

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 International Criminal Court
2 Trial Chamber X
3 Situation: Republic of Mali
4 In the case of The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed
5 Ag Mahmoud - ICC-01/12-01/18
6 Presiding Judge Antoine Kesia-Mbe Mindua, Judge Tomoko Akane and
7 Judge Kimberly Prost
8 Trial Hearing - Courtroom 3
9 Wednesday, 16 June 2021
10 (The hearing starts in closed session at 12.32 p.m.)
11 THE COURT USHER: [12:32:12] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE MINDUA: [12:32:40](Interpretation) The Court is once more in
15 session.
16 Court officer, please call the case.
17 THE COURT OFFICER: [12:32:49] Good morning -- good afternoon Mr President,
18 your Honours.
19 This is the situation in the Republic of Mali, in the case of The Prosecutor versus Al
20 Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, case number ICC-01/12-01/18.
21 And for the record, we are in closed session.
22 PRESIDING JUDGE MINDUA: [12:33:10](Interpretation) Thank you very much,
23 court officer.
24 Good day to all. This afternoon we will of course start with the introductions.
25 Office of the Prosecutor, Mr Prosecutor.

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1 MR DUTERTRE: [12:33:25](Interpretation) Good afternoon, your Honours. The
2 OTP is, as usual, composed of Ms Yayoi Yamaguchi, Mr Lucio Garcia, Mr Mousa
3 Allafi, and myself, Gilles Dutertre. And as usual, I would like to welcome -- greet
4 Mr Nsita and his team, the witness, [REDACTED] and Ms Taylor and her team, and the
5 interpreters and everyone.

6 PRESIDING JUDGE MINDUA: [12:34:01](Interpretation) And now I turn to the
7 Defence.

8 Ms Taylor.

9 MS TAYLOR: [12:34:03] Good morning, Mr President. Good morning, your
10 Honours. And good morning to everyone inside and outside the courtroom.
11 The Defence for Mr Al Hassan is represented today by Maître Mohamed Youssef, and
12 myself, Melinda Taylor. Thank you.

13 PRESIDING JUDGE MINDUA: [12:34:23](Interpretation) Thank you, Ms Taylor.
14 The Legal Representative of Victims.

15 MR LUVENGIKA: [12:34:31](Interpretation) Good afternoon, your Honours. The
16 victims are represented here today by Ms Ludivine Tixier-Dunet, and myself. And
17 of course I would like to acknowledge the greeting from all the parties, not of course
18 forgetting my learned colleague [REDACTED]

19 PRESIDING JUDGE MINDUA: [12:34:59](Interpretation) Thank you, Mr Nsita.
20 And now the counsel for the witness.

21 [REDACTED] [12:35:08](Interpretation) Good morning, Mr President, your Honours.
22 I am [REDACTED] counsel to [REDACTED] the witness in this
23 case. And I take this opportunity to extend my greetings to everyone present here,
24 including the Prosecution, the Defence, the Legal Representatives of Victims, the
25 witnesses -- the witness, and the interpreters, and everyone attending this court

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1 hearing. Thank you, Mr President.

2 PRESIDING JUDGE MINDUA: [12:35:36](Interpretation) Thank you very much,

3 [REDACTED]

4 And now, good afternoon, Mr Witness. Are you well?

5 WITNESS: MLI-OTP-P-0150 (On former oath)

6 (The witness speaks Arabic)

7 THE WITNESS: [12:35:50](Interpretation) Good morning to you, Mr President, and

8 to the two honourable judges beside you. I am doing well. Thank you very much.

9 PRESIDING JUDGE MINDUA: [12:36:01](Interpretation) Thank you, Mr Witness.

10 On behalf the Chamber, I would like to thank you once again, to welcome you again

11 here today, and I would also like to remind you that you are still under oath and that

12 you should speak the truth, the whole truth and nothing but the truth.

13 I will now hand the floor to the Prosecutor to continue the examination-in-chief.

14 Mr Prosecutor.

15 MR DUTERTRE: [12:36:40](Interpretation) Thank you, your Honours.

16 QUESTIONED BY MR DUTERTRE: (Continuing)(Interpretation)

17 Q. [12:36:46] Good afternoon, Mr Witness. I hope you were able to take

18 advantage of today's late start to rest a little.

19 A. [12:36:56] Good morning. Thank you very much. Indeed, I did get some rest.

20 Q. [12:37:06] I would like to make a few brief corrections to the transcript of

21 yesterday, to avoid a misunderstanding. In fact, I've got three corrections and one

22 clarification that I would like to put to the witness.

23 So it's transcript 0099, and in English, real-time version, page 70, line 4, which refers

24 to a video [REDACTED] And there's an omission in the French, same transcript, 99,

25 real-time version, 61, line 14. And this impacts on the understanding thereafter,

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1 which is why I'm concerned about this point.

2 The second correction I'd like to make, and again it's a question of understanding
3 correctly, is the same, 99 transcript, English version, page 70, line 9, which refers to
4 Abu al-Baraa. And this is not included in the French transcript, which is page 61,
5 line 18.

6 Yes, and my third correction, your Honours, still transcript 99, English version,
7 page 70, line 14, in my question I refer to Khaled, and in the transcript it's not clear. I
8 might not have been clear myself, but without the other corrections, it's not clear what
9 I was getting at there. And at 61, 24, the word "Khaled" is not there either.

10 Those were the corrections that I wanted to present myself, and now I'd like to seek
11 clarification -- I think it may be a translation issue, but I think it's better to the witness
12 to be in charge of that.

13 Again, transcript 99, French version, 63, lines 17 to 24, there was a discussion about

14 [REDACTED] I won't read the whole thing, unless it's deemed necessary to
15 do so.

16 You said, Mr Witness, and I open -- start a quotation: [REDACTED]

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]

21 [REDACTED] End of quotation.

22 So I wonder whether there has been a translation issue. [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 Is that what you actually were saying or were you referring to something else?

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1 A. [12:43:05] That's nearly everything I said. [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 A. [12:44:18] Yes, that is correct.

11 Q. [12:44:23] Thank you for this clarification. And I have a number of follow-up

12 questions relating to [REDACTED]. [REDACTED] are you referring

13 when you mention it in this context?

14 A. [12:44:51] I was referring to [REDACTED]

15 [REDACTED]

16 Q. [12:45:24] Understood. Do you -- would you please, if you recall, be able to tell

17 the Chamber [REDACTED]

18 [REDACTED]

19 A. [12:45:52] [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q. [12:46:24] Understood. [REDACTED]

23 [REDACTED]

24 [REDACTED]

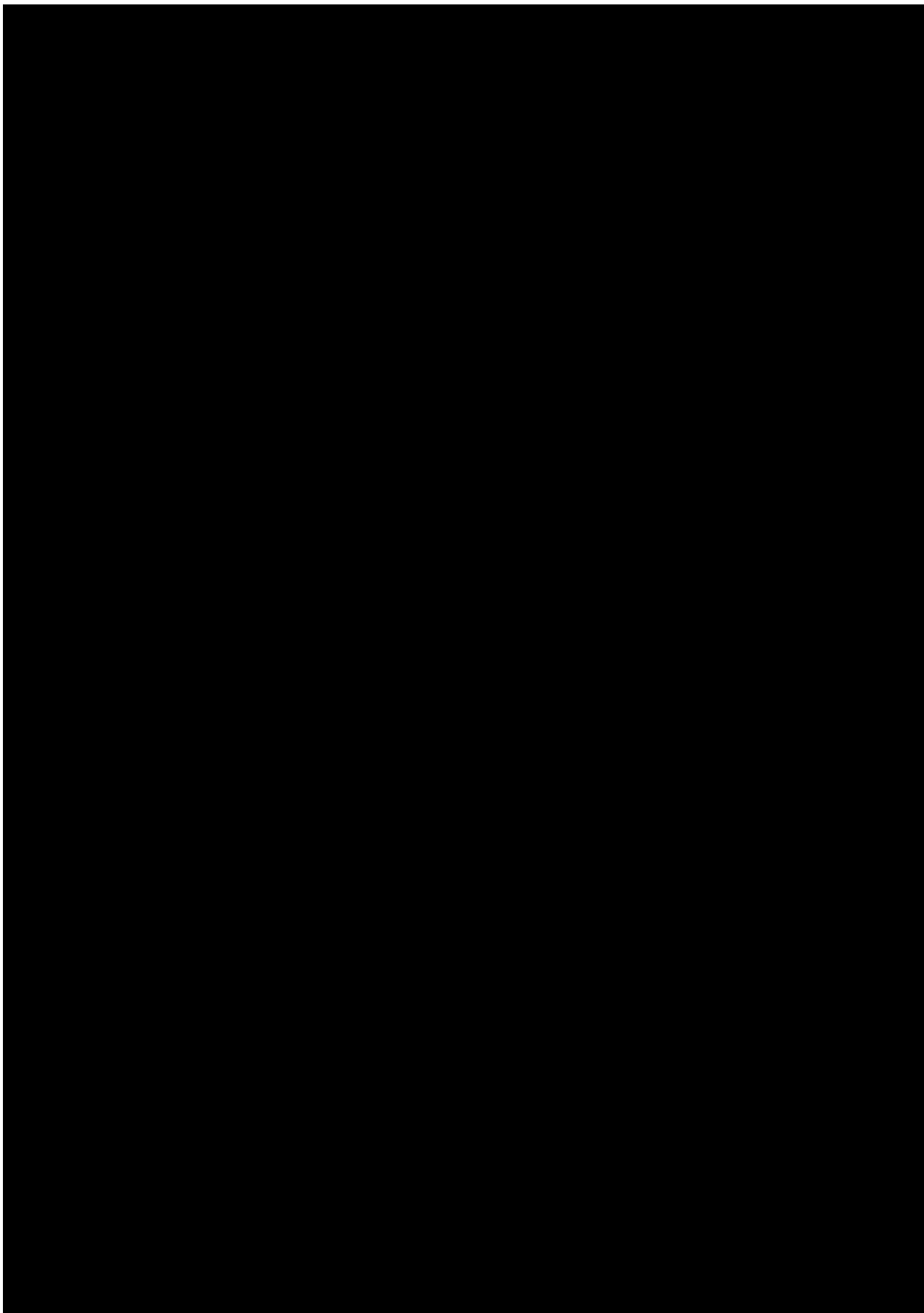
25 A. [12:46:46] [REDACTED]

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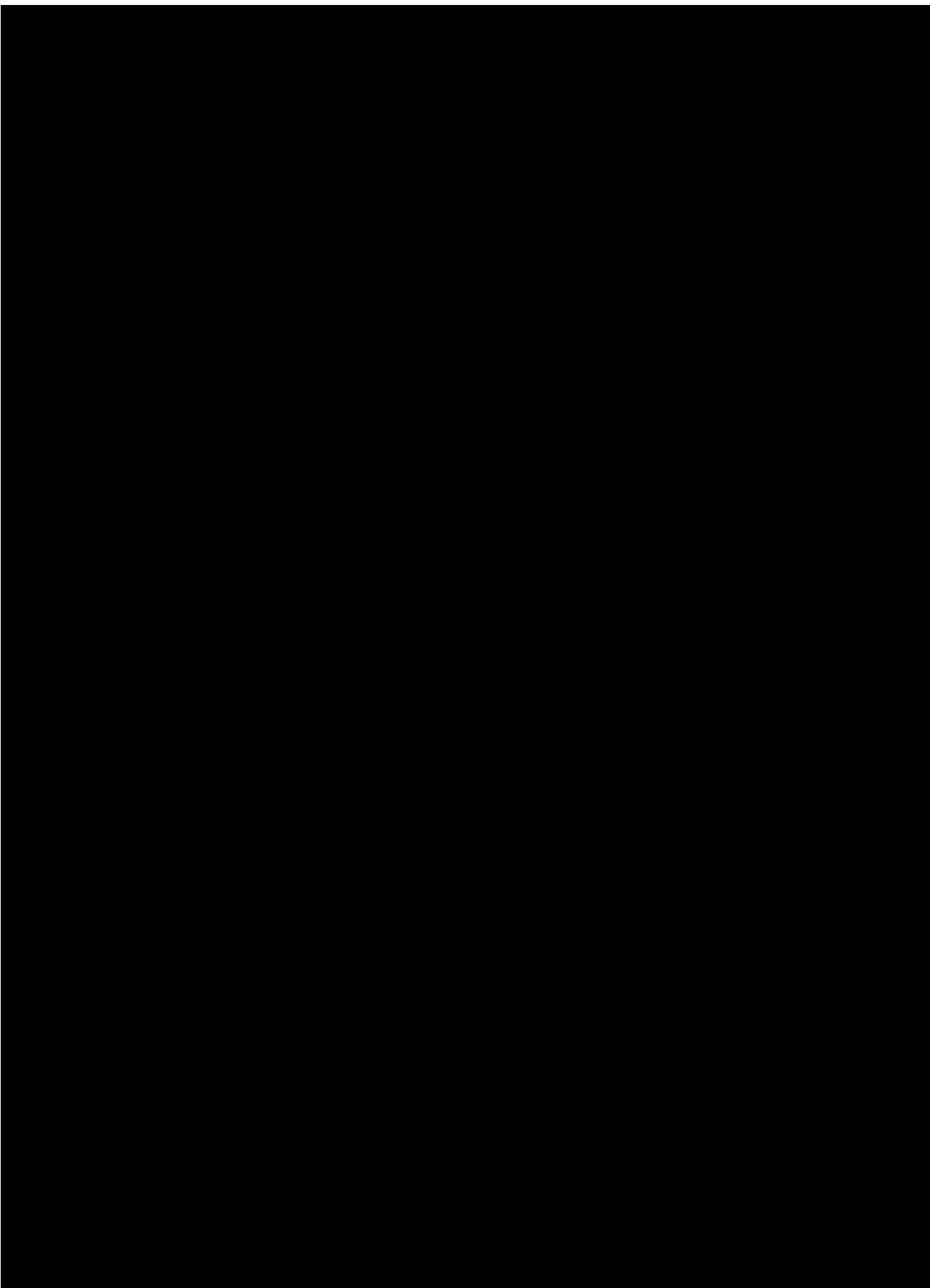


