, and then that could be put on to  
16 the public record.

17 MR ALTIT: [11:47:25] (Interpretation) I believe there is a redacted version.

18 MS PACK: [11:47:30] I have to thank my colleague, Mr Altit, because he's a few  
19 steps ahead of me. We can please display the public version and then there is no  
20 problem at all. Thank you very much.

21 PRESIDING JUDGE TARFUSSER: [11:47:42] Yes. I must say I don't even  
22 understand why the initials can't be displayed, but okay. Let's display the redacted  
23 version.

24 MS PACK: [11:48:00]

25 Q. [11:48:01] Do you recognize this document?

1 A. [11:48:03] Yes, I do. I recognize it. But me as well, I'd like to ask you a  
2 question. You said my name is confidential, didn't you?

3 PRESIDING JUDGE TARFUSSER: [11:48:14] No, no, no. It's not your name, no.

4 THE WITNESS: [11:48:19] (Interpretation) But my name is on this document.

5 PRESIDING JUDGE TARFUSSER: [11:48:31] No, I don't understand what you  
6 mean.

7 THE WITNESS: [11:48:36] (Interpretation) My name is written on this document.

8 PRESIDING JUDGE TARFUSSER: [11:48:40] Yes. But your name is not  
9 confidential.

10 THE WITNESS: [11:48:49] (Interpretation) But then why are you calling me  
11 "Mr Witness"?

12 PRESIDING JUDGE TARFUSSER: [11:48:55] Because as we said at the beginning,  
13 this is the practice we use in the Court with all witnesses for the sake of the  
14 transcript.

15 THE WITNESS: [11:49:10] (Interpretation) Well, I believe that if I'm referred to as  
16 "Mr Witness," I think the name is being concealed. And if the name is written here  
17 and broadcast throughout the entire world and throughout Côte d'Ivoire, people will  
18 recognize my face, but you're saying you don't use my name? But here on the  
19 document I see my, my name. It's quite clear. It's black on white.

20 PRESIDING JUDGE TARFUSSER: [11:49:47] You're right. I don't understand your  
21 concern. But yes, we call you "Mr Witness" because it's common practice that we use  
22 not the names of the witnesses, but to call all witnesses "Mr Witness" or  
23 "Mrs Witness." So this is the only reason.

24 But you have no so-called in-court protective measures, and that's what I said at the  
25 beginning, at any time in order to protect you if you have to say something you

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1 don't want to be said in public, tell me, and we will address this issue. But this is not,  
2 it's not really -- it doesn't relate to your name.

3 Madam Prosecutor, please.

4 MS PACK: [11:50:39] Mr President, could we have the handwritten version just  
5 given to the witness. It just will be easier for him. And if we could have displayed  
6 on the screen the transcript of this version, the French transcript. If it's possible to  
7 have the French and English side by side --

8 PRESIDING JUDGE TARFUSSER: [11:50:56] I don't think it's possible.

9 MS PACK: [11:50:57] Then we'll just put the French transcript, please. And the  
10 number for that is CIV-OTP-0053-0431.

11 There is an English translation which I would seek to submit also but not display, and  
12 that's CIV-OTP-0046-0541.

13 And if I can just give the witness the manuscript, and then the transcript and  
14 translation are available to the Chamber and parties.

15 And while the transcript is coming up, can you just tell us when this document was  
16 written and what it is?

17 A. [11:52:09] It was written when I was doing my BA1 in artillery, both surface to  
18 air and surface to surface. I was doing my training or internship.

19 Q. [11:52:25] It was written by you, was it?

20 A. [11:52:29] Yes, I wrote it. That's my handwriting.

21 PRESIDING JUDGE TARFUSSER: [11:52:37] So what year? Just to --

22 THE WITNESS: [11:52:43] (Interpretation) I do believe it was in the year 2005, 2006,  
23 something like that.

24 PRESIDING JUDGE TARFUSSER: Thank you.

25 MS PACK: [11:52:52]



1 Q. [11:52:53] I'm not going to spend too long with this document, but just to ask  
2 you about a couple of things. If you go on your page in front of you, if you go please  
3 to the fourth page, there is a heading halfway down which is "L'appareil de pointage."  
4 And in the English translation, that is page 0544 for the record, and for the transcript  
5 in French, when that is displayed, that is page 0435. I'll just wait for the transcript to  
6 come up, because it's not there yet. Right. It's up now.

7 So above the heading, have you got the heading "L'appareil de pointage"? Yes, have  
8 you got that, Mr Witness?

9 A. [11:54:51] I'm just reading it right here in front of me.

10 Q. [11:55:16] Can I ask you a question? Are you ready?

11 PRESIDING JUDGE TARFUSSER: [11:55:20] Can I ask why it takes so long to --

12 THE WITNESS: [11:55:27] (Interpretation) Yes, go ahead.

13 MS PACK: [11:55:30] Yes, your Honour.

14 PRESIDING JUDGE TARFUSSER: [11:55:31] No, please.

15 THE WITNESS: [11:55:33] (Interpretation) A question?

16 PRESIDING JUDGE TARFUSSER: [11:55:35] Please go ahead.

17 MS PACK: [11:55:36] Yes.

18 THE WITNESS: [11:55:38] (Interpretation) I'm waiting for a question.

19 MS PACK: [11:55:40]

20 Q. [11:55:41] Good, good. Now, the equipment that's described, the appariel de  
21 pointage, is that equipment, can you just tell us what that is?

22 A. [11:55:51] Well, in actual fact the sighting gear, first of all, there is an aiming  
23 piece of equipment. Let's say we're at the shooting range, and you might put a  
24 target in front of you, and then you adjust the equipment on top of the barrel of the  
25 gun in question. This allows us to aim at the particular spot or point.

1 But this sighting gear, for example, let's say I assume the Abobo area, I don't know  
2 how to use it in that context with buildings here and buildings there, it's difficult to  
3 use sighting gear under such circumstances.

4 Q. [11:56:52] So let's just focus then on Abobo. Specifically, we'll come to it more  
5 specifically later, but the location you're talking about is where in Abobo?

6 A. [11:57:04] The place I'm talking about is Abobo, Camp Commando to be  
7 specific.

8 Q. [11:57:16] And did you have, was it possible to use sighting gear in order to use  
9 120 mortars at this location?

10 A. [11:57:30] No.

11 Q. [11:57:31] And why was that?

12 A. [11:57:35] Because it was a built-up area, so it was not possible.

13 Q. [11:57:42] And just looking at, staying with the same page that you're on, there  
14 is a heading above that called "La Masse" and it describes some weights of different  
15 parts of the weapon that's just described there, if you just look at that.

16 Now, the weights that are set out here in this document, do they apply to the 120  
17 millimetre mortar that was in BASA's possession during the post-electoral crisis so far  
18 as you are aware?

19 A. [11:58:23] These are the characteristic feature of the weapon, the weight of the  
20 barrel, the weight of the base plate, the shell, the mount.

21 Q. [11:58:42] And if we go please to --

22 THE INTERPRETER: [11:58:44] Correction: The bipod.

23 Q. [11:58:47] If we go please just to two pages before to the second page of this  
24 document under the heading "Mortier de 120 millimetres," if we go to that heading.  
25 And that is for the English translation page 0543 and for the French transcript page

1 0433, if we look at that page, please. And just take a look at the information on that  
2 page. Does that information apply to the 120 millimetre mortars you were using in  
3 2010-11?

4 A. [11:59:24] Yes, it does apply to the 120 millimetre mortars that we used  
5 at that time. As I was saying, these are the characteristic features of that  
6 weapon. Yes, \*I can see written here, "Russian 120 mm mortar features  
7 and characteristics".

8 Q. [11:59:47] And I wanted to ask you, please, another page is page 0545 in the  
9 English, and in the French transcript it's page 0436. And on the original that you  
10 have in front of you, it would be, please, to page for the record 0528. For you,  
11 Mr Witness, it's the fifth page, and the heading is "Mortier 120 millimetre."

12 A. [12:00:30] Just a moment, but I can see "120 millimetre mortar." My document  
13 is not numbered, because if it were numbered I would be able to locate it. Otherwise  
14 when I turn over the page, I see "120 millimetre mortar" and then description of  
15 various parts, pointing device. I can see 120 millimetre mortar, the opening and  
16 closing. I don't know whether that's what you are referring to.

17 MS PACK: [12:01:12] I wonder if the Court officer could just help the witness to get  
18 page 0528 on the original pages, and then perhaps it will be easier for him. I  
19 appreciate with these very small numbers it's difficult. There is a very small number  
20 at the bottom of the page ending 0528. But I think it's probably better if the Court  
21 officer helps the witness.

22 Q. Now, just looking at that page, there is language there, it's headed "The role of  
23 the chef de pièce," and I wanted to ask you about the role of the crew. If you go  
24 down the page, it says "Le chef de pièce doit connaitre," and then there is a heading,  
25 "Le rôle des servants."

1 And just if I can read out the names of the different crew members, can you just tell us  
2 what they all do? There is a pointeur and l'artificier and a chargeur tireur. Can you  
3 tell us what they were each responsible for?

4 A. [12:03:14] L'artificier, that's an ammunition preparer, he prepares the  
5 ammunition. The loader is the one who takes the shell and puts it into the barrel.  
6 And then there is the firer who has to fire. Now, the squad leader is the one who  
7 issues the order to fire.

8 Q. [12:03:47] And you, when you were chef de pièce, did you have -- what was the  
9 size of the crew that you would have for a 120 millimetre mortar during the  
10 crisis?

11 A. [12:04:00] During the crisis, normally four to five people.

12 Q. [12:04:22] Now, I wanted to just ask you about two more things, and that's if  
13 you just simply turn over the page to the following page, and that would apply to the  
14 English translation, it would be page 0456, in the French transcript it would be 0437.  
15 So just turn over the page. And it says here "Le rôle de chef de pièce."

16 (Interpretation) The role of the squad leader. (Speaks English) And then it goes on  
17 to talk about someone called, quote, in French, "La reconnaissant." Can you tell us  
18 what that role relates to? Who is that describing?

19 A. [12:05:17] The reconnaissant is a person who goes to the sector to which the shell  
20 has to be sent. They have to assess the vicinity, the environing area before the firing  
21 is prepared.

22 Q. [12:05:50] Okay. We'll leave this document here. Let me just, same topic, but  
23 let me just finish up. Apart from BASA, did any other FDS unit have access to a 120  
24 millimetre mortar?

25 A. [12:06:08] No.

1 Q. [12:06:13] Moving topic, you described earlier an orgues de Staline, another  
2 weapon that was held by the BASA.

3 A. [12:06:24] Yes.

4 Q. [12:06:24] Briefly, can you describe the effect of this weapon upon use?

5 PRESIDING JUDGE TARFUSSER: [12:06:39] Excuse me. Was it ever used during  
6 the crisis?

7 MS PACK: [12:06:41] Okay, yes.

8 Q. [12:06:42] Was it ever used during the crisis, this weapon?

9 A. [12:06:44] The orgues de Staline were not used during the crisis, but they were  
10 prepared to be used. At that time I was already in prison, but when the guidelines  
11 were given, those who told me later where the orgues de Staline was, they were  
12 placed near a pit where the water treatment centre was and they were oriented or  
13 directed towards the 43rd BIMA.  
14 After the spokesperson who was in the Golf at the time, I no longer remember his  
15 name, after I insisted to Colonel Patrice, because a situation could arise relating to the  
16 orgues de Staline. The targeting was done already. Everything was prepared with  
17 the ammunition. And with the shelling that took place at the BASA ammunition  
18 dump, everybody had fled, including the commanding officer. So any individual  
19 could come and put a battery there.  
20 I had loaded that orgues de Staline with a captain known as Epokou. So if someone  
21 put in a battery, shells could be fired. So this weapon had to be disarmed and the  
22 specificity is that if this weapon is fired, it would cause damage over 1 to 2 kilometres.  
23 So imagine if that would have been used, targeted at the BIMA area.  
24 So with the agreement of Patrice, I took some elements and went and disarmed this  
25 weapon. There we met with Captain Epokou. I do not know what he was doing

1 there at that time. And they assisted us in disarming that weapon. Otherwise, it  
2 was never actually used during the crisis.