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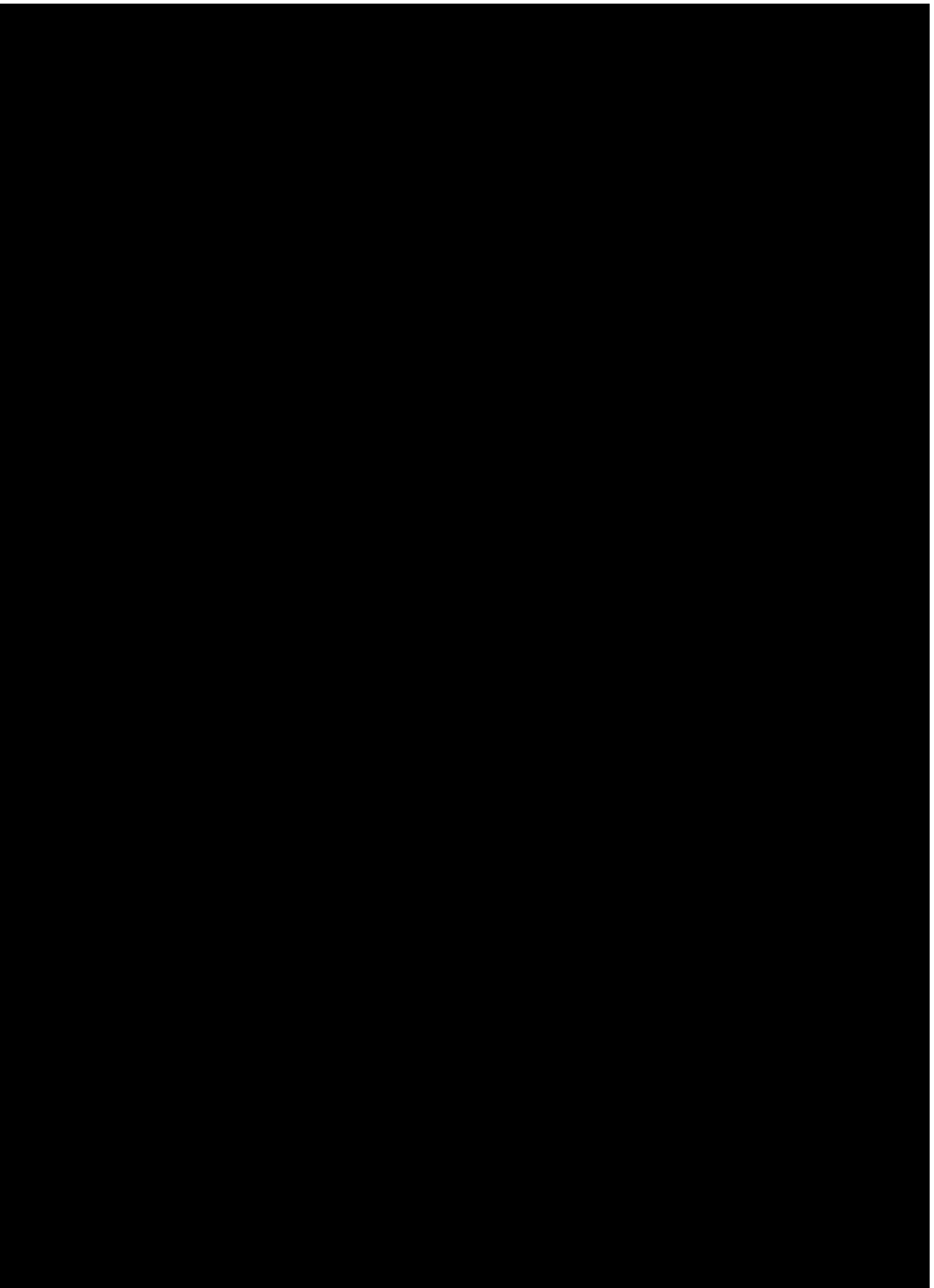


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1 gentleman's answer there was a repeated mention of two names, and these might
2 have been mixed up, especially in reference to the person who became the emir of
3 Al-Qaeda in the Islamic Maghreb. Thank you.

4 MR DUTERTRE: [12:56:39](Interpretation) I think it's correct in the English
5 transcript, lines 9 -- page 9, lines 12 to 13. I can't see the French transcript, but the
6 English one seems to be correct.

7 Q. [12:57:13] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 A. [12:57:50] [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 Q. [12:59:35] On this point in the street, when a man and woman were together on

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1 a bike or a donkey, or whatever other method of transport, what happened in the real
2 day-to-day life in the street?

3 A. [12:59:59] This is a reason that stirred many problems. Members of the
4 group -- members of the security battalion, the police, and the *Hesbah*, each time a
5 biker passes by and has a woman riding with him, they would stop him and they
6 would ask the two about their kinship. If they're not clearly related, they might be
7 disciplined, whether verbally or physically. They may also be punished. So this is
8 one of the things that the local population complained about, complained that this
9 was very restrictive. So many issues were raised and this was one of the issues that
10 were raised.

11 Abou Zeid wanted to find a solution to this. [REDACTED]

12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 Q. [13:01:34] And when you speak of punishment, disciplinary or verbal, what sort
19 of physical discipline was meted out?

20 A. [13:01:54] Since I do not recall a particular incident where this happened, I
21 cannot give you a description of that. But I refer you to my previous statements,
22 something I said repeatedly. The members who were charged with carrying out
23 these tasks would beat whoever act stubbornly towards them.

24 Q. [13:02:32] If I could just backtrack for a moment, Mr Witness. [REDACTED]

25 [REDACTED]

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1 [REDACTED]
2 [REDACTED] What other issues related to Timbuktu do
3 you remember being discussed [REDACTED]

4 A. [13:03:29] There are public matters of interest to the armed group. And in
5 these cases, the joint meeting would be held to discuss them. And these are more
6 important and public subjects, such as developing security and ensuring security and
7 safety in the city and its suburbs, in addition to opening up neighbouring villages to
8 Timbuktu and setting up *Hesbah* and police offices there, and the management of
9 those places similarly to the management of Timbuktu. This is as far as security is
10 concerned.

11 Also, the economy was a subject involved. How to find a manner by which
12 Timbuktu would grow richer, or other places occupied by the jihadists would grow
13 richer. This could be in many forms. For example, through assistance received by
14 charitable organisations, is that allowable or not allowable? And should it happen?
15 What to do from what regard. Also the policy that would be followed with
16 merchants who bring merchandise from Algeria and Mauritania. And how to
17 communicate with the central government in the southern part of the country. So
18 this is as far as the economy is concerned.

19 Another subject was education. How -- what is the future -- oh, I missed something
20 regarding the economy, something important the jihadists discussed. How to
21 develop farming and to develop the work of farmers and how to support farmers on
22 the southern bank of the River Niger to further foster the economy of Timbuktu.
23 And this could take many forms, for example, supporting automation, fertilisers, and
24 so on and so forth.

25 Another economic subject that was discussed was how to run the city and how to

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1 secure the city's supply of water and electricity, and also how to manage traffic and
2 how to ensure the hygiene of streets.

3 Also, education was a subject discussed in these meetings. For example, what
4 curricula would be decided and taught in Timbuktu schools, and also what the
5 relationship is between Timbuktu and the central government in the fields of
6 education and giving people certificates and degrees. Also, what to do with regards
7 to mixing between sex in higher level classes, and also what outfit would female
8 students wear, in addition to other things.

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10 For example,

11 debates that were coming to surface on subjects such as smoking and hats and sorcery
12 activities.

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3 Q. [13:08:55] Thank you, Mr Witness, that's very enlightening. Just one point
4 before we move on to a few other things that you mentioned. You did say
5 something about children, boys and girls going to school. Did they go to school
6 together or separate? Were the genders separate? What was the rule during the
7 time that the Islamists occupied Timbuktu?

8 A. [13:09:31] Mixing between sex was totally forbidden. And in some days it was
9 possible to open a high school in Timbuktu on the condition of having females and
10 males be separated. But according to the group's jurisprudence, the separation
11 between men and women be only at the level of high schools, not in middle schools
12 nor in elementary schools. But out of precaution, they even decided to separate the
13 sexes even at the early stages of education.

14 Q. [13:10:21] Thank you, Mr Witness.

15 One correction, page 14, line 20. I believe there's an error in the French transcript.
16 It reads, for example, an entire debate about smoking and wearing hats, or other
17 activities, other sorcery activities.

18 Did you say something about wearing hats, Mr Witness?

19 A. [13:10:58] I mistakenly did say wearing a scarf, a headscarf, and then I thought it
20 would be indeed misunderstood as the interpreter might have rendered it. But what
21 I meant, actually, is a reference to some sort of invocation or some other manifestation
22 of sorcery objects.

23 Q. [13:11:32] It's not clearer. I heard hijab, veil, when the witness was speaking.
24 Hijab, it still doesn't seem to appear in the French transcript. Not "Iyad", "hijab".
25 That can be corrected later.

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1 Mr Witness, if I could hark back to a point, and this was page 10, line 2, unless I'm
2 mistaken.

3 PRESIDING JUDGE MINDUA: [13:12:33](Interpretation) Ms Taylor.

4 MS TAYLOR: [13:12:35] I apologise for interrupting, but I believe that it might be
5 that it has two meanings and that one meaning might be scarf and one meaning might
6 be the form of a spell written on a paper. So I believe that the English transcript
7 might be correct, even though Mr Dutertre might have heard hijab.

8 MR DUTERTRE: [13:13:09](Interpretation) I can ask the witness to clarify.

9 PRESIDING JUDGE MINDUA: [13:13:14](Interpretation) Yes, indeed. Page 16 of
10 the transcript.

11 MR DUTERTRE: [13:13:20](Interpretation) It's incomprehensible in the transcript.

12 PRESIDING JUDGE MINDUA: [13:13:26](Interpretation) Put the question.

13 MR DUTERTRE: [13:13:27](Interpretation)

14 Q. [13:13:27] Could you repeat the word that you used. It had something to do
15 with hats. Perhaps you could speak more slowly so that the interpreters will have
16 time to hear.

17 A. [13:13:48] I used the Arabic word *hijab*, but what I meant actually is spells,
18 Koranic verses or prophetic traditions, or talisman or other spells be written on a form
19 of cloth and be hanged on one's -- as part of one's clothing.

20 Q. [13:14:25] Very well. And when mention was made of sorcery, was that indeed
21 sorcery?

22 A. [13:14:48] Even the word magic is imprecise, the word spells is more general.
23 The word spell may include magic or other forms of spells.

24 PRESIDING JUDGE MINDUA: [13:15:11](Interpretation) I beg your pardon,
25 Mr Prosecutor. I don't understand either.

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1 Mr Witness, hijab, that means veil. How can it be that it comes something used in
2 sorcery? What is the link between a veil and sorcery?