3 Q. [12:09:41] And who told you that the weapon was positioned towards the 43rd  
4 BIMA during the crisis?

5 A. [12:09:51] There was an exchange between ourselves, that is, the young people  
6 from the north. And when I came out of prison, after a few days, many of those  
7 young people from the north were calling me. I still had my cell phone. So I had  
8 escaped with my cell phone. So it was possible to call me. Some of them called me.  
9 I said, well, we do not feel safe in Akouédo. They wanted to go to the Golf Hotel.  
10 So I told them to come. I reported to Colonel Patrice, who assisted them. And even  
11 when I left, when you look at the direction of something, you can more or less tell  
12 where it is pointing to. So there was an orgues de Staline directed towards  
13 Port-Bouët, and the other one was directed towards another target.  
14 So I myself did not receive training in that weapon. So I had to refer to someone  
15 such as Captain Epokou, who was familiar with the risks. But I had not had  
16 anything to do with the orgues de Staline.

17 Q. [12:11:49] And which was the other target?

18 A. [12:11:56] There was the 43rd BIMA and then the Golf Hotel.

19 Q. [12:12:07] And was this weapon situated within Akouédo, the new Akouédo  
20 camp, within the BASA camp?

21 A. [12:12:13] Yes, yes.

22 Q. [12:12:16] Now I'd like to move topics entirely, please, to missions that you  
23 conducted during the electoral campaign. And we'll deal with this quite briefly. So  
24 just to start, during the presidential campaign of 2010, where were you based?

25 A. [12:12:36] During the 2010 campaign, I was working on the 20 millimetre cannon or barrel

1 \*as chef de pièce. \*I remember that we went to Séguéla to accompany president Gnagbo to a  
2 rally. We went to Odienné when he had a rally. We took the eastern road to \*Abengourou and  
3 Agnibilékrou \*though I no longer remember very clearly. We were accompanying the  
4 president when he was organising his rallies there, and our mission was to support the infantry,  
5 but thank God there were no incidents because in my opinion the campaign happened in a  
6 really – the campaign happened in \*a peaceful manner. That's my answer.

7 Q. [12:13:49] With the 20 millimetre cannon, was your role as chef de pièce?

8 A. [12:14:02] I was chef de pièce, so I had the entire responsibility for the use of that  
9 20 millimetre cannon. So if the commander told me that there was fighting and  
10 there were armed people -- because you can actually have fighting with people who  
11 are unarmed. And if it were armed people who wanted to attack President Gbagbo,  
12 my mission was to support the infantry.

13 Q. [12:14:42] And who was the commander of those missions to Séguéla and  
14 Odienné?

15 A. [12:14:52] Generally speaking, all of us left our various battalions, that is, the  
16 commander is the first authority. He assigns us to a particular piece of equipment.  
17 But the person commanding the various missions, there were many of them to those  
18 various missions, and today I no longer remember their names.

19 Q. [12:15:32] And do you recall which other units went with you on these missions  
20 during the presidential campaign when you were accompanying the  
21 president?

22 A. [12:15:45] There were many units. You had the paramilitaries, you have the  
23 police, the gendarmerie, the soldiers. And amongst the soldiers you had the BCP,  
24 the armoured battalion, the BASA, the first battalion. And when we arrived a  
25 locality where there was a battalion, well, the specificity of our mission with the

1 20 millimetre cannons was to support the infantry. So if the infantry found itself in a  
2 situation which had become very difficult, our mission was to come and assist and  
3 facilitate their advance.

4 Q. [12:16:47] Okay. Now I want to ask you about missions that you conducted  
5 after the elections. So let's just start with this, did you conduct any missions  
6 involving the use of a 23 millimetre bitube weapon?

7 A. [12:17:08] 23, yes. I carried out a mission at the MACA. Rumours were  
8 circulating that prisoners at the MACA wanted to escape. And so I was assigned  
9 with a piece of equipment to provide security at the MACA. And that did not last  
10 even up to 48 hours. Then we were asked to leave. There was no firing there.  
11 But what I realised is that during that same period, those who were living in Abobo  
12 were asked by the spokesperson -- there was Yao Yao Jules and there was someone  
13 else, but one of them had asked the population of Abobo to leave Abobo because the  
14 army was going to attack those who were referred to as the Commando Invisible.  
15 I deplored the conduct of my FDS colleagues when it came to the civilians. They  
16 were not courteous at all while dealing with civilians or even women. I even had to  
17 intervene in the case of a woman who had her children, and I gave another man 1,000  
18 francs. The intention was to extort money from those people who were  
19 passing by.

20 Q. [12:19:09] Okay. Let's just go back to the mission and then we'll come back to  
21 the other things you said in a moment. The mission to secure to the MACA, was  
22 that -- do you recall roughly the date of that mission?

23 A. [12:19:27] No. I no longer remember. But it was shortly after the elections. I  
24 do remember that it was before the 3rd, because on the 3rd, when we heard that  
25 women had been killed at Abobo in the afternoon, I was asked to carry out a mission



1 at the Camp Commando in Abobo.

2 Q. [12:20:05] And I'll just ask you, please, I'm just going to remind you of  
3 something you said in your statement regarding this mission, the mission that I've  
4 been talking about to the MACA, you've been talking about to the MACA. Your  
5 statement is at CIV-OTP-0028-0481. And I'm referring to paragraph 98 at page 0496.  
6 And I'm just going to briefly refer to it, so I don't think it necessarily needs to be called  
7 up. If I can just speak to, read out the sentence in relation to the date.

8 You say in that paragraph, in relation to this mission, quote, (Interpretation) "This  
9 mission took place during the month of February 2011."

10 (Speaks English) Does that help you recall the date of the mission to the MACA?

11 A. [12:21:05] I would be lying if I told you that I could remember the precise date.  
12 2011 up to 2017 is quite a long period of time.

13 Q. [12:21:31] Now I want to ask you, please, just a little more about what you've  
14 told us. You mentioned in your testimony just now that you had heard about the  
15 population of Abobo being asked to leave. Who was it who told you that, gave you  
16 that information? Do you recall?

17 A. [12:22:00] That is what I said. Either it was the spokesperson, Yao Yao Jules or  
18 a different spokesperson, but I do not remember precisely which of the two.

19 Q. [12:22:19] Okay.

20 A. [12:22:23] But that information was broadcast over the national station, that is,  
21 the RTI. It was not a purely military matter.

22 Q. [12:22:35] Let me ask you then, please, to move to the mission that you just  
23 touched upon when you were asked to go to Abobo. And you've told us that you  
24 were deployed there. Can you just tell us when you were deployed to Abobo  
25 specifically?

1 A. [12:23:20] I do remember this date because shortly after that I was put in prison,  
2 so I remember. It was on the day that there was talk about women having been  
3 killed in Abobo. On that day I was assigned to a mission in the Abobo Camp  
4 Commando. So that is when we went to the Commando Camp in Abobo.

5 Q. [12:23:49] And the day that you talk about the women having been killed in  
6 Abobo, can you just describe briefly --

7 A. [12:23:56] Yes. This happened on the 3rd of March.

8 Q. [12:24:01] Now, how long were you deployed -- for how long were you  
9 deployed to Camp Commando?

10 A. [12:24:08] For that mission, the specificity, well, I don't know whether I was an  
11 exception. When the others went there, they did 24 hours to 48 hours. But I spent  
12 five days there, that is from the 3rd to the 7th of March.

13 Q. [12:24:35] Thank you. And who gave you orders to go on this mission?

14 A. [12:24:47] To go to Abobo? Well, on the duty roster for the day, my name was  
15 there. Strangely, it is during the morning that the missions are scheduled, but it was  
16 in the afternoon that I saw my name that I had to go to Abobo, immediately after we  
17 had heard that women had been killed in Abobo.

18 Now, regarding the mission, it is Colonel Dadi who assigns -- who orders missions,  
19 because he was the commander at the BASA. But the person designating people  
20 initially was in charge of training in BASA. But when tensions started rising, he  
21 himself auto proclaimed himself the person designating people; it was Captain  
22 Kabran.

23 Q. [12:26:04] And what was his position in BASA, Captain Kabran?

24 A. [12:26:14] In BASA, when I came there, he was in charge of training at the  
25 BASA. But exceptionally, when tension started rising, he self-designated himself as

1 the assigning officer. Otherwise, we had the battery warrant officers. The paper  
2 would be prepared and given to that adjutant who would polish up the paper. But I  
3 was surprised that it was this new person responsible, a captain. Usually it is a  
4 sergeant, chief sergeant, adjutant chef, a battery warrant officer, who could be a  
5 sergeant or a chief sergeant. But now, when a captain takes over that duty of  
6 assigning people, then questions are raised.

7 Q. [12:27:33] Well, what sort of questions?

8 A. [12:27:38] Well, for me, I do not imagine a captain taking over that duty of  
9 assignments. It is usually sergeant or chief sergeant or warrant officer or senior  
10 warrant officer. But since he was the one taking those decisions, we had the  
11 obligation to implement.

12 So what I mean is that that was not his duty, that is, a captain carrying out  
13 designations for assignments. Other than that, I have never seen it anywhere else.

14 Q. [12:28:24] And just going back to the women, you say you had heard that  
15 women had been killed in Abobo. So what had you heard?

16 A. [12:28:34] (No interpretation)

17 PRESIDING JUDGE TARFUSSER: [12:28:36] And by whom? And by whom?

18 MS PACK: [12:28:39]

19 Q. [12:28:39] Yes, both questions.

20 A. [12:28:44] Well, as I have said, amongst us, the people from the north, we really  
21 communicated a lot. We had a lot of exchanges. I had family members in Abobo,  
22 and I also had friends from the north who had family members in Abobo and news  
23 travels very fast. We had cell phones. You would call your relative. You would  
24 have information. You would hear rumours. Then you would call somebody and  
25 say: What happened in Abobo? And they would say: Oh, they have just killed

1 women in Abobo.

2 That is how we got the news. Usually, the assignments are done in the morning, but  
3 on that particular day, I was assigned in the afternoon. And what is the reason for  
4 that? I cannot explain even till today.

5 Otherwise in the mornings at 7 a.m., the assignments are done at the same time. But  
6 when we heard that women had been killed in Abobo, and a few hours later we are  
7 told that we are being assigned to Camp Commando in Abobo, then there is probably  
8 something there.

9 Q. [12:30:12] And did you -- at what time did you set off then for Camp  
10 Commando? Approximately, what time of day, not the specific time.

11 A. [12:30:24] In the afternoon.

12 Q. [12:30:25] And when you talk of friends who spoke to you about what had  
13 happened, do you include there friends who were in also elements of BASA, BASA  
14 elements like you?