3 THE WITNESS: [13:15:43](Interpretation) Yes, Mr President, the word hijab means
4 as you said, a covering of one's head or a woman's cover of her entire body. The
5 word can also be used in reference to spells. The local population there believes that
6 these spells cover them, veil them from the evils of man and bad spirits.

7 PRESIDING JUDGE MINDUA: [13:16:23](Interpretation) I understand much better.
8 Thank you, Mr Witness.

9 MR DUTERTRE: [13:16:28](Interpretation) Thank you, extremely useful.

10 Q. [13:16:32] Page 10, line 2, if I could go back to that, Mr Witness.

11 You said, quote: "The discussion, for example, had to do with the fact that civilians
12 were lying about the jihadists and got angry, and people said they were making
13 problems and that sort of thing." End of quote.

14 What were these lies all about, these lies that were attributed to civilians?

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24 They said, also, that the people were exaggerating things, especially in terms of
25 beating. Sometimes they said they were beating -- beaten, although they were not.

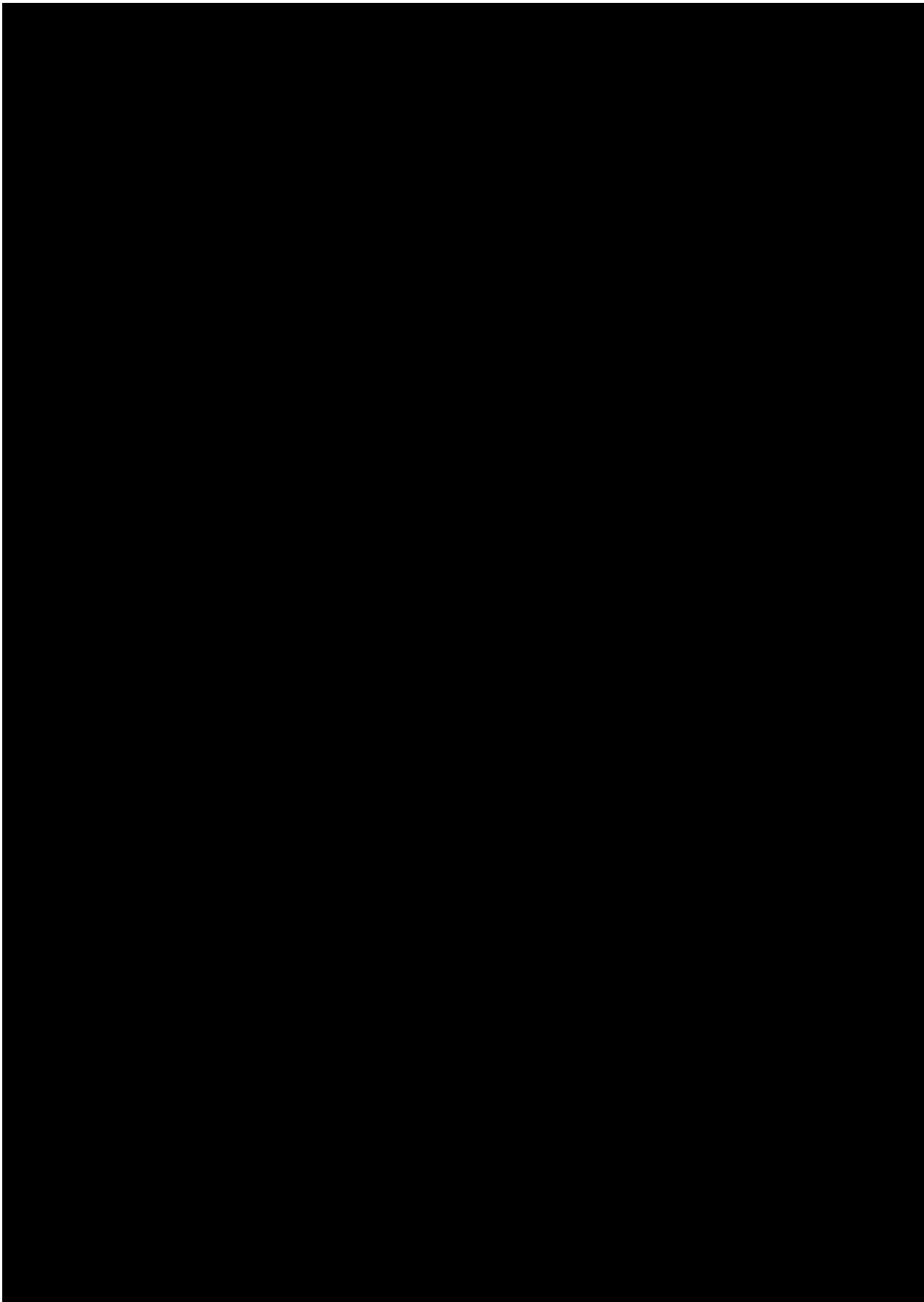
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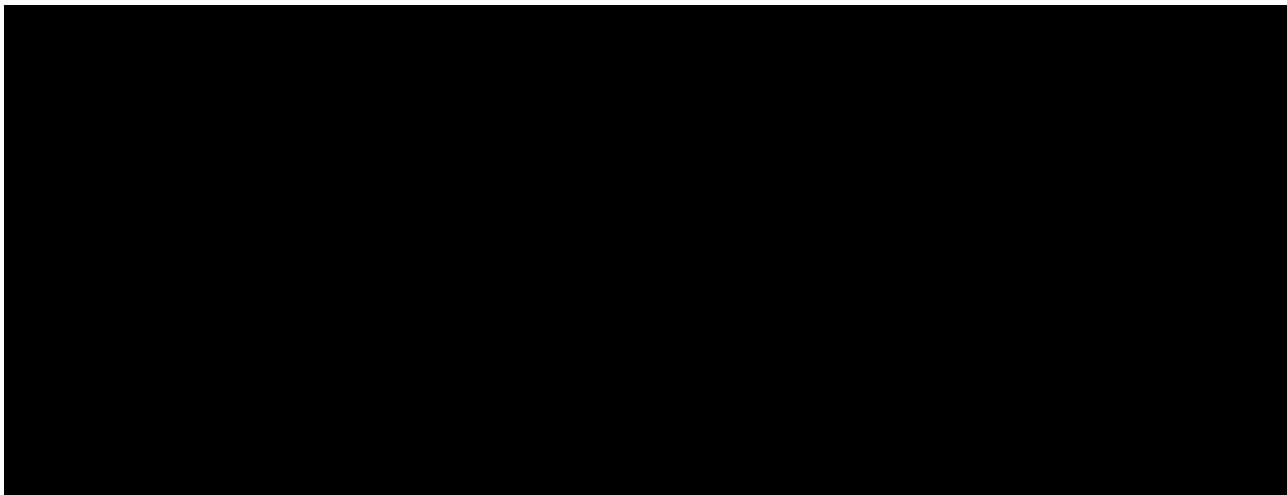


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8 PRESIDING JUDGE MINDUA: [13:23:45](Interpretation) It's on evidence 2, channel.

9 Mr Courtroom Officer, if you could assign a number to this reference number.

10 THE COURT OFFICER: [13:23:55] Your Honours, the document will be assigned
11 exhibit number MLI-REG-0001-0090.

12 PRESIDING JUDGE MINDUA: [13:24:08](Interpretation) Thank you very much,
13 Mr Courtroom Officer.

14 Prosecutor.

15 MR DUTERTRE: [13:24:15](Interpretation) Thank you, Madam Court Usher.

16 Q. [13:24:22] You mentioned something about the Red Cross. I'd like to play a
17 video 0001-52 -- 0001 -- binder 5.

18 I don't see the English transcript. 0001-0052, binder 5. And the two tabs are tab 995
19 and 996.

20 PRESIDING JUDGE MINDUA: [13:25:27](Interpretation) I don't think this is coming
21 up on the transcript.

22 MR DUTERTRE: [13:25:34](Interpretation) Ah, I think there's something on the
23 transcript, "*pas lâché*," in French. I don't know what's going on, actually.

24 Shall I repeat, Madam Interpreter? Yes.

25 I will play some video footage, B5, binder 5. Tab 995 and 996. And this is video

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1 0001-0052. There is a transcript, 0003-5148. * Timestamp 00:01:20 10:10 to timestamp
2 up to 01:20:31:20, the French transcript is correct. And as for the transcript lines, and
3 as for the actual lines, the line numbers are 1263 to 1265, these are the relevant lines,
4 and the translation is to be found at tab 997, 0033-5296. 0033-5296.

5 I'll play this footage without sound and if the interpreters could prepare for the
6 footage to be played with sound.

7 (Viewing of the video excerpt)

8 MR DUTERTRE: [13:29:25](Interpretation)

9 Q. [13:29:26] Did you recognise this footage, Mr Witness?

10 A. [13:29:36] I was not present when this footage was taken, but I can recognise
11 people and I can recognise the place as well.

12 Q. [13:29:54] And what is this place, Mr Witness?

13 A. [13:30:04] For example, if you look at this shot, I know this is the southern exit of
14 the Timbuk -- of the city of Timbuktu, and it's the road that goes from Timbuktu to
15 Kabara. In the previous picture, I was able to recognise Sanda and Ben Essayouti.

16 Q. [13:30:35] I am at 01:21:18:19. Who is the person speaking, the person with a
17 white turban, Mr Witness?

18 A. [13:30:47] This is Sanda Ould Boumama.

19 Q. [13:31:01] And the person in the foreground whose profile we see at 01:20:43:15?

20 A. [13:31:11] This is Ben Essayouti, the grand imam of the city of Timbuktu.

21 Q. [13:31:30] And do you know what's happening in this shot?

22 A. [13:31:40] I do. This is for the reception of the delegation that came from the
23 Red Cross committee to provide aid.

24 Q. [13:32:03] And roughly where was that, if you can recall, Mr Witness?

25 A. [13:32:16] Things look foggy in my head now regarding the subject, but I think

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1 this was in the month of May of 2012.

2 MR DUTERTRE: [13:32:40](Interpretation) Now I'm going to show the video with
3 sound and I would ask the interpreters to look at this from lines 1246 to 65 of the
4 transcript, 0033-5330 of the transcript. * And I'm starting at 01:20:14:18.

5 THE INTERPRETER: [13:34:02](Interpretation of the video excerpt) With the
6 commission that we've put in place, all who need will have something, the deprived
7 will be served.

8 Yes, yes, where's the old man who [incomprehensible] -- in the transcript. Yes, you
9 the journalists, you are the ones doing the investigation, so I say to you, I say to you
10 to do the investigation. And us, I know that we will not defend ourselves, but I
11 know that we will cut off hands, but we will also cut off heads if Sharia tells us to do
12 so. We have no complexes about that.

13 MR DUTERTRE: [13:35:21](Interpretation)

14 Q. [13:35:22] So these sacks of food, they came from the Red Cross; is that correct?

15 A. [13:35:32] Indeed.

16 Q. [13:35:46] And at the end we hear the people -- the person you identified as
17 Sanda, who says, and I quote:

18 "I know that we will cut off hands, but we will also cut off heads if the Sharia tells us
19 to do so. So we have no complexes about that."

20 Do you have any comment on what Sanda says here?

21 A. [13:36:25] I find this strange because this man Sanda was an official media
22 officer and he's supposed to relay what the emirs and the leaders were saying, not to
23 make up or improvise statements. So I think this does not stand as an official
24 statement.