15 A. [12:30:38] Men within BASA. But specifically, we were put into various groups  
16 based on ethnicity or where we were from. Us, for example, the Dioula people, the  
17 Senoufo, the Yacouba, we were easy to exchange with one another. But even -- well,  
18 one specific thing I could tell you. When three Dioula people or two Dioula and a  
19 Yacouba speak, a Bété person would immediately stop and try to find out what was  
20 being said.

21 PRESIDING JUDGE TARFUSSER: [12:31:21] Excuse me, Mr Witness. Have  
22 you -- a very precise question. Have you any direct knowledge of the killing of  
23 women in Abobo?

24 THE WITNESS: [12:31:34] (Interpretation) To tell you the truth, if I were to say that  
25 I had direct knowledge of the people who did the killing in Abobo, that would

1 be a lie. That would be incorrect. I wasn't there. But according to the rumours, we  
2 learned that armoured vehicles did the shooting. And the two armoured vehicles,  
3 one was the VAB belonging to the gendarmes and one was from the GR. Those were  
4 the two armoured vehicles that were there.

5 PRESIDING JUDGE TARFUSSER: [12:32:20] And this is not direct knowledge but  
6 rumours, as you say, or hearsay?

7 THE WITNESS: [12:32:31] (Interpretation) In actual fact what I'm saying is that I  
8 didn't have direct knowledge. If I had direct knowledge, if I had been there when  
9 the events occurred, but people were saying, rumours were going about, and at Camp  
10 Commando in Abobo, all the same. There were some people from the north, and  
11 those people from the north, when we spoke to one another, it was said that it was  
12 these armoured -- this armoured equipment that killed the women.

13 But, you see --

14 PRESIDING JUDGE TARFUSSER: [12:33:05] Can you tell us one or two names of  
15 people, persons, who told you, who you spoke with and who told you what you are  
16 now saying?

17 THE WITNESS: [12:33:24] (Interpretation) What I'm telling you is that I couldn't  
18 give you the name of someone because I don't remember. But there was one family  
19 just behind the fence of Camp Commando. I went up to them because right from the  
20 very beginning, when we arrived we felt sorry for them, and they brought bread and  
21 sardines regularly. You can imagine being at a post for five days just eating bread  
22 and sardines. You can imagine their fate.

23 So I had some money and I gave some money to these people who were selling food  
24 alongside the road. And I shared that food with the men who were under my  
25 command. And I even asked one lady from that family, I don't remember the name,

1 but that lady confirmed that, yes, women had been killed.

2 But she just said that it was by soldiers. She didn't specify whether it was armoured  
3 equipment or men on foot or anything like that. That's all I can tell you.

4 PRESIDING JUDGE TARFUSSER: [12:34:42] Thank you.

5 Madam Pack.

6 MS PACK: [12:34:46] Thank you, Mr President.

7 Q. [12:34:47] Mr Witness, you mentioned a duty roster. Was that displayed  
8 anywhere at the BASA for people to see who was assigned to a particular location for  
9 duty?

10 A. [12:34:58] Well, normally there was a sort of board where all the assignments  
11 were posted. But you see, at 7.30 there would be a gathering and the assignments  
12 would be read out, so that each person would know what their specific task was.  
13 And then each person would go about his business, namely, carrying out the  
14 assignment that you had been given. But the designation at Camp Commando, that  
15 would be done in the afternoon. Already there were men there. So why would I be  
16 going in the afternoon? To get what in the afternoon?

17 The men who were there, they had the same qualifications as me. They knew how  
18 to use the 120 like me. But why was it that I was assigned to that? I still wonder.

19 Q. [12:36:01] Okay. In what capacity did you go to Camp Commando? What  
20 was your role, assigned role there?

21 A. [12:36:13] First of all, before I went to Camp Commando, Colonel Dadi said to me  
22 beforehand that I would be leaving and going to that – to shoot the 120 at the \*Abobo town hall  
23 intersection and at N'Dotré. And later when we got there, there was a meeting with  
24 Commander Niamké – he must be a colonel now\*I believe. And during that meeting, he said  
25 that in light of the presence of those – the presence of enemies at \*Abobo town hall intersection

1 and at N'Dotré, I had to set up the equipment in battery formation so that we would be ready to  
2 fire \*shells in that direction.

3 Q. [12:37:10] And just staying with Dadi telling you that you had to go there and  
4 shoot the 120 at the town hall roundabout, when was it that Dadi told you this?

5 A. [12:37:23] It was before I left.

6 Q. [12:37:33] Did you respond to this instruction?

7 A. [12:37:39] Well, if I responded to that instruction, I may not be here speaking to  
8 you. It was necessary to leave.

9 Q. [12:37:54] So far as your position at Camp Commando was concerned, so in  
10 order to shoot the 120 millimetres, were you the chef de pièce for this 120 millimetre  
11 mortar? Was that your assignment at Camp Commando?

12 A. [12:38:12] No. I was not squad leader. I was the leader of the detachment. \*  
13 Guy-Dominique was the name of the squad leader. I was the leader of the  
14 detachment. In other words, I gave the instructions to Guy-Dominique to carry out  
15 \*the firing. But I had to help him during the course of his work.

16 Q. [12:38:42] Now Guy-Dominique, he was chef de pièce, was he, of the 120  
17 millimetre?

18 A. [12:38:50] Yes. He was the squad leader of the 120 millimetre gun.

19 Q. [12:38:56] Were there any other weapons, BASA weapons, at Camp  
20 Commando?

21 A. [12:39:11] At Camp Commando there were \*some 120 mortars and 12.7s. I  
22 don't remember exactly whether there were 20 millimetre guns, but \*I don't think so.

23 Q. [12:39:24] So the 120 millimetre mortars, were they already there before you  
24 went at Camp Commando? Were they already located there?

25 A. [12:39:33] Well, in actual fact, it wasn't me who sent those 120 guns, but I put

1 them in battery formation. \*Since I had received the order to fire the 120 shells, if  
2 ever right from the very beginning I had said "No, I'm not going to", I know what  
3 my position would be. So means, ways and means, had to be found \*to help  
4 Guy-Dominique, so that together we were able to assemble the guns into a battery  
5 formation. That \*is what was done.

6 Q. [12:40:12] And as head of detachment, you mentioned that you also had, at  
7 Camp Commando you had 12.7 millimetre weapons there?

8 A. [12:40:24] Oui.

9 Q. [12:40:25] Was there a chef de pièce in relation to those 12.7 millimetre  
10 weapons?

11 A. [12:40:30] Yes, there was also a squad leader, but I don't remember who that  
12 was.

13 Q. [12:40:36] And was he also subordinate to you whilst at Camp Commando?

14 A. [12:40:41] At Camp Commando, you see, each head of detachment was  
15 subordinate to the big chief, Commander Niamké, at the time, and after him I did not  
16 report to another chief because I commanded everything that had to do with  
17 equipment at camp BASA at that day -- that day.

18 Q. [12:41:18] Now, Commander Niamké who you've identified, can you just tell us  
19 what was his, do you know what his title was at the camp? You say he was the big  
20 chief. What was his position?

21 A. [12:41:37] He was, well, he had been appointed commander of Camp  
22 Commando at that time, that is to say. But the special thing was that they relieved  
23 one another. There were shifts. I don't know exactly how that worked, but I know  
24 that after a few days one would leave and another would come in.

25 Q. [12:42:04] And was he a member of the army, Niamké?



1 A. [12:42:11] Yes. If he's a commander, obviously he was a member of the army.  
2 He was a soldier.

3 Q. [12:42:19] Were there other detachments apart from your own, other  
4 detachments at Camp Commando?

5 A. [12:42:25] In fact, many detachments were there. I remember there was the 3rd  
6 battalion that had been delocalised and placed there. There were men from the 1st  
7 battalion, \*of the BCP. But the only \*thing I didn't see \*there were the armoured \*vehicles,  
8 because, you see, the armoured units have special equipment. \*Then there were people  
9 from the GEB, from the gendarmerie. \*There were a few gendarmes on foot. There were  
10 also people from the GR, the Republican Guard \*along with a vehicle, or should I say  
11 their tank. And the special thing was that the tanks or the VABs did not have  
12 ammunition larger than the, what do you call it, the 20 millimetres, because if I remember  
13 correctly, the VAB had 20 millimetre ammunition. Now, the tanks could carry things  
14 like 12.7s or even, what do you call those things, the FMs.

15 Q. [12:43:46] By VAB, are you talking about armoured vehicles?

16 A. [12:43:50] Yes, armoured vehicles.

17 Q. [12:43:55] And just to be clear, when you left for Camp Commando, did you  
18 take with you crews to man the weapons, the 120 millimetre and 12.7 weapons that  
19 you've described?

20 A. [12:44:11] In fact, to be specific, the 12.7 crew had nothing to do with the mortar  
21 crew. Each group did its own work because each group had its own squad  
22 leader.

23 I was the head of the detachment, all the people working with artillery in that area.

24 Q. [12:44:43] So just to understand, you were head of all the BASA personnel  
25 using artillery in Camp Commando?

1 A. [12:44:53] Yes, of the BASA.

2 Q. [12:44:56] Now --

3 A. [12:44:59] That's right.

4 Q. [12:45:00] And just to clarify, how many 120 millimetre mortars were there at  
5 Camp Commando upon your arrival there?

6 A. [12:45:12] I saw two, two 120 millimetre guns. And when I received the order  
7 to fire upon N'Dotré and the town hall intersection, I had to put those two pieces of  
8 equipment in a battery formation, one aimed at the town hall carrefour and the other  
9 one aimed at the other target.

10 Q. [12:45:49] Did you yourself then put these weapons in situ, in the locations  
11 where they were aimed at these two places, the Carrefour de la mairie and the other  
12 target?

13 A. [12:46:03] That's right, because when we say that we put a weapon into a battery  
14 or a battery formation, it means we placed it in a particular way.

15 MS PACK: [12:46:26] Now I want to just step back and look at a map.

16 Your Honour, can we please display -- or madam court officer, can we display, please,  
17 CIV-OTP-0092-0410. That's the agreed map of Abidjan. And if we can just zoom in,  
18 please. It's the image that corresponds to image 1 that we had given to the madam  
19 court officer.

20 We need to significantly move this, yes. It needs to go a bit more to the right and up.  
21 Right, up a bit more, please. Perhaps we need a bit more, please. We need, it seems  
22 we need to zoom out a fraction. Thank you.

23 Q. [12:48:18] Now, can you see that? If it's too unclear, I will give you, with his  
24 Honour's permission, a hard copy of this and then perhaps that will be better. It  
25 could be submitted on to the record just to know what the witness saw. It's just a

1 close up, but it's taken from the original software that was used to create the agreed  
2 map. This will be a slightly different image to what we see here because the zoom  
3 level is different, obviously, and the maps have been updated by users on the Internet,  
4 as I understand it, and there's manual adjustments and so on, so it's slightly different.  
5 But just to situate the witness if I may, and then you can look at the agreed map and  
6 mark it.

7 So just take a look, take your time, the map on the paper in front of you. And we  
8 need to encompass, please, the road at the top in yellow.

9 Perhaps I can give one of these maps that I gave to the witness to the Defence, my  
10 colleagues for the Defence. I realise I've handed something to the witness and my  
11 colleagues haven't seen it. Just in case there is an objection. I understand they have  
12 copies.

13 PRESIDING JUDGE TARFUSSER: [12:49:56] I've just seen they have copies.

14 MS PACK: [12:49:59] I have to thank Ms Mandavia for that.

15 Q. [12:50:04] Mr Witness, can you see Camp Commando where it is situated on this  
16 image? It's very small; I understand that. But at the very top, we can actually  
17 magnify it there. It's the pink or reddish square. That's Camp Commando. Is  
18 that -- does that seem familiar to you looking at this map?