25 Q. [13:37:15] Did Sanda need authorisation from the emirs, Mr Witness, in order to

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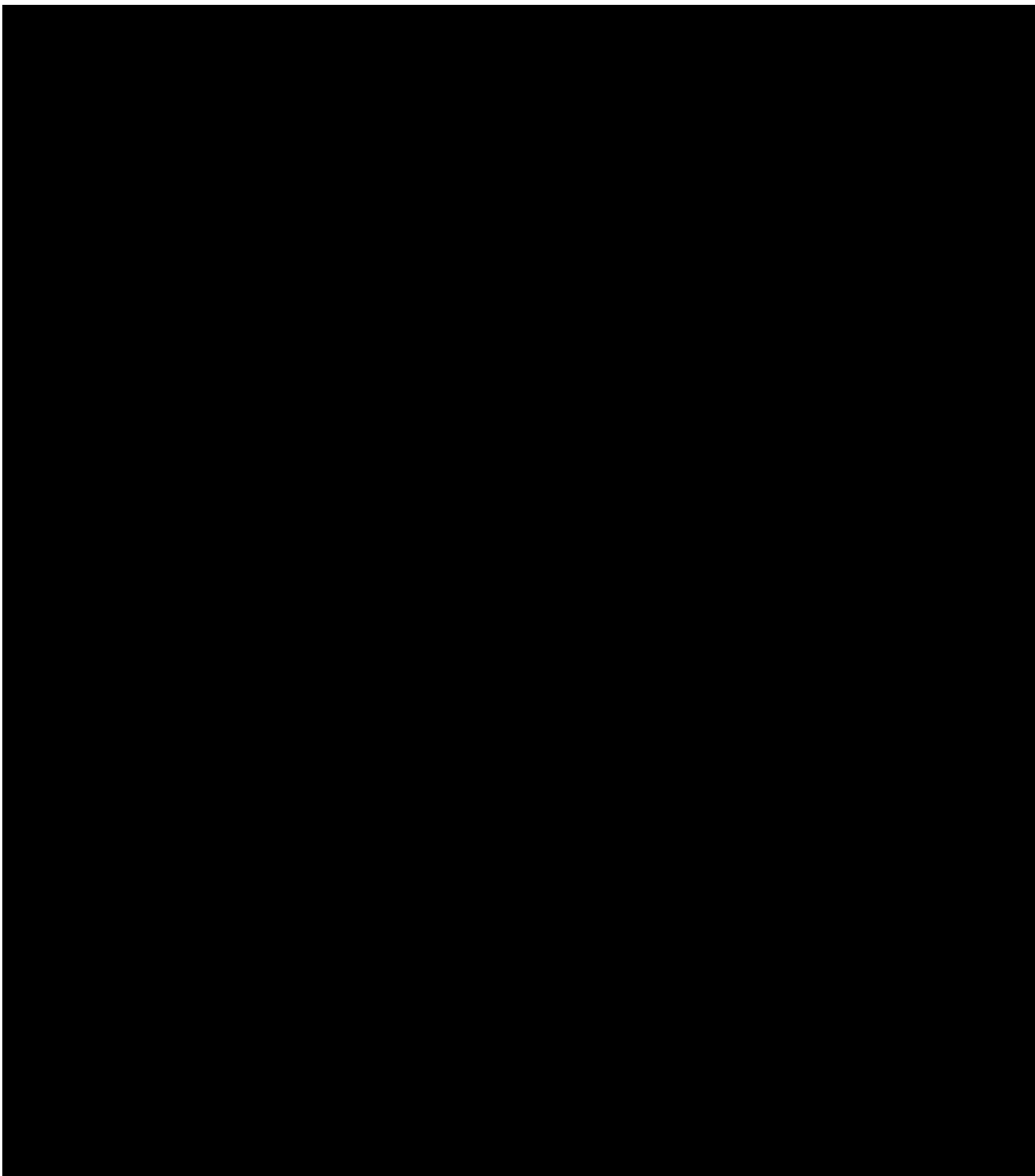
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1 talk to the media?

2 A. [13:37:28] In general, he did, because everyone needs an authorisation in such
3 matter. But Sanda was trusted to draft statements eloquently, to phrase statements
4 eloquently in an appropriate matter for media purposes and he -- and in a consistent
5 way with the ideas and the ideology of the group.

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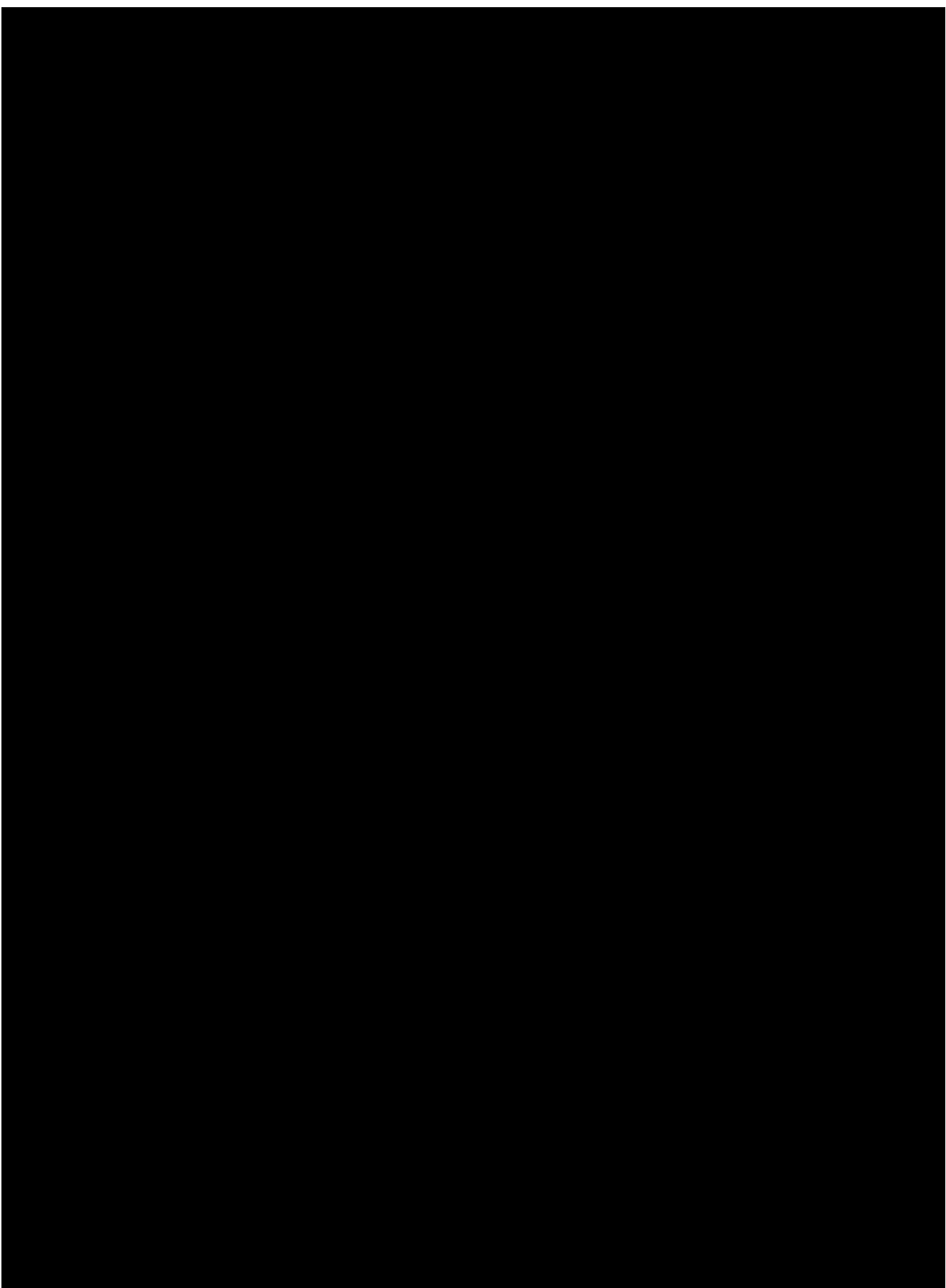
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Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: [REDACTED]

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[REDACTED]

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(Closed Session)

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5 A. [13:52:23] Yes, they are different.

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9 A. [13:53:11] It is possible for Abou Zeid to settle a dispute between members of
10 the armed group, or a dispute between a local and a member of the armed group
11 without referring the matter. He can rely on his own authority needless of going to
12 court.

13 It was also possible for Abou Zeid to cover the costs that the armed group needed.

14 He can give arms and money to whomever he wanted. And it was also possible for
15 him to appoint or terminate any member of the police or the *Hesbah*. It was also
16 possible for him to directly object to any form of conduct he deemed unacceptable.

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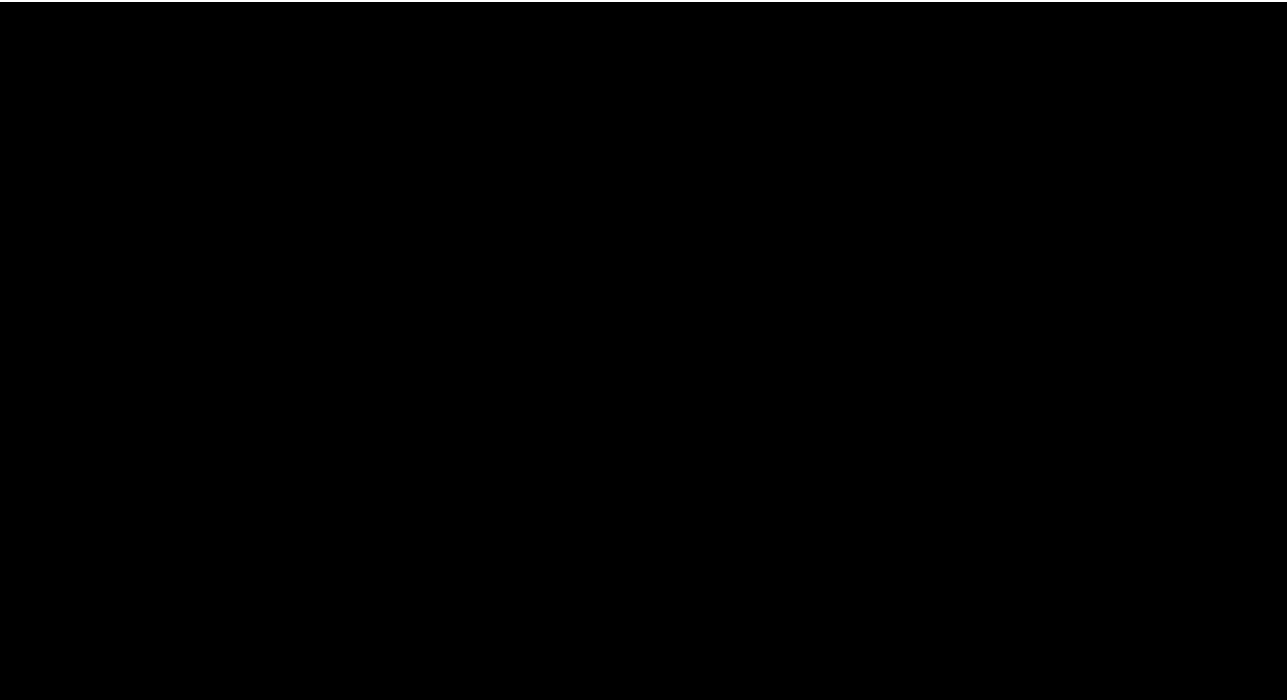
22 A. [13:55:03] The delegations that come to Abou Zeid, for example, they come to
23 him from nearby areas, they pledge allegiance to him or they proclaim loyalty to him.
24 He would deal with them, he would give them weapons, and he would assign
25 preachers to them, people who would teach them the teachings of the group.

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11 Did you use the word minister and, if so, to what are you referring? And if you did
12 not, what were you saying?

13 A. [13:57:19] Indeed I used the word minister, and it means the most close assistant
14 to the emir. That's the Arabic meaning of the word. For example, in the story of
15 Moses in the Koran, quote, "We have made his brother Harun a minister with him,"
16 unquote, meaning his most -- his closest associate. And in my statement, I meant his
17 closest associate as minister, that is Chouaib, in addition to his trusted associate such
18 as his nephews and his relatives. Those who had his -- who kept his secrets.

19 Q. [13:58:14] We have two minutes. Perhaps I could use them. We have on
20 various occasions mentioned the media committee.

21 What can you tell us -- what more can you tell us about the media committee?

22 A. [13:58:43] Not much, because I was not close to the media outlets committee. I
23 only know that Sanda was tasked with that mission, in addition to being the official
24 spokesperson of Ansar Dine. I then saw Radwan taking over that task, in addition to
25 Abu Ad-Darda (phon), who was also in charge of radio stations. In addition to

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1 Hamzah, who was managing the ORTM radio station. But I do not know at all how
2 they were coordinating their work or how they operated, nor do I know the tools they
3 used.

4 MR DUTERTRE: [13:59:39](Interpretation) Thank you.

5 PRESIDING JUDGE MINDUA: [13:59:39](Interpretation) It is now 2 o'clock. We
6 will now have a half-hour break, starting again at 2.30. The hearing is suspended.

7 (Recess taken at 2.00 p.m.)

8 (Upon resuming in closed session at 2.30 p.m.)

9 THE COURT USHER: [14:30:31] All rise.

10 Please be seated.

11 PRESIDING JUDGE MINDUA: [14:30:55](Interpretation) The hearing shall now
12 resume.

13 Mr Prosecutor, please proceed.

14 MR DUTERTRE: [14:31:08](Interpretation) Thank you, your Honour.

15 I'm afraid I'll have to ask the courtroom usher several times to go back and forth
16 because of the -- the video footage and the transcriptions and so forth, and we may
17 not be going -- proceeding in a logical or sequential manner in any event.

18 PRESIDING JUDGE MINDUA: [14:31:41](Interpretation) Go ahead.

19 MR DUTERTRE: [14:31:44](Interpretation) We'll be using documents that are to be
20 found in binder 1. All of them are in binder 1. I won't give the ERN numbers, or I'll
21 just give the tab numbers of the originals. 2 --

22 PRESIDING JUDGE MINDUA: [14:32:10](Interpretation) Ms Taylor.

23 MS TAYLOR: [14:32:11] Thank you, Mr President. I know it will use more time,
24 but it is very helpful to have the ERN numbers, if it is possible to give them. When
25 we're going back, later in time, it makes it a lot easier to track a particular item

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1 through the transcripts if the ERN number is given, particularly if the folder numbers
2 change in the future.

3 MR DUTERTRE: [14:32:37](Interpretation) It's coming. It's coming. But I haven't
4 quite shot my arrow, so to speak.

5 It's just to ensure that the Presiding Judge has the ERN numbers because he uses the
6 binder. Naturally, I'll give the ERN number.

7 So tab 2, tab 4, tab 6, 8, 10, 12, 14, 40, 42, 44, 46, 48, 50. And Mr Youssef will be able
8 to use them and prepare them in advance. That's why I thought it was better to give
9 the tab numbers in advance, rather than the ERN numbers.

10 Perhaps, courtroom usher, if you have the list, it would be useful if you could first
11 have him look at the various documents, and I can give you the list of tab numbers
12 again. In the meantime, I can start to read out a long list of ERN numbers. At least
13 the witness will be able to work while we're going through that exercise.

14 So this is tab 2, 4, 6, 8, 10, 12, 14, 40, 42, 44, 46, 48, and 50.

15 So if you could kindly -- well, the witness could look at them in their entirety to get a
16 general idea, and while he's doing that I can give the various ERN numbers.

17 (Microphone not activated)

18 PRESIDING JUDGE MINDUA: [14:35:01](Interpretation) Microphone, please.

19 MR DUTERTRE: [14:35:06](Interpretation) 0001-0723 -- correction, 7323.

20 Translation 0034-0054, tab 51. Translation 0034-0053.

21 And then I'll be moving on to tab 42 and 43, ERN 0001-7309. Translation 0077-2752.

22 Then I'll be moving on to tab 6 and 7. ERN 0001-7310. Translation to be found at
23 0077-2754.

24 Then I'll be moving to tabs 2 and 3. 0001-7304. Translation 0077-2746.

25 Then I'll be moving on to tabs 48 and 49, 0001-7322. Translation 0034-0051.

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1 Then tabs 40 and 41, 0001-7305, translation 0077-2748.

2 Then tabs 46 and 47, 0071-7321, translation 0034-0049. For the sake of the English
3 transcript, 0001-7321. There seems -- there is one extra seven in there, in the first
4 four digits. I repeat, 0001-7321.

5 Tabs 8 and 9, 0001-7312, translation 0077-2758.

6 Tabs 4 and 5, ERN 0001-7308, translation -- translation 0077-2750.

7 I'll stop at this point because I can see that the witness has finished reviewing the
8 documents, and I will get back to this scintillating list a little bit later.

9 Q. [14:42:05] Mr Witness, could you please turn to 0001-7323. That's at tab 50.

10 Do you have any general comment to make about this, about this document, just to
11 get the ball rolling?

12 A. [14:42:53] I see here a piece of paper and phone numbers written on this paper.

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25 Q. [14:45:32] And below there's another number. Could you tell us what name is

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1 associated with this number that is to be found on this same line?

2 A. [14:45:54] Al Hassan.

3 Q. [14:45:59] And which Al Hassan is it, to the best of your knowledge?

4 A. [14:46:06] I am not certain. In these lists, you would find two Al Hassans.

5 The first Al Hassan is the head of the police. The second one, the second Al Hassan

6 is a driver of a vehicle that belongs to the armed group and he is a civilian. And I

7 am mentioning this because someone similar to him is mentioned, and this is Abu

8 Hamza Al Chaibani, also a civilian tasked with transporting fuel and merchandise for

9 the group.

10 There is another person called Al Hassan doing this same function, so it's either

11 Al Hassan who is the head of the police, or Al Hassan who is a driver. No third

12 person can be mistaken for this name.

13 MR DUTERTRE: [14:47:24](Interpretation) I'm just checking the transcript, your

14 Honours.

15 Q. [14:47:41] So Abu -- Abu Al Chaibani is the first number?

16 A. [14:47:51] Yes, that's correct.

17 Q. [14:47:59] And on the second line there is a number with "Abdullah" underneath,

18 and opposite it says "Abu-Harithah Centre". Could you remind us what the

19 Abu-Harithah Centre is.

20 A. [14:48:20] Abu-Harithah Centre is a training camp, the one I have described as

21 located in the northern eastern part of the city of Timbuktu.

22 Q. [14:48:43] By any chance are you familiar with the writing on this document?

23 A. [14:48:51] Not at all, no.

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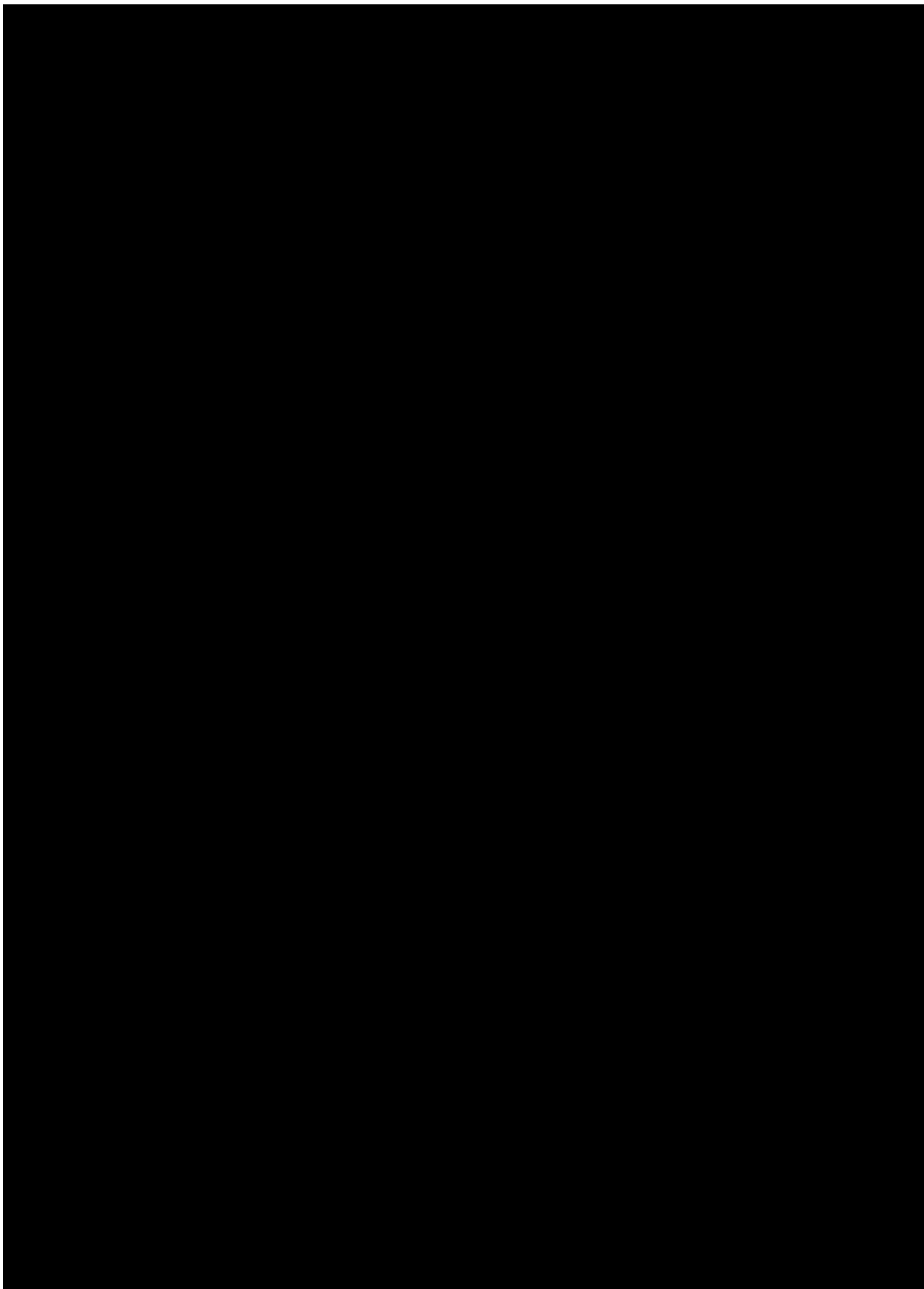
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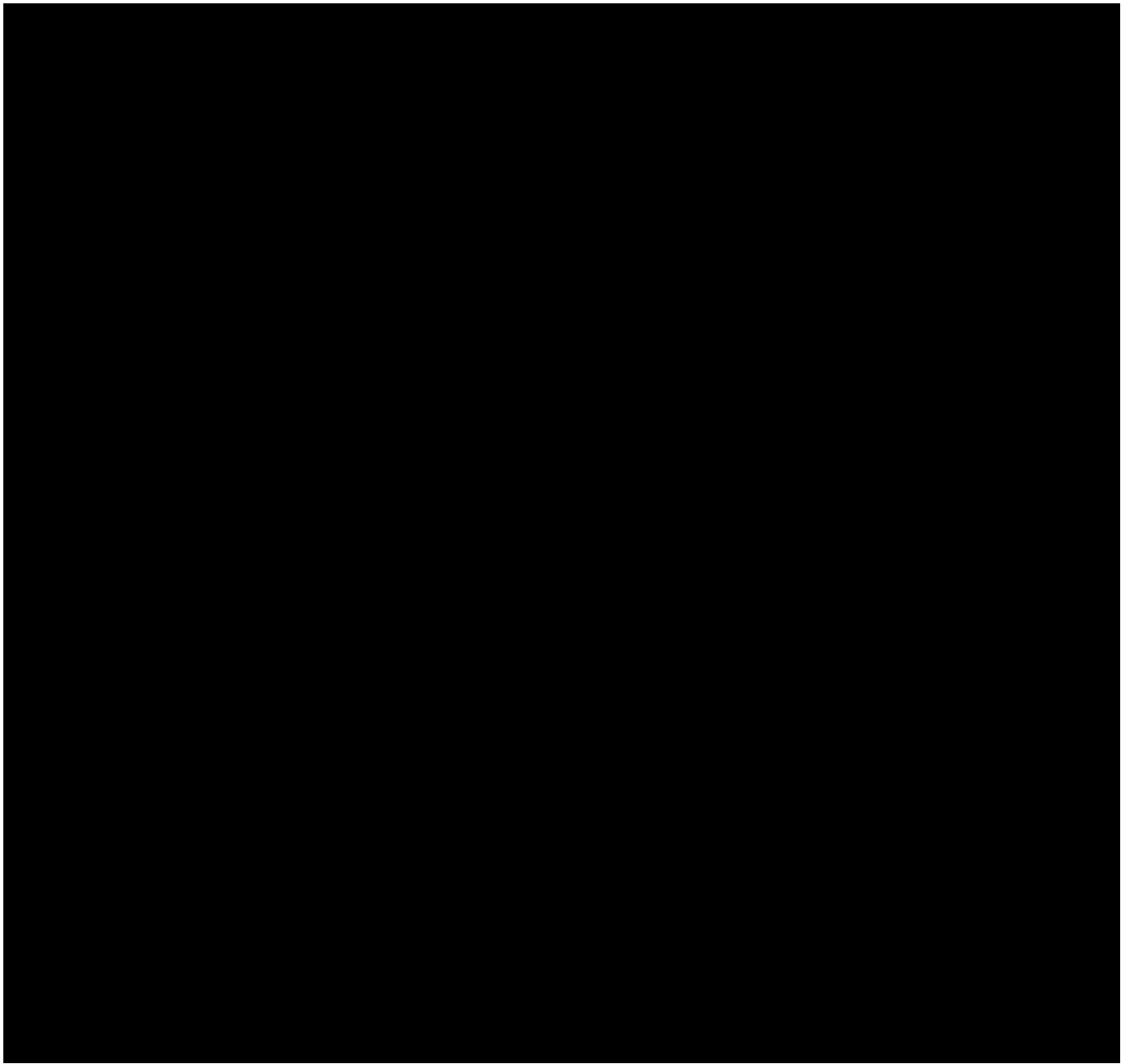


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19 A. [14:55:50] No.