19 A. [12:50:32] You want to discuss that?

20 Q. [12:50:35] Well, I just want to ask you about several locations. You've talked  
21 about Camp Commando and you've also talked about the Carrefour de la mairie. I  
22 want to ask you to mark the Carrefour de la mairie on this map, and I also want you  
23 to mark the routes, the two routes, that were available to move to -- that were used to  
24 move from where you were to Camp Commando.

25 So just look at that image there, and you can see Camp Commando is the red square.

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1 If we can zoom out again, perhaps, then you can just see if this is familiar enough for  
2 you to mark, please, with a circle, and we can provide you with a pen, whether you  
3 can see there the Carrefour de la mairie which you've been talking about, if that's  
4 sufficiently clear for you to be able to see that.

5 THE COURT OFFICER: [12:51:30] I strongly recommend the Prosecution to ask the  
6 witness to annotate on the smart board.

7 MS PACK: [12:51:36] Yes, yes, I'm asking him just to make sure he can see it.

8 Thank you very much, madam registrar.

9 Q. [12:51:43] Can you look, and if it's possible for you to see the Carrefour de la  
10 mairie, could you circle it with the pen, assuming that you are familiar with the  
11 material in front of you?

12 A. [12:51:54] It's here.

13 Q. [12:51:58] Okay. Can you circle the Carrefour de la mairie with a pen and put a  
14 letter A.

15 A. [12:52:18] The Abobo roundabout is here.

16 MS PACK: [12:52:20] If the witness can just be helped just to mark the Carrefour de  
17 la mairie.

18 THE WITNESS: [12:52:48] (Interpretation) If you could zoom in a bit.

19 MS PACK: [12:53:00]

20 Q. Okay. So you can see the Camp Commando, and if you go down, there is one  
21 roundabout.

22 A. [12:53:12] Here is the Abobo roundabout.

23 Q. [12:53:16] Okay. And can you then mark below that the Carrefour de la mairie.

24 Okay. Thank you. You can mark an A there, letter A, just next to the point.

25 Thank you. And this is the Carrefour de la mairie; is that correct?

1 A. [12:53:39] Yes, because the town hall intersection is also generally referred to as  
2 Abobo Gare.

3 Q. [12:53:51] Okay. Just remind us, where was the other location that you were  
4 instructed, ordered to shoot the 120 millimetre, apart from the Carrefour de la  
5 mairie?

6 A. [12:54:09] It was towards N'Dotr .

7 Q. [12:54:13] Okay. Would that be Carrefour N'Dotr ?

8 A. [12:54:19] I don't see it on this map here. I -- oh, now I can see Carrefour  
9 N'Dotr , N'Dotr  intersection.

10 Q. [12:54:27] Is it where the yellow road is on the top left, if you could look there?

11 PRESIDING JUDGE TARFUSSER: [12:54:32] Just if he sees it, just mark it, please.

12 THE WITNESS: [12:54:48] (Interpretation) The yellow road, isn't that the bridge?  
13 Because I think there is the bridge between the eastern area and the northern area of  
14 Abobo.

15 Q. [12:55:02] Okay. Can we just take a screenshot of this, and then perhaps we  
16 will just zoom in on the area slightly northwards.

17 And now could we just please zoom in going slightly north, there. Can we just  
18 zoom in here, please, just so we have Camp Commando still in the image.

19 A. [12:55:55] I don't see N'Dotr  on this map here. So this is not going to be easy  
20 for me.

21 Q. [12:56:00] Okay. We'll leave it, we'll leave it there. Perhaps we can just zoom  
22 in a bit more, a bit closer on just this sort of area in the middle of this image, the road,  
23 the T-170. Okay, the whole of it. Now, is the carrefour, is the crossing here on the  
24 left? Is that the Carrefour N'Dotr ?

25 A. [12:57:00] The intersection there, I can't take the risk of saying that it's

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1 necessarily N'Dotré intersection because I do know that at that intersection, the  
2 N'Dotré intersection, there is a railway line that goes underneath a bridge. That's  
3 what I can tell you for sure.

4 But here I see a yellow strip that leads -- ah, okay. I see they've written T170 here.

5 Q. [12:57:43] If you don't feel comfortable circling the Carrefour N'Dotré on this,  
6 then we leave it there.

7 A. [12:57:58] Actually, it's this. I certainly don't want to record something that's  
8 incorrect.

9 Q. [12:58:05] Just we'll leave it there, Mr Witness. I would rather just leave it there,  
10 if you are not, if you are not sure. And let's just deal with one quick question  
11 before I think it's probably the break, are you able to say approximately what the  
12 distance is as the crow flies between Camp Commando and the Carrefour de la  
13 mairie in Abobo?

14 A. [12:58:30] Well, I would be surprised if it were kilometre as the crow flies. I  
15 would be surprised if it was as much as a kilometre as the crow flies.

16 MS PACK: [12:58:46] We'll leave it there, if this is a convenient time for your  
17 Honours.

18 PRESIDING JUDGE TARFUSSER: [12:58:50] Yes, it is. We go for the lunch break.  
19 I just want to recall we have 15, 20 minutes to come to the three hours, just for your  
20 knowledge. We go for the lunch break and we come back at 2.30. Thank you.  
21 The hearing is adjourned.

22 THE COURT USHER: [12:59:09] All rise.

23 (Recess taken at 12.59 p.m.)

24 (Upon resuming in open session at 2.33 p.m.)

25 THE COURT USHER: [14:33:24] All rise.

1 Please be seated.

2 PRESIDING JUDGE TARFUSSER: [14:33:41] Thank you very much.

3 The floor is to the Office of the Prosecutor.

4 MS PACK: [14:33:48] Thank you, Mr President.

5 Q. [14:33:53] Mr Witness, we left off and we were talking about your deployment  
6 to Camp Commando and I wanted to ask you -- we were looking at a map as well. I  
7 want to ask you please about the access routes to Camp Commando. So just firstly,  
8 you were coming from the new Akouédo camp, did you go via Camp Agban on the  
9 way?

10 A. [14:34:29] When you come from Akouédo, initially going to Abobo, you would  
11 go through Adjamé, la casse, then university, the Abobo roundabout, gendarmerie,  
12 cinéma Étoile and then Camp Commando. Now, when the tensions started rising,  
13 we no longer went to the Carrefour Mairie, you would go from Angré, then Samanké,  
14 then you go into the neighbourhood and you come out around the pharmacy Étoile  
15 before continuing to Camp Commando.

16 Q. [14:35:29] And do you know the name of the -- this second route that you're  
17 describing, do you know the name of the road at the beginning when you make a  
18 start from the south of Abidjan or south of Abobo?

19 A. [14:35:46] The first road was the la casse road, Adjamé, \*Gare du Nord, la casse \*[scrap yard].  
20 \*Then people went toward the university, and then on to Carrefour Abobo, then the gendarmerie  
21 brigade, and after that you turn right towards the cinéma Étoile and then to Camp Commando.

22 Q. [14:36:16] On your journey to Camp Commando upon your deployment in  
23 March 2011, which route did you take, the first route you described or the second?

24 A. [14:36:33] The second route.

25 Q. [14:36:37] And what -- why --

1 A. [14:36:41] This is because there was the story of the killing of women. The  
2 men in Abobo were defending themselves, so one did not want to fall into an ambush,  
3 and that is why we changed routes.

4 Q. [14:36:58] Did anything happen on the journey?

5 A. [14:37:14] When I was going I did not have any concerns, but usually when  
6 you deploy yourself in that way, after Carrefour Samanké there were people shooting  
7 from every angle, so if I see someone shooting in front of the house and I don't see  
8 who he's running after then I can see very well who is the enemy.

9 Q. [14:37:52] Prior to your own deployment to Camp Commando, did you hear  
10 anything about the conduct of soldiers who were on route from Camp Commando to  
11 Akouédo or Agban and -- or, from Agban back up to Camp Commando, did you hear  
12 anything about the conduct of soldiers on those routes to and from Camp  
13 Commando?

14 A. [14:38:24] Regularly, when I went from Akouédo to Camp Commando and the  
15 other times, the only thing I realised was that before the killing of the women, when you  
16 arrived at the Carrefour \*Mairie no one was firing. We would simply place a 12.7 \*opposite --  
17 the neighbourhood where there are rails, and I now forget its name, and then we would  
18 \*simply continue \*along the road without even shooting, but after the killing of the women,  
19 when you arrived at Carrefour Samanké, the shooting would start \*and often right up to  
20 Camp Commando, \*People were shooting at everything that they saw. But since we  
21 were -- we \*had the 12.7 and the mortars, we \*also had our own personal hand guns. I  
22 asked my elements not to fire because you needed to see armed people in front of you or  
23 aggressive people before you \*start shooting but that was not the case.

24 Q. [14:39:45] And when you describe, you say that people would shoot at  
25 everything they saw, which people are you talking about, not in your convoy but



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1 which people were you talking about?

2 A. [14:40:02] Regularly, when our elements, whether they were from the north or  
3 the west, went to Abobo, after they returned, they told us about the events that were  
4 taking place. The first time we were told about that was \*just after the killing of  
5 the women. After the killing of the women, I returned after \*spending five days  
6 \*there, but other elements went there \*and returned again. So regularly there was  
7 shooting from Carrefour Samanké right up to Camp Commando.

8 Q. [14:40:45] Now, can you help me with this, the -- have you marked previously  
9 on a -- on a map when you were interviewed by the Office of the Prosecutor, did you  
10 mark the two routes to the Camp Commando on a map?

11 A. [14:41:07] There is a single Camp Commando in Abobo, and I marked it on the  
12 map. There is a red mark there.

13 MS PACK: Can I just ask please for this document to be called up, it is  
14 CIV-OTP-0028-0517\_R01, so it is the redacted version.

15 Your Honours, this is a map previously marked by the witness. And I'm aware it is  
16 a different map than the agreed map and it's been marked previously, but to save  
17 time I would just ask just to introduce it just for purposes of showing the routes to  
18 Camp Commando.

19 PRESIDING JUDGE TARFUSSER: [14:41:46] It is attached to the --

20 MS PACK: [14:41:49] It is attached to the witness statement.

21 PRESIDING JUDGE TARFUSSER: Yes, of course. Of course.

22 MS PACK: [14:41:53] And of course I can get him to mark it in the -- later, but I  
23 want to save time.

24 PRESIDING JUDGE TARFUSSER: [14:42:02] No, no.

25 MS PACK: [14:42:09] Thank you, your Honour.

1 Q. [14:42:40] Now, just take a look at this and could you confirm that you've seen  
2 this map before and it's one that you marked during your interview?

3 A. [14:42:59] Yes, I remember seeing this map.

4 Q. [14:43:02] And can you confirm there, and these are the only -- I just wanted to  
5 ask you not about the writing but just these markings, the red biro, the red lines going  
6 towards Camp Commando at the very top, those two routes are the routes that you've  
7 been describing, the routes to access Camp Commando in Abobo?

8 A. [14:43:30] If, for example, I take that road in \*orange, that is beginning at  
9 Adjamé, and then going to Camp Commando, after the roundabout you would go  
10 towards the gendarmerie roundabout and then to Camp Commando. The other  
11 route is the \*road from N'Dotré which is different from the road from \*the zoo,  
12 because you can pass through \*the zoo to go to Samanké, and you can also pass  
13 through Angré \*to go there, but we took the Angré road and we would come out at  
14 Samanké, and from Samanké we \*went into the neighbourhood and \*reached the  
15 cinéma Étoile or \*we passed by the university campus before going to Camp  
16 Commando. And when you pass by the university campus you \*enter Camp  
17 Commando from behind, that is the second entrance, the \*annex.

18 Q. [14:45:02] Thank you. And that road that goes to the second entrance we see  
19 that it starts here on this map at the hôpital militaire, is that right; can you see that at  
20 the bottom?

21 A. [14:45:17] There is a first road \*starting from the hospital, \*that is Agban \*,  
22 military hospital, military hospital to Samanké, then you go into the neighbourhood  
23 towards the cinéma Étoile, and then to Camp Commando. There is another road  
24 from Angré and you would directly arrive the Samanké roundabout, there you  
25 enter the same neighbourhood, but instead of going to the cinéma Étoile you turn

1 right and pass by a college, and that road leads to the university \*residential campus,  
2 but I no longer remember the name of the college.

3 Q. [14:46:12] Thank you. We'll leave it there. Now, you've told us about an  
4 order you received to fire upon the Carrefour N'Dotré and the Carrefour de la Mairie.  
5 Let's just go to that, please. Now, upon your arrival at Camp Commando, can you  
6 tell us when after your arrival you received the order to fire upon these two  
7 locations?

8 A. [14:46:40] I received the order specifically on 4 March, after a meeting.  
9 Commander Niamké said that I should carry out the mission for which I had been  
10 assigned in Camp Commando and that I had to fire on Carrefour Mairie and  
11 Carrefour N'Dotré. I asked him for a written order and he told me to leave and after  
12 the written order arrived he would alert me. But the written order did not arrive up  
13 until there was another meeting on the 5th.

14 During that meeting he called General Detoh Letho. And when he started talking  
15 about the 120 millimetre mortar, General Detoh Letho said, "I'm not involved in your  
16 heavy weapons issue." I was able to hear what he was saying because the telephone  
17 was on loudspeaker.

18 Later on he called General Mangou and who asked that Major Niamké, who is colonel  
19 today, should do everything to persuade me, but since he did not succeed he asked  
20 me to go back down.

21 On that same day, when I was going down, there was a lieutenant, Adjoumani, who  
22 told me, "When you are told to carry out a mission and you refuse you're going to  
23 see something." He started threatening me. I started feeling a bit nervous, but I  
24 told him "Here you're an officer, and even though I'm a sergeant we are playing the  
25 same role. I am a Chef de détachement just like you. The gendarmerie can shoot

1 mortars. And if you want to arrest me you can do that. And you take the mortars  
2 and fire yourself, but never speak to me in that way again."

3 Shortly afterwards, Adjoumani came and told me "I'm sorry, you are my brother, we  
4 come from the same region. If you had carried out an order you would have  
5 understood." I told him I had nothing to do with him. And after the crisis he was  
6 the bodyguard of an authority. And he said if I were a gendarme, I would be  
7 working with him because he trusted me, but I never had anything to do with him, I  
8 never worked with him.

9 Q. [14:49:45] I have a few follow-up questions for you. Firstly, Adjoumani what  
10 was his position at the time, was --

11 A. [14:49:56] When I met him in Camp Commando, because up till then I did not  
12 know him, he was responsible for the gendarmes in the Camp Commando, he himself  
13 had been assigned there, he was the highest ranking gendarme at that location during  
14 that period.

15 Q. [14:50:21] Okay. And going back you talked about a conversation with  
16 Mangou. Now, can you just tell us a little more about this conversation, where did it  
17 take place?

18 A. [14:50:35] That conversation took place in the office of Commander Niamké. And  
19 during that conversation, I could hear practically everything they said. Between the 4th and  
20 the 5th, I was also requested to go and attack enemies in Anonkoua-Kouté with my 12.7s. I  
21 had to find another \*excuse not to go, so I told Commander Niamké that at night we were not  
22 protected, so I could not take the 12.7s along. \*He was not happy. I said it was not possible. So  
23 the elements of the GEB and the GR went and carried out the mission. And immediately  
24 after the mission, the following day \*I think, while I was still in Commander Niamké's office,  
25 General Mangou called Commander Niamké and said that \*things had gone well and that it

1 was a total success and that they had actually taught the rebels a lesson. I \*then asked  
2 Commander Niamké whether they were not mistaken because if you attack a location and  
3 leave the area without leaving elements there \*as a rear base that would be a major error. And  
4 I was right, because the following day the son of the village chief arrived and \*told  
5 Commander Niamké at the PC that his relatives or parents had been killed by \*the rebels  
6 there and that a way had to be found to get them out of there. So what I had said was true  
7 because if they had set up a rear base there these people would not have returned to attack the  
8 villagers, \*but they knew that the villagers were defenceless. They had a large \*capacity  
9 ambulance at that time and they \*dispatched it to go and fetch the villagers. The son of the  
10 village chief, \*or the chief himself, was saying that if Mangou could not protect them, \*they  
11 should be told so in order for them to go and apologise to those who were attacking them.  
12 \*But even before the attack, there was no talk of any attack there because there were no  
13 attacks there. So, if I understand well, it is the FDS who first attacked, since the villagers did  
14 not come complaining that they were being attacked. They simply pointed out the presence  
15 of a certain number of people who were there who were persona non grata or whose  
16 presence was not desirable.

17 Q. [14:53:42] Okay, there's a few topics there, so we're just going to go back in  
18 turn to each. And just starting with the last one, the Anonkoua-Kouté mission, just  
19 help me with this, why was it that you didn't want to go on that mission, why was it  
20 that you say you had to find another way so as not to go?

21 A. [14:54:04] In fact I didn't want to be involved in that because I did not feel  
22 concerned by it.

23 Q. [14:54:11] Okay. Let's go back please to the phone call with Mangou that you  
24 mentioned. And you tell us it took place in Niamké's office. And you've told us  
25 what he said, what was said. Was there anything -- did Mangou during that

1 conversation, did he say anything to you directly?

2 A. [14:54:35] No.

3 Q. [14:54:38] And so far as the written order was concerned that you say you  
4 requested a written order, why was it that you requested a written order?

5 A. [14:54:55] But as you know, the 120 millimetres, when you fire it it's not \*only going to lead  
6 to one or two people \*being killed, it would be several people \*dead. Now, \*you know especially that  
7 at the Carrefour Mairie there is a market nearby, there are women and children moving about\*and  
8 people are hustling at the market, and if I fired the 120 millimetre at that roundabout I understood  
9 the impact. Would I have done something that would give me a bad conscience or that would  
10 \*compromise me? That is what I thought, that is why I didn't want to do it, \*to execute the mission.  
11 But if I said directly that I did not want to do it I knew the consequences \*and what my fate would be.  
12 I would have exposed myself. So I needed to find a way. I knew that during that period no  
13 commander wanted to take responsibilities, and so on that day if I took that responsibility to fire  
14 maybe I would be sitting as an accused before you today answering questions. That is not what I  
15 wanted to do, so I had to find a way \*to do the noble thing of refusing the mission but in a courteous  
16 polite manner.

17 Q. [14:56:23] Did you receive a written order in the end?

18 A. [14:56:32] The written order never arrived.

19 Q. [14:56:34] And do you know who it was, the order that you were given by  
20 Niamké at Camp Commando, do you know who that order came from?

21 A. [14:56:48] Well, that would be asking for too much. Commander Niamké is  
22 in a better position to give an answer to that. When he received orders that he  
23 conveyed to me, well, I wasn't present there. All I know is that he called General  
24 Detoh and he said he was not involved with heavy weapons, and also when he called  
25 General Mangou he was not very happy, that is all I know.

1 Q. [14:57:28] And tell us please, you said earlier today that you assembled the  
2 battery for the 120 millimetre mortar, so when did you do that, did you do that before  
3 or after you received this order from Niamké?

4 A. [14:57:43] It was after I received the order, because you cannot assemble the  
5 battery without having received the order. So it was after receiving that order that I  
6 put the mortar in the battery. And after doing that I went and saw  
7 Commander Niamké to tell him that I wanted a written order, a written order which  
8 never arrived and that is because he was the one who was the commander.

9 Q. [14:58:20] And the mortar that you assembled and the battery you assembled,  
10 was there only one battery that you assembled, only one mortar, or did you use -- did  
11 you also assemble the other mortar, 120 millimetre mortar that was at Camp  
12 Commando?

13 A. [14:58:46] We assembled \*two batteries in batteries -- two mortars in battery  
14 formation.

15 Q. [14:58:50] And why two?

16 A. [14:58:58] There was one that was supposed to target carrefour Marie while  
17 the others was to target the N'Dotr  roundabout. And these are two locations in  
18 opposing directions.

19 Q. [14:59:13] And how were you able to set these weapons towards these  
20 targets?

21 A. [14:59:26] Well, the coordinates had been given to me before my departure  
22 from BASA by Captain Kouassi at that time. So everything that was to be entered  
23 into the barrel was already in a sheet of -- it was already on a sheet, so when you  
24 arrived you simply had to assemble it and implement. I was not the one who did  
25 the computations and so on. Otherwise, I -- we were given a sheet of paper with

1 everything on it to be implemented, so when I arrived I assembled everything by the  
2 squad leader there, I cross-checked everything and then I went back up to see the  
3 commander to request a written order.

4 Q. [15:00:43] And just pausing with Kouassi who was he?

5 A. [15:00:52] Kouassi was an officer from the artillery, more specifically he was  
6 part of the surface to surface artillery, because there were two units on the same site;  
7 there was the BAS, which was the artillery battalion surface to surface, surface to  
8 surface, and then there was the BASA which was service to air battalion.

9 Q. [15:01:20] And just to distinguish him from the other Kouassi you've been  
10 talking about, can you give us his full name?

11 A. [15:01:28] His name -- well, the other one is a colonel, Kouassi Patrice, and the  
12 other is Kouassi Brunot, a captain.

13 PRESIDING JUDGE TARFUSSER: [15:01:42] Well, first you're well over the three  
14 hours. And then I have one question: Was this 120 millimetre mortar fired as far as  
15 you know, directly know? You said that you refused, that you wanted a written  
16 order, this written order didn't come and that you didn't fire. The question is was it  
17 fired?

18 THE WITNESS: [15:02:20](Interpretation) This mortar was fired. \*I'm explaining  
19 the reasons why I say that these mortars were fired. When the mortars were fired, I, at  
20 the SOS Carrefour, my aunt, that is to say the wife of \*I have an uncle, \*who lives in  
21 that place and she called me to say that she had heard a terrible \*deafening sound of  
22 bombing and I understood immediately that it could only be the mortars that were  
23 being fired in that period. \*That is for firstly.

24 And then secondly, when we were receiving pay, \*it was hand to hand, you know,  
25 people had to be paid cash in hand, because if people were paid through the bank they



1 might have simply collected their salaries through the bank and not come to work. So we  
2 asked each FDS member to come in person to collect their salary. I chanced upon  
3 Commander Brice and when I talked to him about the mortars this is what he said to me,  
4 "I only executed an order, I am not responsible. Number one. Secondly, whilst I was in the  
5 cell at the research brigade Pegard Egni came to be interviewed. And after his interview,  
6 I'd like to open a \*parenthesis here, Pegard Egni is an individual with whom I went to  
7 primary school in Cocody, so I know him and have known him since a very young age,  
8 \*so you see what I mean by that. \*So I said to him, "Pegard, do you find it reasonable for  
9 me to have been placed in prison? \*He said: "I have accomplished my mission." What  
10 mission was this? Was it to put me in prison or to fire the 120 mortars? This question  
11 should be put to him, because he's in a better position to answer. But in view of these two  
12 factors, I am sure that it was those mortars.