20 Q. [14:55:59] Mr Witness, if you could please look at a different document now,

21 tab 42, and the ERN number is 0001-7309. The translation is to be found at tab 43,

22 0077-2752. So 0001-7309.

23 Do you have any general comments to make about this document, Mr Witness.

24 A. [14:57:20] Yes, as I've previously said, this is a piece of paper containing the

25 numbers of members of the group and I recognise these.

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1 Q. [14:57:40] Exactly what do you recognise, Mr Witness?

2 A. [14:57:48] I recognise the first line, "Abdallah". Then there is the word
3 "Goundam". And I remember Abdallah who was the leader of Goundam region.
4 Also is mentioned here "El-Mansour," whom I also recognise. Then also the
5 "Goundam Gate". And this is ambiguous to me, I'm not sure, because Goundam
6 Gate applies to two things. They say this to the Gate of Goundam. The western
7 entrance to Timbuktu, they call it the Goundam Gate, in addition to the actual Gate of
8 Goundam. So here it is said "Goundam Gate". I cannot determine here whether
9 this is in reference to the Timbuktu entrance, which is called the Goundam Gate, or to
10 the actual Gate of Goundam. In addition to "Hamzah" and, lastly, "Talha".

11 Q. [14:59:02] Now, if we could go back to the first line, "Abdallah". Do you know
12 his full name?

13 A. [14:59:20] I forget his father's name. He is a well-known person. They are
14 from -- they are among saints and they are very well-known in our region. These are
15 very famous people. We call them the saints.

16 Q. [14:59:52] Which group did Abdallah belong to?

17 A. [15:00:00] He is from MNLA, the ones who defected from MNLA and joined
18 Abou Zeid, or joined Ansar Dine, and they reported directly to Iyad and Abou Zeid.

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22 Q. [15:01:03] What was his ethnic group?

23 A. [15:01:08] He is a local Tuareg who traced their old ancestry to the dynasty of
24 the prophet, peace be upon them, and they call themselves the nobles.

25 Q. [15:01:38] Could you tell us a little more about El-Mansour, whose name

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1 appears on the second line. And perhaps also tell us why there is the word
2 * "Hamzah" under the number 70315267.

3 A. [15:02:02] This word "Hamzah" actually belongs to the below line, not to the
4 above line. [REDACTED]

5 [REDACTED]

6 [REDACTED] This man believed
7 vehemently in jihad. He preferred jihadists over his own children. [REDACTED]

8 [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 [REDACTED] He is a local and he lived south of the river
12 in Timbuktu, near Gossi, west of Gossi. And in some battles he was injured and he
13 went to his area in the south, where he stayed, and the jihadists were in
14 communication with him while he resided there.

15 Q. [15:03:45] [REDACTED]
16 [REDACTED]

17 A. [15:03:54] [REDACTED]
18 [REDACTED]

19 Q. [15:04:32] Okay. And on the third note -- third line it says "Goundam Gate
20 79328971". So what does "Hamzah" mean, marked just above that number?

21 A. [15:04:55] The person managing the gate at that time, the checkpoint. And we
22 know that's what Hamzah did all the time. But to manage a -- managing a
23 checkpoint is not a fixed position. There is no fixed person managing the checkpoint
24 all the time. These managers change, sometimes change in the course of 24 hours,
25 and sometimes you have the same person over a week. So here his name is

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1 mentioned because he was managing the gate/checkpoint of Goundam during this
2 time.

3 Q. [15:05:41] And Hamzah in this context, does that enable you to determine
4 whether it's the Goundam Gate in Timbuktu or the Goundam Gate in Goundam?

5 A. [15:05:57] That's a very important question, and I believe by 90 per cent that the
6 reference is to the Goundam Gate. But it was possible also for Hamzah to go
7 sometimes to the actual Goundam Gate, to go there and manage that gate for a while.

8 Q. [15:06:33] Could you clarify this: Your reply in French and English says in the
9 Goundam Gate. Now, is that Goundam Gate Timbuktu, or Goundam Gate
10 Goundam?

11 A. [15:06:54] I said the reference to Hamzah here makes it more likely to believe
12 that the reference is actually to the Timbuktu gate. But this does not entirely remove
13 the possible belief that Hamzah might have -- indeed might have gone to Goundam
14 and was managing the gate there.

15 Q. [15:07:29] And the final line, the bottom line, "Talha". How many people were
16 there in Timbuktu by the name of Talha?

17 A. [15:07:44] There were only two Talhas as that time. The only one that can be
18 included on such list is the Talha we have already identified as the head of the
19 security battalions. As to Talha the Libyan, he was totally new and he would not
20 occupy any of the positions that are referred to here.

21 Q. [15:08:21] Thank you. And one final clarification: You said on page 40, line 12,
22 you talked about El-Mansour and you said he was -- his role was to seduce his tribe to
23 the cause of the jihadists. Could you explain how he would seduce his tribe to the
24 cause of the jihadists?

25 A. [15:09:02] Yes. El-Mansour tried -- El-Mansour was able to woo a large

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1 segment of the people of Aribanda. The word Aribanda, means south of the river.

2 It's a Songhai term that means south of the river. The other word is Arabanda.

3 This man was able to woo many tribes in those areas and turn them into followers of

4 the jihadists. And thanks to him, you -- you could see attacks taking place in

5 Burkina Faso, because the Tuareg and the Fulani tribes who lived along that line were

6 followers of the jihadists, thanks to El-Mansour and people of his ilk.

7 THE INTERPRETER: [15:09:59] Note from the interpreters: At the beginning of the

8 gentleman's answer there was a reference to two Songhai words which we were not

9 able to gather precisely, and they mean something like south or north of the river, or

10 something like that. Thank you.

11 MR DUTERTRE: (Interpretation)

12 Q. [15:10:29] Could you please write the -- on a sheet Arbanda (phon), and another

13 name that we weren't able to capture, for the purposes of the transcript. Thank you.

14 PRESIDING JUDGE MINDUA: [15:11:33](Interpretation) There, we have that on

15 evidence 1. Court officer, a number, please.

16 THE COURT OFFICER: [15:11:36] Your Honours, the document will be assigned

17 exhibit number MLI-REG-0001-0091.

18 PRESIDING JUDGE MINDUA: [15:11:47](Interpretation) Thank you.

19 Prosecutor.

20 MR DUTERTRE: [15:11:54](Interpretation) Thank you, your Honour.

21 Q. [15:11:55] You mentioned attacks in the zone. What sort of attacks are you

22 referring to here and between whom and whom?

23 A. [15:12:11] I referred very concisely to, given the presence of these tribes in

24 Arabanda, given that they were positively responsive to the ideas of the jihadists

25 thanks to the role of El-Mansour and others, it is -- it is thanks to that that these areas

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1 were leading attacks in -- against Burkina Faso because the area was filled with
2 jihadist sympathisers.

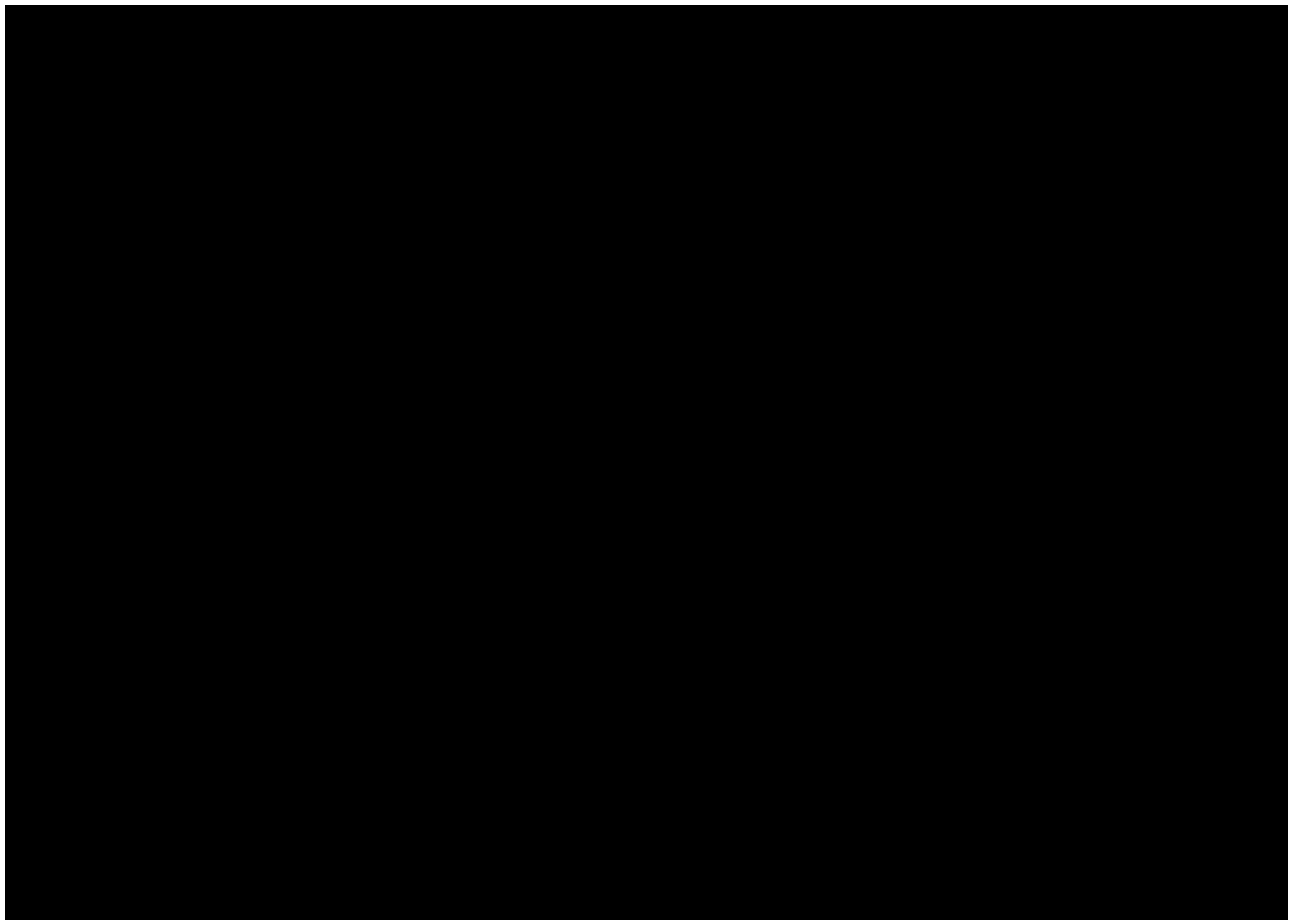
3 Q. [15:12:59] And could you tell us roughly the period during which time these
4 attacks took place?

5 A. [15:13:09] Since the end of the Ansar Dine project, Ansar Dines started targeting
6 countries that were neighbours of Mali in addition to Mali.

7 Q. [15:13:35] And I know you mentioned it at the beginning, that's about three
8 weeks ago, but the end of the Ansar Dine project, when was that? The end of the
9 Ansar Dine project, when was that? When did it finish?

10 A. [15:14:03] The Ansar Dine project ended when the armed group ceased to exist
11 in Timbuktu, and when their war with the French sources started, with the so-called
12 Serval forces.