13 And I'd like to go on to add something else. At that moment in time, in Abobo, it  
14 would be very surprising to me if those -- the Invisible Commando or even the young  
15 people who were organised had any mortars to fire. Let me explain one of the  
16 reasons for that.

17 At that moment in time when the policemen were fleeing the police stations, when the  
18 gendarmes were fleeing the brigades, if the Camp Commando had been taken by \*those  
19 youth, it is possible that they might have had \* 60 millimetres, but it wasn't taken  
20 by those young people. \*So this means that all weapons such as mortars could not have  
21 found themselves in the hands of those young people. And if they did have them, it is  
22 sure that within the five days after the killing at the Camp Commando they might have  
23 possibly dislodged us, since we did not have the possibility to go out and about and  
24 patrol. We didn't even have the means of making Camp Commando secure, except  
25 posting some snipers in the buildings. But even if the snipers were in the building and

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1 they had those 120 mortars, don't you think they would have fired them at us? They  
2 would have shot those mortars at us. That is how mortars are used. But why would  
3 they not have then used them to fire at us? I think that if there was mortar fire, it is  
4 because it came from Camp Commando. It could not have come from anywhere else."

5 MS PACK: [15:06:18] Your Honour, I have some very specific questions, not going  
6 too broad.

7 PRESIDING JUDGE TARFUSSER: Yes.

8 MS PACK: But I do have about -- I do have some minutes more. If I could just try  
9 and focus and really make it very specific and quick?

10 PRESIDING JUDGE TARFUSSER: [15:06:31] Well, let me just say that the decision  
11 on the witness scheduling of 7 June with an annex made it clear that the timing,  
12 which obviously was the timing given by the OTP, would be strictly followed;  
13 otherwise we can't follow the schedule as it was designed.

14 So I really ask all of you, and Prosecution first, you know, if you start saying, "Yes, as  
15 the Presiding Judge pointed out, we call you 'Mr Witness,'" you just lost one minute.  
16 I mean, if we start questioning and going to the point, instead of starting with the first  
17 hour with the, say, very large questions which don't go to the point, then we have a  
18 problem obviously going towards the end.

19 So please go ahead with this witness, but I really urge you, all of you to put  
20 questions which go to the point; otherwise we will not reach the goal to follow the  
21 schedule.

22 MS PACK: [15:07:41] Of course, your Honour.

23 PRESIDING JUDGE TARFUSSER: [15:07:42] And we will be from now on very  
24 strict with the timing.

25 MS PACK: [15:07:47] Of course, Mr President. Understood.

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1 Q. [15:07:50] Now, I want you please to mark where on a map, where it is that  
2 you positioned these mortars.

3 So can we please call up --

4 A. [15:08:04] On your map you will see that the mortars, as I said, are positioned  
5 at Camp Commando.

6 Q. [15:08:13] Yes. Pause a moment, please, Witness, just pause a moment while I  
7 deal with this.

8 I'm going to ask please for CIV-OTP-0098-1197 to be brought up.

9 Now, this image, do you recognise what this is an aerial image of?

10 A. [15:08:57] Please give me a moment.

11 Q. [15:09:01] If you'd like, I can give you a hard copy, like a paper copy.

12 A. [15:09:07] Yes, that would be better.

13 MS PACK: [15:09:09] Could we pass that to the witness, please, a paper copy.

14 Thank you.

15 Q. [15:09:37] Can you recognise that? Look at the paper copy, it's the same  
16 image. Do you recognise what that is an aerial of?

17 A. [15:09:50] Please give me a moment.

18 I don't manage to recognise the location.

19 PRESIDING JUDGE TARFUSSER: [15:10:15] It could be nearly everywhere.

20 MS PACK: [15:10:22]

21 Q. [15:10:22] Okay, I'm going to show you some photographs. Can we go to the  
22 360 presentation, and that's going to be presented by the Office of the Prosecutor. So  
23 we can change the evidence channel. It's CIV-OTP-0073-0862, and it is item 40 on the  
24 list of material.

25 I'm going to show -- we can leave the image that's in front of you, and I'm going to

1 ask you to look at the screen, again, there's going to be a photograph that comes up.

2 And what I want to ask you -- and we are now looking at panorama 9 of the 360

3 presentation. And do you recognise this location looking at it?

4 A. [15:11:36] This does look like Camp Commando in Abobo.

5 Q. [15:11:41] Okay. I'm going to ask you if you're able to situate, to tell us where

6 it is that you positioned the mortar, the mortars. And the one I'm most interested in

7 asking you about is the one that was directed towards the Carrefour de la Mairie. So

8 what we'll do now is move --

9 A. [15:12:01] Can I see the front of the buildings, because this is the back?

10 No, this is still the back of the buildings. I'm talking about the front where there's the

11 main road.

12 Q. [15:12:29] This is panorama 14 that is presently being shown. And now this

13 is panorama 11. We can just wheel around.

14 A. [15:12:51] Well, stop here. Come back a little bit. Can you see where there is

15 the combat vehicle, the tank?

16 Q. [15:12:59] Yes, the tank on the right-hand side of the road you can see

17 directly --

18 A. [15:13:05] Yes, on the right. Yes. If you come back a little bit on the

19 left-hand side, on my left-hand side.

20 Q. [15:13:20] Yes.

21 A. [15:13:24] I'm saying from the right to the left, from the right to the left.

22 Q. [15:13:35] Yes. Pause.

23 A. [15:13:39] There we are. This is where the second 120 canon was put in

24 battery \*formation. It was the one \*facing in the direction directed towards N'Dotré.

25 The other one was directed towards the Carrefour de la Mairie \*and was mounted

1 on the two extremities of the building.

2 Q. [15:14:05] So we're looking here, this is panorama 14 of the 360 and -- sorry, 11  
3 facing panorama 14, slightly to the right of it. If we can move now to panorama 10,  
4 we'll try and show you the area, the other area.

5 A. [15:14:36] Going from behind it's not easy for me to locate where the canon  
6 was put in battery. If you go from the front of the building, then I can show you  
7 more specifically, because this is the back of the building, and this is not where any of  
8 the canons were placed.

9 Q. [15:15:04] Okay, we'll leave it there. And if we have time we'll look at it again  
10 in a moment. I want to just get to the end of your evidence, please.

11 So, so far as your deployment to Camp Commando was concerned, you told us that  
12 you were deployed until 7 March.

13 A. Oui.

14 Q. And when you left Camp Commando, were the mortars that you had  
15 positioned, one directed towards Carrefour de la Mairie, the other towards  
16 Carrefour N'Dotré, were they left in position when you departed?

17 A. [15:15:48] We were requested to leave them as they were. That was the order  
18 that I received.

19 Q. [15:15:55] And when you got back to camp Akouédo, did you after that go on  
20 any other missions?

21 A. [15:16:12] When I came to the Akouédo camp on the 8th, I was given over to a  
22 mission that I refused. And I was threatened once again to Captain Kabran. But I  
23 held on and I said after five days on mission I -- he could choose whoever he wanted,  
24 but I would not go on that mission. And after threatening me, then he just  
25 left me.

1 On the 9th, I was convened to Colonel Dadi's office, who told me to go to  
2 Port-Bouët II. I lived in the Ananeraï neighbourhood in Yopougon. And he asked  
3 me to go to Port-Bouët II and that he would give me instructions.  
4 I asked him what the instructions were. And he said, no, I needed to go there.  
5 And when I said "How?" He said, well, Lieutenant Assi, I don't know what his rank  
6 is now, will -- how can I put it? He is going to the civilians' prison, and he will drop  
7 you off at the Gesco, and then you can get there as you can.  
8 And with the patriots that were all over the place, I said to him, "Well, how am I  
9 going to get there?"  
10 And he said, "Well, you'll manage. You're a soldier."  
11 So I could have refused to leave again, but it was running the risk of my life. If I  
12 refused to leave, I knew what my fate would be. And my family was also present in  
13 that neighbourhood. Not only do you, you know, you get phone calls from your  
14 family as to whether they're okay or not, I decided to go.  
15 So when I was dropped off at the Gesco, I managed as best I could going through the  
16 various houses to get to my home, and then afterwards I went to Port-Bouët II under  
17 my own steam, from where I called Colonel Patrice to tell him that I was in  
18 Port-Bouët II and what could I do for our brothers who were there, because they were  
19 really in the shit, and they were coming under regular attack from the BAE.  
20 And he said to me: Well, give them the advice that you can, to avoid any access of  
21 BAE vehicles in that area. And I went to -- how can I put it -- to the social centre in  
22 Port-Bouët II where I had friends and that man by the name of Abdoulaye, whom I  
23 told that all of the streets in Port-Bouët II had to be barricaded so to stop the BAE  
24 from entering that neighbourhood, because when they did they came there with  
25 their vehicles.

1 And you know, when you don't have any weapons, it's not easy for you to get out of  
2 that situation. And they can do with you what they want. So if you barricade  
3 yourselves in, then it will take them a time to get in there, and you can do your best  
4 to escape.

5 So just in that period, after having given those various elements, I went back and I  
6 called Dadi. And I couldn't get through to him.

7 I called to Captain Goué, who is today a commander, and he reported back to Dadi.  
8 Dadi said I should wait for the right time and he would give a mission to me.

9 After a few days, he led me to understand that I should go to Guichanrolin, which is  
10 a school, a secondary school, private secondary school at Ananeraï. So I went there,  
11 and to my grave surprise, as soon as he had finished talking to me, I saw the  
12 gendarmes coming going towards the COOPEC. They were coming in my  
13 direction. And towards the antenna, there were the BAE elements and they chased  
14 me.

15 I understand -- I understood that Dadi wanted to do away with me and that I should  
16 do the best to get out of there. So I managed to go through various places and get  
17 to the Bonikro neighbourhood, where I hid in the bush until about 11 p.m.

18 After that time, I hid and I went around, all around my home to see if there was  
19 anything there, and then I went up into my building. The building belongs to Dadi.

20 And when I arrived at my house, I started to knock with my hand and, of course, so  
21 my wife and my children were all there. I knocked, nobody opened. And it was  
22 only when I started kicking on the door and it woke up everybody in the building,  
23 but still nobody opened, so I understood that something was going on. So I broke  
24 the door down.

25 And when I arrived, my wife woke up with a jump. And it's amazing that my

1 family was the only one not to wake up with all the noise that I had made. And I  
2 smelt a strange substance in the house. I don't know what it was. Maybe the  
3 dosage had already diminished at that moment in time. And I asked my wife what  
4 had been going on. And she said, "Really, I don't know."

5 But it was very much a surprise to me because, you know, when you hit on your  
6 door with your fist and then you kick on it and no one answers --

7 Q. [15:22:30] Pause a moment, please. Let's just take things a little slower and  
8 we'll just do point by point, answer, question, answer, question, answer.

9 There's a couple of follow-up questions to that. First of all, what was the date, if you  
10 can remember, when you were attacked?

11 A. [15:22:47] The day that I was attacked was between the 13th and the 14th by  
12 the gendarmerie and the BAE, after the coup de fil operation by Dadi, of course. It  
13 was either on the 13th or the 14th.

14 Q. [15:23:03] Now I'd like to take you to the next day. Did anything happen on  
15 the day after this attack?

16 THE INTERPRETER: [15:23:10] Correction: After the phone call from Dadi.

17 THE WITNESS: [15:23:16](Interpretation) On the day of the attack, the imam of the  
18 Port-Bouët II mosquée, Moussa Diabaté, I heard that he had been killed by a bullet at  
19 approximately 18.45, that is to say at prayer time, 18.45.

20 MS PACK: [15:23:34]

21 Q. [15:23:35] And so far as you were concerned, did you go anywhere, do  
22 anything on the day after the attack? Did you -- let's just ask this in a different way.  
23 Did you go back to camp Akouédo at any point?

24 A. [15:23:51] Firstly, the day after the attack when I was trying to \*contact  
25 Colonel Dadi, he no longer picked up his phone. It rang \*but he did not answer.



1 Later I called Captain Goué, because between him and me, there was a frank  
2 exchange \*of views. And he said to me, \*Kangouté, the best thing to do would be to  
3 go back to Akouédo. And \*so then I left the house at approximately 4, 5 o'clock,  
4 because I had to get through Yopougon, which was the most dangerous zone.  
5 I was able to get through Yopougon. I arrived at camp Akouédo at about 9 o'clock.  
6 And \* in our country, when somebody sends you, \* you have to report back to them.  
7 Well, \*let me tell you clearly I had gone specifically to \*Dadi, you know, to give him  
8 the kind of correction or beat him up so badly that he would never forget it. But  
9 thankfully he didn't open his door and he remained \*holed up in his office, until  
10 Commander Goué came to say to me: "You have to leave this location because it's  
11 dangerous for you." Having insisted, I left the area and went to the room.

12 Q. [15:25:09] Now I want to move to the day or days after that. Can you tell us  
13 at one point in the next day or days, did you receive a phone call from anyone?

14 A. [15:25:24] In the days after that, I did not receive any phone calls as such, but I  
15 rather called, because there had been a bombing, and it was a few days after the  
16 bombing that I called on the 17th.

17 Q. [15:25:47] Pause a moment. How did you hear about the bombing, please?

18 A. [15:25:55] It was from the 17th at 11.

19 Q. [15:25:58] How did you hear? From whom did you hear about the  
20 bombing?

21 A. [15:26:03] I heard it from my aunt, who was under the bombing, because it  
22 was falling not far away from their house.

23 Q. [15:26:13] And whereabouts, in what area did she live?

24 A. [15:26:19] She lived in Abobo at SOS Abobo.

25 PRESIDING JUDGE TARFUSSER: [15:26:24] We know this, we heard this

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1 already.

2 MS PACK: [15:26:27] Yes.

3 PRESIDING JUDGE TARFUSSER: [15:26:28] The aunt --

4 MS PACK: [15:26:29]

5 Q. [15:26:30] Yes. How did you hear from her? Did she call you or did you see  
6 her in person?

7 PRESIDING JUDGE TARFUSSER: [15:26:37] She called.

8 THE WITNESS: [15:26:38](Interpretation) Well, I couldn't see her face to face. She  
9 called me on the mobile phone crying, asking me to do everything I could to help,  
10 because she was in -- she was fearing that she would die. And then as soon as she  
11 hung up, a few minutes later, I called he who was at the Camp Commando to say that  
12 if ever a member of my family were to die, I would kill them.

13 MS PACK: [15:27:06]

14 Q. [15:27:06] Now, you've just talked about this a bit earlier, but I just want to be  
15 very specific about the people you're talking about. So you called who, which  
16 person?

17 A. [15:27:19] When my aunt called me, I then in my -- called Pegard Egni, who  
18 was at Camp Commando, because I had his number.

19 Q. [15:27:29] And why did you call Pegard Egni?

20 PRESIDING JUDGE TARFUSSER: [15:27:34] Because he had his number.

21 MS PACK: [15:27:37] No.

22 Q. [15:27:37] Why, why did you call him, why did you call him in particular, this  
23 person? Not how.

24 A. [15:27:43] \*Not only because I had his number, but because the 120 were at the  
25 Camp Commando. So if anyone were to fire the 120s, \*it could only have been

1 them, so of course it was all too normal that I call her.

2 Q. [15:27:59] What was his position, please, Pegard Egni at this time?

3 A. [15:28:08] When I called him, in theory, he said that he was at the 12.7s and  
4 that it was not him, he who was firing the 120s. But he didn't say that there had not  
5 been any firing of 120s. He said that he was the chef de pièce for the 12.7  
6 millimetres.

7 Q. [15:28:28] This is at Camp Commando; correct?

8 A. [15:28:30] Yes, at the Camp Commando.

9 PRESIDING JUDGE TARFUSSER: [15:28:33] Did you ask him who fired? Did  
10 you ask him who fired?

11 THE WITNESS: [15:28:40](Interpretation) To my knowledge, the chief of  
12 detachment was Commander Brice, and everyone said that he was the one who had  
13 that weapon fired.

14 PRESIDING JUDGE TARFUSSER: [15:28:51] And who is "everyone"?

15 THE WITNESS: [15:28:56](Interpretation) Well, you know, amongst us northerners,  
16 we talk a great deal, and my friends -- and even he on one day before when we  
17 chanced upon each other before people were paid, when I talked to him about the  
18 bombing in Abobo, he just said he had only executed a mission and that he was not  
19 responsible for it. What mission did he then execute, the bombing of Abobo? He is  
20 not responsible because maybe he did not take responsibility for it because there was a  
21 military chief there whom I do not know because I never sought to ascertain

22 Commander Niamké had already left that area. There was another commander there.

23 MS PACK: [15:29:48]

24 Q. [15:29:48] When you did you speak to Commander Brice?

25 A. [15:29:57] It was Staff Sergeant Brice. I talked to him when we were

1 face-to-face, but later he never acknowledged it.

2 Q. [15:30:18] When? How soon after this -- this bombing that you've spoken about?

3 A. [15:30:29] The shelling took place on the 17th, so it was immediately after the  
4 crisis. After the end of the crisis when President Gbagbo had already been arrested,  
5 this is when the cash payments, personal payments started. That is after the crisis.

6 Q. [15:30:59] And what's his full name, Brice?

7 A. [15:31:07] The names I know are Kamanan Brice, nothing else.

8 Q. [15:31:15] How did you know that Pegard Egni and Brice Kamanan were  
9 based at Camp Commando? You mentioned earlier a document, a duty roster?

10 A. [15:31:40] In fact, it was not a duty roster, it is a service roster. Each morning,  
11 each person would go to look at that board to see where they were assigned for that  
12 day. After the shelling, when I spoke with my aunt, I went and looked at the table,  
13 and I knew that it was Chief Kamanan Brice and Pegard Egni who were the squad  
14 artillery leaders for that day. I've also told you that I attended primary school  
15 together with Pegard Egni in Cocody, so I had a lot of exchanges with him. So if I  
16 had to call someone, it would have been him, especially since I had his number. I  
17 did not have the number for the other person and I acknowledged that I called him  
18 and threatened him.

19 But what is strange is that after all that I was arrested because I gave my number.

20 Where you are and where I am right now, would it be possible for you to have my  
21 phone to communicate if I did not give it to you? That would not be possible. But  
22 it was possible during that crisis and that was the reason I was arrested.

23 Q. [15:33:15] And just a couple more questions in follow-up. The first one is this:

24 I just want to make sure we're clear about this. When you were present and  
25 deployed at Camp Commando in those days between the 3rd and the 7th March, did

1 you yourself fire any of the mortars that were positioned there?

2 A. [15:33:38] From the very outset, I told you that I could not commit myself to that  
3 because it would compromise me a great deal. I did not fire any mortars. I  
4 acknowledge having placed the mortars in the battery, but I did not fire any because the  
5 commander who was there did not give me a written order, so it was pointless to do it.

6 Q. [15:34:08] And just one follow-up. You said you spoke to Pegard Egni again  
7 when you were in detention. Can you tell us, please, do you recall what he said to  
8 you on that occasion?

9 A. [15:34:25] He told me that he had executed his \*mission. I still wanted to talk with him; he  
10 didn't listen to me; he left. I told him that he – I told him that he would pay for that sooner or later. \*He  
11 did not listen to me. He just kept going. In fact, let me tell you that during that period, Dadi reigned over  
12 everybody and \*whatever he said is what was done \*by all his men. And if you did not do that, then  
13 you would never progress because he would sit on you forever. And if you were even lucky to be alive,  
14 then you would be thankful. He had total control over everyone in BASA, even the officers \*could not  
15 oppose him. There were very few of us who could stand up \*to and tell him our minds whenever we  
16 wanted. You see, in my culture it is said that there is no need to ask someone who is already in water  
17 whether they are wet? I was already wet and had no reason to fear. Maybe at that time in my life, I  
18 counted for nothing to myself. I am sorry to say that because I have children. However, it was necessary  
19 for someone often to challenge him.

20 Q. [15:35:45] Pause a moment.

21 MS PACK: I think that's it, your Honour, but if I may just consult one minute.

22 (Counsel confers)

23 MS PACK:

24 Q. [15:36:03] Mr Witness, thank you very much for your time. That's the end of  
25 my questions.

1 Your Honour, I've finished my questions. Thank you for the time.

2 PRESIDING JUDGE TARFUSSER: [15:36:12] Thank you. I ask now who is  
3 going to start with the questioning from the Defence teams. Maître Altit.

4 MR ALTIT: [15:36:25] (Interpretation) Yes, Mr President.

5 PRESIDING JUDGE TARFUSSER: [15:36:36] Mr Witness, it is the Defence for  
6 Mr Gbagbo to start its questioning. We have another 25 minutes and then we break  
7 until tomorrow morning.

8 Maître Altit.

9 MR ALTIT: [15:37:41] (Interpretation) Thank you, Mr President.

10 QUESTIONED BY MR ALTIT: (Interpretation)

11 Q. [15:37:47] Good afternoon, Mr Witness.

12 A. [15:37:50] Good afternoon.

13 Q. [15:37:51] My name is Emmanuel Altit, I'm lead counsel for

14 Mr Laurent Gbagbo. I will ask you questions, and I will be very grateful if you  
15 answer briefly and precisely. Is that okay? Now, let us begin.

16 Now, Mr Witness, now, the handling of a mortar, for example, a 20 millimetre barrel,  
17 an orgue de Staline, does that require special experience or know how, that is, does  
18 the crew, is the crew required to know something specific?

19 A. [15:38:53] Yes, indeed. Each weapon requires that the crew has specific know  
20 how because if you don't master a weapon, it is pointless to use it.

21 Q. [15:39:09] Very well. A short while ago you told us that you were a chef de  
22 pièce. My question is as follows: Which particular arm or weapon were you  
23 responsible for during your career and specifically during the post-election crisis?

24 A. [15:39:34] Several times, I was in charge of 20 millimetre canons, the 23  
25 millimetre bitubes or dual tubes, so I was chef de pièce for those pieces of equipment.

1 Q. [15:39:53] Very well. So at the BASA you were never chef de pièce for 120 millimetre?

2 A. [15:40:07] It wouldn't be exact to say that because during training, when you  
3 do CA1, you are a chef de pièce. Now, the chef de détachement is a specific position  
4 where you practically take over the place of an officer.

5 Q. [15:40:34] Let me see whether I've fully understood what you said. You had  
6 knowledge for the chef de pièce of a mortar but you never were assigned to a mortar?