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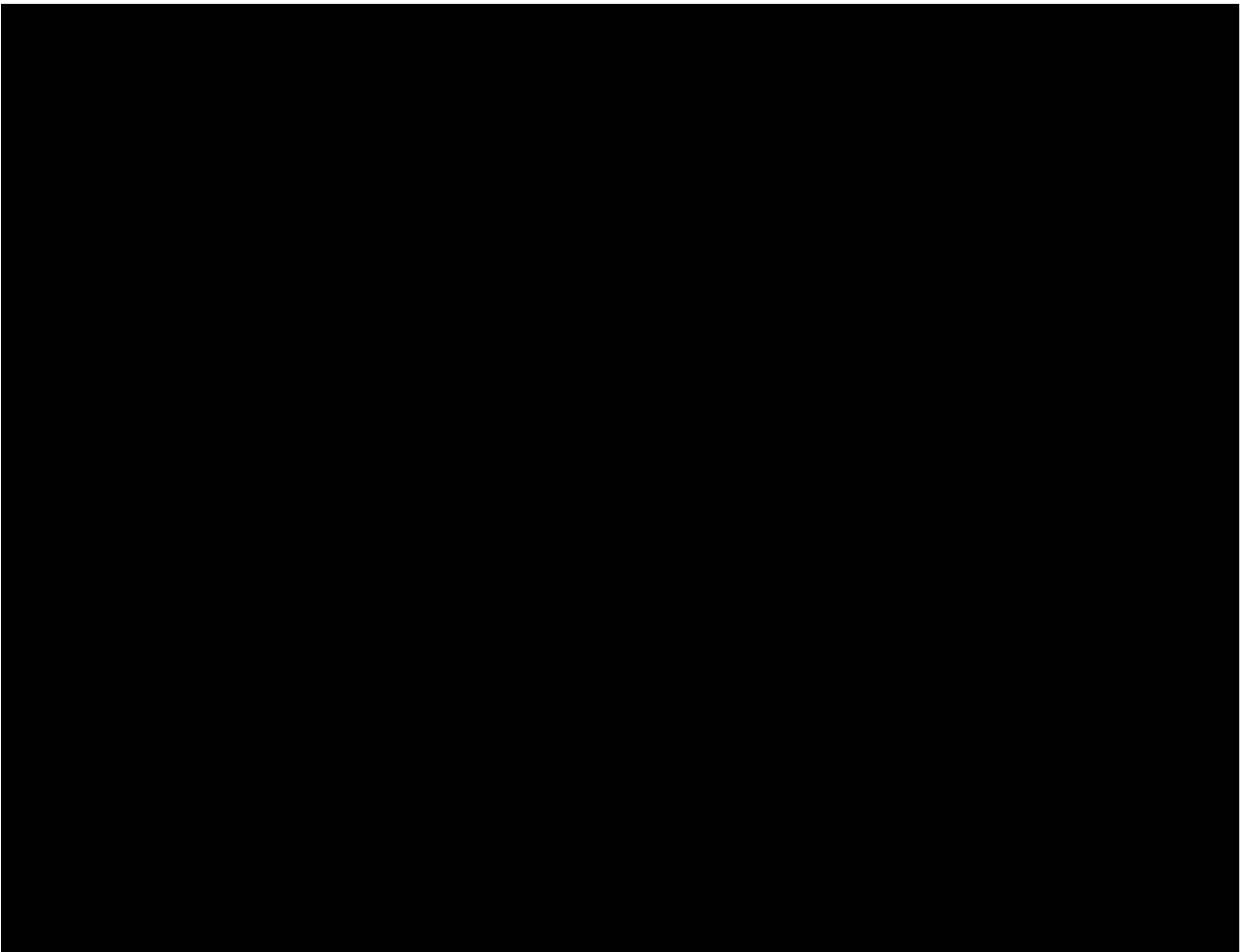


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15 A. [15:18:22] All the dignitaries in Timbuktu could also fall under that same
16 category, but they are different in terms of their scholarship, their eloquence, and how
17 persuasive they were. For example, Houka Houka led an important role, and so did
18 Al Hassan Ag Abdoul Aziz, who had an important role, although his role was not as
19 important as that of the leading scholars. Moussa took time before he felt convinced
20 himself, but once he was convinced, he started convincing others too.
21 And the same thing could be said of the local dignitaries who held important
22 positions with the group. These were among the credentials that would in the first
23 place qualify them to hold such positions within the group.
24 MR DUTERTRE: [15:19:41](Interpretation) One moment, if I may, your Honours.
25 Q. [15:19:52] Mr Witness, you said that Al Hassan Ag Abdoul Aziz had an

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1 important role as well, although his role was not as important as that of the leading
2 scholars. Could you go into this a little more, please, tell us more about his role.

3 A. [15:20:17] Yes. Because Al Hassan was a respected person and was respected
4 in his tribe, and they have an entire area and neighbouring areas that held him in
5 respect and held his father in respect as well. They have a longstanding family
6 tradition. His adherence to the group in itself leads to other people adhering to the
7 group as well, those who saw him as a respected person.

8 [REDACTED]

9 [REDACTED] when the jihadists
10 arrived, he became very serious in giving advice and in talking people against
11 objectionable acts. [REDACTED]

12 [REDACTED] So he looked
13 like he was speaking with some knowledge and giving advice, although he was not
14 one of the scholars. So he passed the message across with what he knew.

15 Q. [15:22:05] And when you say "objectionable acts", apart from listening to music,
16 what other examples of objectionable acts and reprehensible acts did he give to
17 dissuade the young people?

18 A. [15:22:29] For example, mixing between men and women. [REDACTED]
19 [REDACTED] he was known to be talking the members of his tribe against
20 men and women mixing.

21 Also, the lack of a headscarf, the fact that some women were showing off their bodies.

22 Al Hassan was considered to be a compliant person [REDACTED]

23 [REDACTED] when the jihadists arrived [REDACTED]

24 [REDACTED] he did his
25 most to help them, whether in terms of what he personally did or what the members

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1 of his tribe who would listen to him did. And I noticed that many people from
2 Zarho joined him when he started working for the police, including Mohamed Ismail,
3 Mohamed the jailer, both of whom I've previously mentioned, in addition to other
4 members.

5 The only thing that Al Hassan lacked was his unawareness that the school of thought
6 that he embraced, before joining the jihadists he did not know that the school of
7 thought he was adhering to was in fact in contrast with the jihadists. I'm talking
8 here about scholarly Salafism, according to which every person who supports Osama
9 bin Laden, or glorifies Osama bin Laden, is considered an outcast, a pariah. This
10 school of thought developed afterwards and they came to be called the Madkhalites
11 or the Jahmites. Al Hassan embraced this school of thought even before realising the
12 difference between that school of thought and the school of thought that the jihadists
13 believed in.

14 Q. [15:25:22] In the French transcript, Mr Witness, page 47, line 3, it says that he
15 didn't know that the school of thought he'd adopted before joining the jihadists was
16 contrary to the jihadist school of thought. I'm talking here about Sufalism (phon).
17 It's not clear in our transcript. Could you please tell us which word you used here?

18 A. [15:26:10] Indeed that's what I said. I said that, laying out and pointing out
19 that the Salafism that influenced Al Hassan before adhering to the jihadist's agenda is
20 actually a school of thought that was in contrast to the jihadists in one aspect only.
21 But as to the other aspects, they are similar. They all agree on forbidding music and
22 imposing headscarves and special men's outfit, and also they both disagree with
23 the -- with the Sufists and they believe that the Sufists have engaged in intellectual
24 shenanigans.

25 So they disagree in one aspect only, that one aspect which put them apart and turned

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1 them into each other's enemies, and that aspect is calling the rulers of Saudi Arabia as
2 infidels. The jihadists convinced the new joiners that the rulers of the kingdom of
3 Saudi Arabia are infidels. And as soon as Al Hassan joined the group, this is the
4 only aspect that stood in his way, something he did not know beforehand. And as
5 soon as he joined them, they convinced him immediately that the rulers of Arab
6 countries, precisely the rulers of the Kingdom of Saudi Arabia, were -- are infidels
7 and thus should be fought. So this is one aspect.

8 And had he been steep in the school of thought he had originally embraced, he would
9 not have joined the jihadists because it was the key point of difference between
10 scholarly Salafism and the jihadist's school of thought.

11 Q. [15:28:31] And how do you know that he convinced the jihadists that the rulers
12 of the Kingdom of Saudi Arabia were infidels?

13 A. [15:28:45] Could you please repeat your question, I don't think I was able to hear
14 it in full.

15 Q. [15:28:53] In the transcript I read, on page 48 in French, I'm trying to go up a bit
16 to put it in context: "When Al Hassan joined the group" --

17 PRESIDING JUDGE MINDUA: [15:29:12](Interpretation) Ms Taylor.

18 MS TAYLOR: [15:29:14] Thank you, Mr President. I believe that there might be an
19 error in the French transcript and that it might actually be the opposite as reflected by
20 the English.

21 MR DUTERTRE: [15:29:29](Interpretation) That's precisely what I'm trying to clarify.
22 Let us clarify that by asking the witness.

23 Q. [15:29:36] So I'll come back to my question. Page 48, 1, it says in French, and I
24 quote: "When Al Hassan joined the group, that was the only aspect that was on
25 obstacle for him. But as soon as he joined, he convinced them that the leaders of the

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1 Kingdom of Saudi Arabia were infidels and that it was necessary to convince them."

2 End of quotation.

3 Could you please tell us exactly what you said, or clarify this, if this is indeed what
4 you said.

5 A. [15:30:36] Quite the opposite. What I actually said is that that was the only
6 obstacle standing in his way to convince him, because Al Hassan agreed with
7 everything except that aspect. And as soon as he joined them, they convinced him
8 not them convincing -- not him convincing them, they convinced him that the rulers
9 of Islamic countries, precisely the rulers of Saudi Arabia, are infidels and should be
10 fought.

11 Q. [15:31:12] Understood. If I could just backtrack for a moment. We
12 understood the explanations you gave about music and the like, the explanations
13 from a few days ago. But how do you know about these other things, the two
14 genders, people of the two genders mixing, the wearing of the veil and the behaviour
15 of Al Hassan who wanted to dissuade young people from that sort of behaviour?

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21 Q. [15:33:02](Microphone not activated) I beg your pardon. I will start all over
22 again.

23 Tab 6 and 7. 0001-7310.

24 THE INTERPRETER: Mr Dutertre said previously: This is becoming a bad habit of
25 mine.

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1 MR DUTERTRE: (Interpretation)

2 Q. [15:33:31] Do you have the document? Do you have any comment to make
3 about this document, Mr Witness?

4 A. [15:33:53] Yes, like previous examples, this is a piece of paper on which is
5 written "Bir Gate" and "Airport Gate". And before -- in front of "Airport Gate" we
6 can see the number and the name "Elyas".

7 Q. [15:34:22] Who is Elyas, do you know?

8 A. [15:34:31] I do. He is one member of the Al-Fourqane battalion. He was an
9 expert in heavy weapons and he is considered a field commander in wartime. There
10 were no discussions between him and me.

11 Q. [15:34:54] Do you know his full name?

12 A. [15:35:01] No, I only know him by his name Elyas, but there was no other Elyas
13 at that time.

14 Q. [15:35:19] To your knowledge, Bir Gate and Airport Gate, where are these places,
15 in which city?

16 A. [15:35:34] Regarding the Airport Gate, I would say about it the same thing I said
17 about the Goundam Gate, because I know that the gate at the southern exit of
18 Timbuktu is called the Airport Gate. But once the airport was opened and was taken
19 from MNLA, there was also an actual airport gate. And in this case, I don't know, I
20 can't tell whether the Airport Gate is the southern exit to the city, and we saw a video
21 about it already, or whether it's in reference to the airport entrance.

22 Q. [15:36:23] When you mention the airport zone, which city are you talking about,
23 the airport of which city?

24 A. [15:36:36] The city of Timbuktu and the airport of Timbuktu.

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5 Q. [15:37:25] And what is Bir Gate?

6 A. [15:37:34] I think very likely that this is a gate in Bir, because they set up a gate
7 in Bir.

8 Q. [15:37:58] And where is Bir in relation to Timbuktu, or is something different to
9 another place referred to as -- more as Ber?

10 A. [15:38:15] Bir is 70 kilometres east of Timbuktu on the northern bank of the
11 river.

12 Q. [15:38:34] Approximately how many kilometres away, if you're in a position to
13 tell us?

14 A. [15:38:44] I have just said it now. I said 70 kilometres east of Timbuktu on the
15 northern -- in the northern bank of the Niger river.

16 Q. [15:39:21] Mr Witness, if we could now move to tabs 2 and 3.

17 Your Honour, 0001-7304 is the ERN number. And the translation, 0077-2746.
18 0077-2746.

19 Now, for you, Mr Witness, the reference number is 0001-7304.

20 Do you have any comments to make about this Post-it note, Mr Witness?

21 A. [15:40:17] Yes, this is another Post-it and you have the airport group here
22 written with a number. Also the Ahmad Baba point, with the name and a number.
23 In addition to the "Emir (Wali) point", with two names and two numbers.

24 Q. [15:40:50] Perhaps we'll begin there. Wali in brackets here. What does that
25 mean, Mr Witness?

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1 A. [15:40:57] It means the governor, the governor of Timbuktu. He is the emir.

2 And this is in reference to Abou Zeid.

3 Q. [15:41:20] *And why do we see the name "Abdoul-Oualid Chadi", the Chadian,
4 and Shuaib opposite from this reference to Abu Zeid, the Wali?

5 A. [15:41:36] I need to draw your attention to that. The name is Souhayb and not
6 Chouaib. As to Abdoul-Oualid Chadi, these two names, Abdoul-Oualid Chadi and
7 Souhayb, they are the two people who would answer any call that goes to Abou Zeid.
8 So either of them, whoever present, would answer. They would both be present at
9 the office. And also, if Abou Zeid needed to call anybody, he would ask either of
10 these two to place that call.

11 Q. [15:42:26] To your knowledge, Abdoul-Oualid Chadi, what is the link between
12 him and the last leader of the *Hesbah*? Is that someone different or is it the same
13 person? Could you clarify for us.

14 A. [15:42:52] Yes, this the same person. I said this is a trusted associate of Abou
15 Zeid. He would write down things for him, in addition to Chouaib, and not
16 Souhayb, as mentioned here. But we can say the same thing of Souhayb as well.
17 And he was left in Timbuktu after the armies raided the region in Konna and Diabaly.
18 He was left in Abou Zeid's office and he was running the *Hesbah* at that time.

19 PRESIDING JUDGE MINDUA: [15:43:41](Interpretation) Ms Taylor.

20 MS TAYLOR: [15:43:43] Thank you, Mr President. I have just noticed that twice
21 the witness has specifically made a distinction between Souhayb and Chouaib, but it's
22 not reflected in the transcript. The transcript is just saying Chouaib and that,
23 therefore, we won't see the distinction that's being made by the witness unless the
24 transcript is corrected to reflect that difference.

25 MR DUTERTRE: [15:44:21](Interpretation) I entirely agree.

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1 PRESIDING JUDGE MINDUA: [15:44:27](Interpretation) Indeed.

2 MR DUTERTRE: (Interpretation) We could have this form a -- this could be an
3 agreed fact amongst --

4 THE INTERPRETER: Overlapping speakers.

5 MR DUTERTRE: (Interpretation) Perhaps, outside of the corrections made by the
6 transcribers it can be dealt with. But Ms Taylor is indeed completely correct.

7 Q. [15:44:59] Ahmad Baba point, what is that exactly? Ahmad Baba point, what is
8 that? Can you recall?

9 A. [15:45:16] The Baba centre is called -- there is the Baba heritage centre, and it's
10 also called the Baba heritage institute. This is a very old centre and it encompasses a
11 school and a large meeting room, in addition to a location for keeping manuscripts
12 and a room for studying and revision.

13 Before the arrival of the jihadists, another centre was built and it was called the
14 Ahmad Baba new centre and it was adjacent to the Sankore mosque from the -- to the
15 northern part of the mosque. To that centre were transferred the manuscripts and
16 the libraries of books, the other libraries of books were transferred there.

17 When the jihadists came over, they occupied both locations. The first location was
18 shut down and only the guard -- there was a guardian who was left there. As to the
19 second location, it became a centre of the group's activity. It was -- it is made up of
20 two floors, the bottom floor and the upper floor. The bottom floor was left with the
21 belongings that were found there. They appointed someone. His name, according
22 to this document, is "Abou-Mousa". I don't know who he is. I don't know his name.
23 I know his face. I recognise his face. So he was left there, at that floor. As to the
24 upper floor, that's where Talha lived.

25 Q. [15:47:02] Understood. Now, Abou-Mousa, was he part of a group?

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1 A. [15:47:11] I cannot comment on the name Abou-Mousa because I cannot imagine
2 who the person is or who exactly he is. What I know, what I said, is that I know the
3 person who was guarding the manuscripts at the time. I cannot tell whether it was
4 Abou-Mousa or somebody else. I don't know his name.

5 Q. [15:47:43] Understood. Now, above, "Abdelhaq", do you know what person
6 was to be found?

7 A. [15:47:58] [REDACTED] No particular connection
8 between us, we did not discuss anything. I saw him as one member of the armed
9 group.

10 Q. [15:48:18] And what battalion was he from?

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]

16 Q. [15:49:02] Very well. It's a good thing that you specified that margin of error.
17 And what country or what city did he come from, if you know?

18 A. [15:49:21] I forgot that, but I think he is Algerian. I think with -- most likely
19 that he is Algerian.

20 Q. [15:49:40] And finally for this document here, "The Airport Group". What does
21 that mean, to your knowledge?

22 A. [15:49:59] They are the service members that were put -- that were deployed to
23 secure the airport and they set up checkpoints, in addition to an internal command
24 centre.

25 Q. [15:50:22] And what airport are we talking about? What airport is at hand here,

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1 Mr Witness?

2 A. [15:50:33] We're speaking about the Timbuktu airport.

3 Q. [15:50:43] If we could now move to tabs 48 and 49, your Honour. And the ERN
4 is 0001-7322. Translation is 0034-0051, courtroom usher.

5 Do you have a comment to make about this document, Mr Witness?

6 A. [15:51:26] Yes, I also see here a piece of paper with names and numbers written
7 on it. I recognise these names. The information officer, Sanda; the Nasir Centre; the
8 finance officer Yazid; and the radio officer Yusuf, the ORTM radio station.

9 Q. [15:52:11] Do you know Yusuf's complete name?

10 A. [15:52:20] I do not. I only know him by the name Yusuf.

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20 Q. [15:53:43] And where does Yusuf come from, if you know? What country is he
21 from?

22 A. [15:53:51] I forgot now. I cannot speak with certainty, but I think he's from
23 Mauritania.

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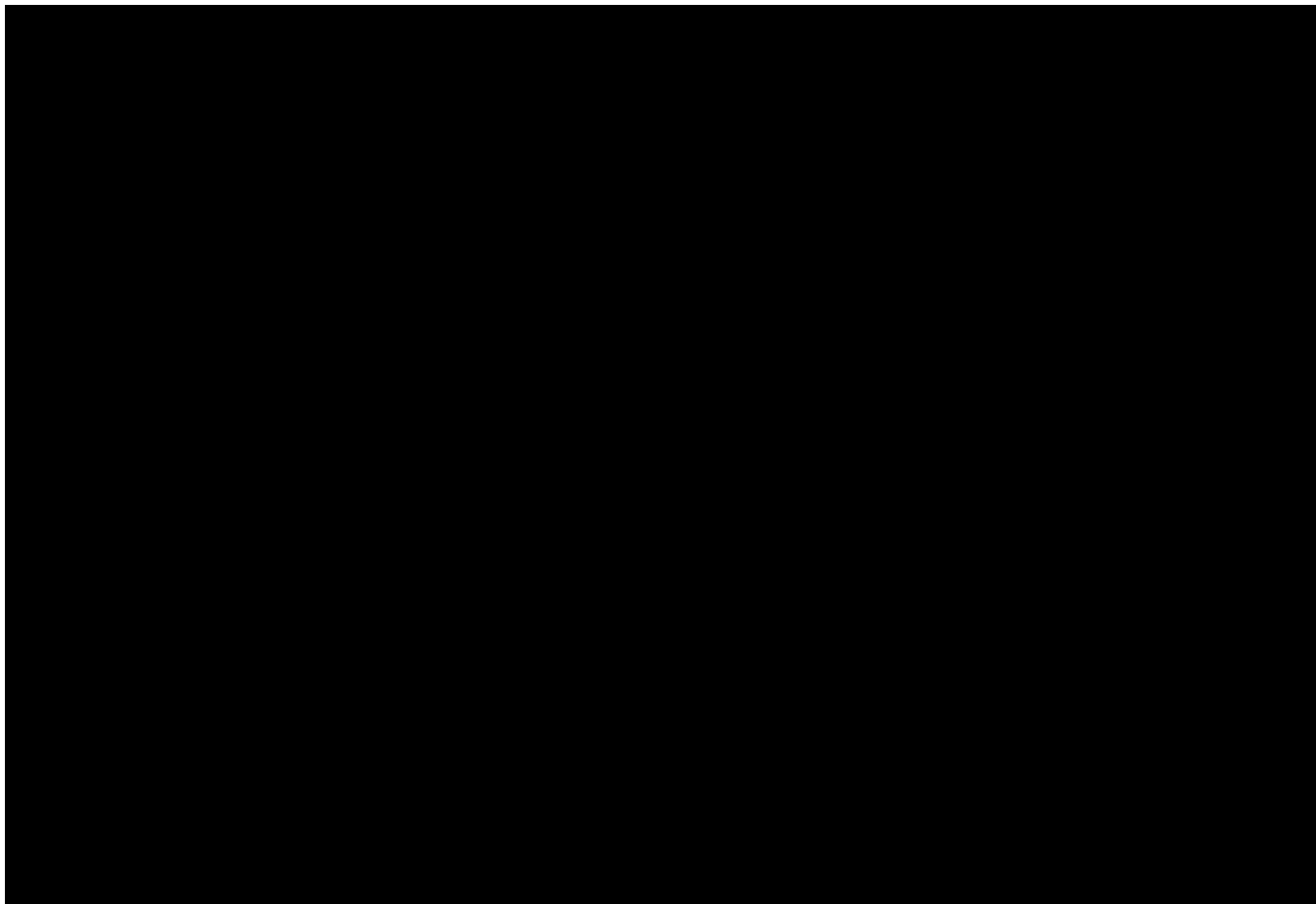
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14 A. [15:56:27] Yes.

15 Q. [15:56:35] And finally, the public information officer, do you know who that

16 person is? The first line, what is that in reference to?

17 A. [15:56:57] Yes, Sanda.

18 Q. [15:57:06] Thank you.

19 I think we can make use of the last moments to go to tab 41 and 42, your Honour.

20 ERN 0001-7305, Mr Witness. Translation 0077-2748.

21 Do you have the document at hand, Mr Witness?

22 A. [15:58:06] I do.

23 Q. [15:58:11] What comment could you make about this document, Mr Witness?

24 A. [15:58:18] The same thing. This is a piece of paper with numbers and names

25 written on it. I recognise these names.

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1 Q. [15:58:35] Mr Witness, who is "Abou-Sayyaf", the name mentioned at the top?

2 A. [15:58:48] Abou-Sayyaf is a member of the Tariq Ibn Ziyad battalion. He is a
3 close associate of Abou Zeid's, and here he is the person running the power plant.

4 Q. [15:59:14] What can you tell us about the second line, "Abou-Ousmane"?

5 A. [15:59:25] The second line mentions the Azalai Hotel. The person guarding the
6 hotel is Abou Ousmane. [REDACTED] He is a brother of Abdou Alhai
7 (phon). He was guarding the hotel after the -- that case happened, the one we saw
8 previously where the person in charge over the Azalai Hotel was beaten and
9 was -- and left his position.

10 MR DUTERTRE: [16:00:16](Interpretation) I have several follow-up questions, but I
11 have -- I see the time, your Honour. I don't want to exceed your patience.

12 PRESIDING JUDGE MINDUA: [16:00:27](Interpretation) Indeed. It is 4 p.m. We
13 shall not adjourn. And we shall adjourn until tomorrow.

14 Mr Witness, once again, the Chamber thanks you for your cooperation and assisting
15 so much. Unfortunately, your testimony has not concluded and so we will see one
16 another again, tomorrow at 9.30. In the meantime, as you know, you must not speak
17 to anyone about your testimony.

18 My last task is to express my thanks to the parties and participants, the court
19 reporters and interpreters, and our security officers. To everyone I wish a very
20 pleasant evening and we shall see one another tomorrow at 9.30.

21 THE COURT USHER: [16:01:29] All rise.

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

23 CORRECTION REPORT

24 The following correction, marked with an asterisk and not included in the
25 audio-visual recording of the hearing, is brought into the transcript.

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1 Page 44 lines 2-3

2 "And why do we see the name "Abdoul-Oualid Chadi" opposite from this reference
3 to the emir, to Wali?" Is corrected to "And why do we see the name "Abdoul-Oualid
4 Chadi", the Chadian, and Shuaib opposite from this reference to Abu Zeid, the Wali?

5 SECOND CORRECTIONS REPORT

6 The following corrections, marked with an asterisk and not included in the
7 audio-visual recording of the hearing, are brought into the transcript.

8 Page 18 lines 1-2:

9 " Timestamp 00:01:10:10 to timestamp 01:20:31:20"

10 is corrected to Page 18 line 1:

11 "Timestamp 00:01:20 10:10 to timestamp"

12 Page 19 line 4:

13 " And I'm starting at 01:20:40:18."

14 is corrected to " And I'm starting at 01:20:14:18."

15 Page 28 line 20:

16 "it's after the number 7541, a 2011, and not as"

17 is corrected to

18 "it's after the number 7, 5482011, and not as"

19 Page 30 lines 17-18:

20

21

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23 Page 33 line 2:

24 ""Hamzah" under the number 70315257."

25 is corrected to:""Hamzah" under the number 70315267."