7 A. [15:40:50] Not that I was never \*assigned to a mortar. At the firing range, when  
8 you are the chef de pièce, you fire or you cause to be fired. But during a mission, during  
9 the post-election crisis, I was not chef de pièce, I was chef de détachement.

10 Q. Very well. Throughout your entire testimony you talked about two 120 millimetre  
11 mortars. Am I correct to say that BASA had only two 120 millimetre mortars?

12 A. [15:41:28] I said that BASA had sent two 120 millimetre mortars to the Abobo  
13 Camp Commando, but in the garage of BASA, the maintenance BASA, there were  
14 many such \*20 millimetre mortars. I cannot even tell you the number.

15 Q. [15:41:53] Very well. Were they all operational?

16 A. [15:42:01] All the mortars there, even if they were not operational, there were  
17 armorers there to repair them, so it was normal that they were functional.

18 Q. [15:42:13] Very well. Did those armorers have spare parts to repair those mortars?

19 A. [15:42:22] To my knowledge, yes.

20 Q. [15:42:33] In which year did you join BASA?

21 A. [15:42:40] I joined BASA in 1987, '88. Let me say 1987 because the basic training  
22 in Bouaké lasts for three months, and after that, I went directly to BASA, and since I  
23 joined the army in July, three months afterwards, that is in October, I went to BASA.

24 Q. [15:43:13] Very well. Now, these mortars of 120 millimetres that you have  
25 told us about, since when did they arrive BASA?

1 A. Specifically between 2002, 2003, otherwise before that, we didn't know them.

2 Q. [15:43:40] Very well. If I've understood you correctly, you told us that those  
3 mortars were Russian; is that correct?

4 A. [15:43:49] In my training I was told that the mortars were Russian, but I did  
5 not do any personal research to verify that.

6 Q. [15:44:05] Very well. You said that you carried out exercises with those  
7 mortars; is that correct?

8 A. [15:44:14] Yes, in Bassam.

9 Q. [15:44:19] So you manipulated them?

10 A. [15:44:21] Yes.

11 Q. [15:44:21] In Bassam. So you cannot say whether they are Russian or not?

12 A. [15:44:28] Handling a weapon does not automatically make it possible for  
13 you to know its origin.

14 Q. [15:44:38] Very well. There was nothing on the mortar that indicated its origin?

15 A. [15:44:46] What is written there can give you an idea. What was written  
16 there was in Russian. That is the list that I can say, but apart from that, I cannot  
17 give you the specific origin of the mortar because we do not study the origin of the  
18 weapon; we study the weapon itself.

19 Q. [15:45:17] In order to understand you correctly, you are telling this Chamber  
20 that there were writings that you referred to in Russian, in Cyrillic alphabet; is that  
21 what you mean?

22 A. [15:45:35] I cannot confirm about the mortars, but on the 23 millimeter dual  
23 tubes, they were referred to as Zu 23. That is why we refer to them as bitube 23.

24 And these weapons arrived at the same time, including the orgue de Staline, and I  
25 don't know where they come from.



1 Q. [15:46:08] Very well. The orgue de Staline that you have talked about, how  
2 many orgue de Staline batteries were there?

3 A. [15:46:22] There were at least five or six orgue de Staline at the BASA.

4 Q. [15:46:28] All operational?

5 A. [15:46:30] Yes.

6 Q. [15:46:32] With the ammunition?

7 A. [15:46:34] Yes, enough ammunition. I cannot even give you the number.

8 Q. [15:46:42] Very well. Did you have access to the armoury? Could you see  
9 whether there was ammunition or not?

10 A. [15:46:57] It was not a store at such; it was a garage where the ammunition  
11 was stocked. And I was chief of post. And when you are chief of post, you have  
12 access to that maintenance garage. I could see ammunition for the mortars and also  
13 for the orgue de Staline, and it was not just one or two. If you call Dadi, he can give  
14 you the exact number because he was the BASA commander.

15 PRESIDING JUDGE TARFUSSER: [15:47:33] Excuse me. Could you both please  
16 just wait a minute -- a second before when one finishes the question or the answer  
17 before you start answering or questioning to help the interpreters. Thank you.  
18 Not start immediately to answer. Wait a minute -- not a minute. Wait for a  
19 moment and then start to answer, okay.

20 THE WITNESS: [15:48:10] (Interpretation) I have understood.

21 MR ALTIT: [15:48:11] (Interpretation)

22 Q. [15:48:12] I will show you a document or, rather, I will show you a document  
23 again which was displayed to you a short while ago by counsel for the Prosecution,  
24 that is CIV-OTP-0048-0857, CIV-OTP-0048-0857. That document will appear on  
25 your screen, but I believe that a short while ago the Prosecutor gave you a hard copy

1 of the document. Do you still have it with you?

2 A. [15:48:53] No.

3 Q. [15:49:28] You have the hard copy. We can show it to the other parties, but I  
4 think we can save time.

5 Mr Witness, you have the hard copy of this document; is that correct?

6 A. [15:49:50] Yes.

7 Q. [15:49:52] Very well. Look at the document. Take all the time you need to  
8 look at the document again. And you can see on this document, you can see that the  
9 staff of BASA is divided into teams assigned to a particular type of equipment. For  
10 example, there is a battery of 20 millimetre canon, and then you have the names of the  
11 people who are the crew of that battery; is that correct?

12 A. [15:50:49] Yes.

13 Q. [15:50:50] The page is CIV-OTP-0048-0862.

14 So do we agree that the personnel of BASA in this document is divided into teams  
15 based on the material or equipment that they use; is that correct?

16 A. [15:51:16] Yes.

17 Q. [15:51:18] Please look at the document carefully because, unless I'm mistaken,  
18 at no time is there on this document a BASA team assigned or linked in any way to a  
19 120 millimetre mortar. Please, cross-check what I have just said, and then I will ask  
20 you a question later.

21 A. [15:51:50] Very well.

22 MR ALTIT: [15:52:20] (Interpretation) The court officer, for the benefit of the  
23 Chamber and parties, maybe we should scroll down the document so that we can see  
24 the entire document.

25 THE COURT OFFICER: [15:52:34] Do you want us to display each page?

- 1 PRESIDING JUDGE TARFUSSER: [15:52:36] The following pages, I presume.
- 2 THE COURT OFFICER: [15:52:38] Yeah.
- 3 PRESIDING JUDGE TARFUSSER: [15:52:39] 62, 63, 64.
- 4 THE COURT OFFICER: [15:52:42] Slowly, on the evidence channel. Okay, will do.
- 5 MR ALTIT: [15:54:08] (Interpretation)
- 6 Q. [15:54:09] Please take your time, but indicate to us when you have finished.
- 7 Mr Witness, can you confirm that in this document there is no personnel or staff
- 8 assigned to any 120 mortar battery?
- 9 A. [15:54:48] Can I ask you a question?
- 10 Q. [15:54:52] No. I will explain to you how it works here; you answer the question
- 11 and then I will ask you a broader question and you can elaborate. Is that okay?
- 12 A. [15:55:11] Yes.
- 13 Q. [15:55:12] First question: Do you confirm there is nothing about the 120
- 14 millimetre mortars in this document?
- 15 A. [15:55:26] I do not confirm that.
- 16 Q. [15:55:28] Very well. Second question: What do you mean, since we have
- 17 topics here: Subjects, batteries, for example, 20 millimetre battery, but yet there is
- 18 nothing on a 120 millimetre battery. How do you explain the absence of that piece
- 19 of equipment in this document?
- 20 A. [15:56:02] How do I explain mentioning of the 120 in BASA? Very well. The chef de pièce are
- 21 trained, and during \*training they learn about the 120 millimetre mortars. We received that training,
- 22 as well as training for the 20 millimetre canon and the twin guns, bitubes, as well as the 12.7s. We
- 23 do all that training simultaneously \*and at the same time, so it is quite logical for us to be able to
- 24 handle all those weapons. I have said in this courtroom that normally the 120 millimetre mortars
- 25 are destined for the \*BASS, that is the surface to surface artillery, but I was originally in the surface

1 to air section. But during the training, when I was in the CA2, I also did surface to surface artillery  
2 training because the two had been combined at that time. That is why I'm familiar with the 120  
3 \*mortar, with the 20 millimetre \*canon, which is my own weapon, and I'm also familiar with the  
4 \*twin gun known as ZU-23. Did I answer your question?

5 Q. [15:57:47] Mr Witness, let us talk about the 23 millimetre bitubes. If you  
6 know, how many of them were at the BASA at the beginning of the crisis?

7 A. [15:58:02] I cannot give you a precise answer, but if I'm not mistaken, there  
8 were at least 10. There were more than 10 because after that, some of them were sent  
9 to the front.

10 Q. [15:58:15] All of them were operational?

11 A. [15:58:21] Yes, because we have armorers who are able to repair them if there  
12 is a problem, because it is their specialty. I, for example, I'm not an armorer, so if  
13 there is a problem I call them.

14 Q. [15:58:42] Very well. These bitubes, maybe I did not understand you  
15 correctly, but were they Russian also?

16 A. [15:58:56] I have said that I do not know what Zu means, but this is how they  
17 were initially referred to. It was only afterwards that they were referred to as 23  
18 millimetre bitubes.

19 A. [15:59:16] Very well. Now, let me move on to something else, and tomorrow  
20 we will come back, more detailing, on all these points.

21 You have given us your ethnic group. Now, which is the broader ethnic group that  
22 comprises your ethnic group?

23 THE INTERPRETER: [15:59:48] Can the witness kindly repeat, please.

24 PRESIDING JUDGE TARFUSSER: [15:59:50] Mr Witness, can you please repeat  
25 the answer to this question?

1 THE WITNESS: [16:00:03] (Interpretation) I would say Kulango; that is the broader  
2 ethnic group, but my specific ethnic group in my region is a bit unique, because it was  
3 ever since the time of my ancestors. It is history, so it's not really relevant, but if you  
4 want, I can tell you because I took the effort to ask my parents where I came from.

5 MR ALTIT: [16:00:48] (Interpretation)

6 Q. [16:00:48] If you can tell us very briefly, fine.

7 A. [16:00:52] I belong to the Camara ethnic group, which is based specifically in  
8 Ghana at Larabanga, which is our village of origin. My grandparents were reputed  
9 to be major warriors and that is the reason for my surname. If you want, I can give  
10 you the definition of my family name.

11 Q. [16:01:29] That is of interest to us, but do you prefer to give it in private  
12 session?

13 A. [16:01:39] Yes, private session.

14 MR ALTIT: [16:01:41] (Interpretation) Mr President, can we move briefly to  
15 private session?

16 PRESIDING JUDGE TARFUSSER: [16:01:45] Let's go briefly into private session,  
17 and then when we finished this we break for today.

18 Okay, thank you. Let's go into private session. Thank you.

19 (Private session at 4.02 p.m.)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing  
WITNESS: CIV-OTP-P-0164

(Open Session)

ICC-02/11-01/15

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Open session at 4.04 p.m.)

21 THE COURT OFFICER: [16:04:08] We are back to open session, Mr President.

22 PRESIDING JUDGE TARFUSSER: [16:04:16] Thank you very much. Just to

23 announce that we break here for today. We will be back tomorrow at 9.30, okay, at

24 9.30 tomorrow, and we will have ordinary hours, sitting hours. The hearing is

25 adjourned to tomorrow 9.30. Thank you.

Trial Hearing  
WITNESS: CIV-OTP-P-0164

(Open Session)

ICC-02/11-01/15

- 1 THE COURT USHER: [16:04:45] All rise.
- 2 (The hearing ends in open session at 4.04 p.m.)