

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 vs Al Hassan Ag Abdoul Aziz Ag Mohamed Ag
5 Mahmoud - ICC-01/12-01/18
6 Presiding Judge Antoine Kesia Mbe Mindua, Judge Tomoko Akane and Judge
7 Kimberly Prost
8 Trial Hearing - Courtroom 3
9 Thursday, 10 June 2021
10 (The hearing starts in closed session at 9.31 a.m.)
11 THE COURT USHER: [9:31:47] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE MINDUA: [9:32:18](Interpretation) Court is in session.
15 Good morning to all.
16 Mr Courtroom Officer, could you please call the case.
17 THE COURT OFFICER: [9:32:28] Good morning, Mr President, your
18 Honours.
19 This is the situation in the Republic of Mali, in the case of The Prosecutor
20 versus Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, case number
21 ICC-01/12-01/18.
22 And for the record, we are in closed session.
23 PRESIDING JUDGE MINDUA: [9:32:50](Interpretation) Thank you very
24 much, Mr Courtroom Officer.
25 We shall start with the appearances as usual.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 First of all, the Office of the Prosecutor. Mr Prosecutor.

2 MR DUTERTRE: [9:33:01](Interpretation) Good morning, Mr President.

3 Good morning, your Honours. The Office of the Prosecutor today is
4 composed of Madam Yayoi Yamaguchi, Mr Lucio Garcia, Mr Mousa Allafi and
5 Mr Dutertre, myself. I'd like to greet everybody [REDACTED] the Legal
6 Representatives for Victims, the Defence and the interpreters.

7 PRESIDING JUDGE MINDUA: [9:33:33](Interpretation) Thank you very
8 much.

9 Over to the Defence.

10 MS TAYLOR: [9:33:36] Good morning, Mr President, good morning your
11 Honours. Good morning, Mr Dutertre, good morning, Mr Nsita Luvengika,
12 good morning [REDACTED] good morning, Mr Witness.

13 The Defence for Mr Al Hassan is represented today by Mr Mohamed Youssef,
14 Ms Sarah Marinier-Doucet and myself, Melinda Taylor. Thank you

15 PRESIDING JUDGE MINDUA: [9:34:03](Interpretation) Thank you very
16 much, Ms Taylor.

17 I'm turning now to the Legal Representatives of Victims. Maître.

18 MR LUVENGIKA: [9:34:09](Interpretation) Good morning, Mr President,
19 your Honours. The victims today are represented by Maître Julie Goffin, by
20 Ms Ludivine Tixier-Dunet, by myself, Maître Fidel Nsita Luvengika.

21 And, I'd like to make the most of this opportunity to return the morning
22 greetings to the Office of the Prosecutor, to the Defence, without forgetting my
23 learned friend, [REDACTED].

24 PRESIDING JUDGE MINDUA: [9:34:44](Interpretation) Thank you very
25 much, Mr Nsita.

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 Now, I'm turning to the counsel for the witness. Maître.

2 [REDACTED] [9:34:52] (Interpretation) Good morning, your Honour. I am

3 [REDACTED] I am counsel for [REDACTED] appearing

4 here as Rule 74 counsel in reference to Rule 74 of the Rules of Procedure and

5 Evidence. And I'd like to take this opportunity to extend my greetings to my

6 colleagues of the Defence, of the Prosecution, and the Legal Representatives of

7 Victims. Thank you, Mr President.

8 PRESIDING JUDGE MINDUA: [9:35:26](Interpretation) Thank you very

9 much, [REDACTED]

10 This morning, we shall continue with the testimony of the 36th witness for the

11 Prosecution. I'm now turning to the witness.

12 Good morning, Mr Witness. How are you this morning?

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

14 (The witness speaks Arabic)

15 THE WITNESS: [9:35:46](Interpretation) Good morning, Mr President, your

16 Honours. I am doing well. Thank you very much.

17 PRESIDING JUDGE MINDUA: [9:35:57](Interpretation) Thank you very

18 much, Mr Witness.

19 The Chamber would like to welcome you once again and would like to thank

20 you for your cooperation. I would like to also remind you that you are still

21 under oath and that you should speak the truth, the whole truth and nothing

22 but the truth.

23 As for everything else, you already know how everything functions.

24 Now without further ado, I will hand over to the Office of the Prosecutor.

25 Mr Prosecutor, please.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 MR DUTERTRE: [9:36:34](Interpretation) Thank you very much,

2 Mr President, your Honours.

3 Just before I commence, I have -- my computer that seems to want to lead an
4 independent life. So I think I'm going to have to call on the courtroom officer
5 to play some of the videos until my computer behaves itself.

6 PRESIDING JUDGE MINDUA: [9:37:00](Interpretation) Please, go ahead.

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

8 Q. [9:37:05] Good morning, Mr Witness. We shall be playing --

9 THE INTERPRETER: [9:37:10] Correction --

10 MR DUTERTRE: [9:37:11](Interpretation)

11 Q. [9:37:11]

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18 A. [9:38:11]

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Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 [REDACTED] But as for the court,
2 its establishment required inviting another party, an association -- a major
3 association where dignitaries were members, dignitaries from the local
4 community, but also from the -- from Arab Bedouins from outside the area.
5 So the meeting addressed other subjects too, but the idea of establishing an
6 Islamic court was also brought up at this meeting and it was attended by the
7 countryside Arabs, in addition to city dignitaries.
8 In this meeting, there was an attempt to assign the presiding judge. So the
9 assignment went to * Muhammed Al-Amin son of Abdul Wadud, but he
10 excused himself from that position on grounds of being old and frail and that
11 therefore he cannot be the chief judge at that time.
12 And that's when the fingers turned to Houka Houka. And at that time, the
13 attendees believed that no one could be chief judge other than him.
14 There were other scholars, but it was not expected of them at that stage to be
15 chief judges of the radical Islamist group because they differed a little from
16 them. They did not fully embrace the ideas of the group, which was not the
17 case with Houka Houka.
18 So at that meeting, Houka Houka was agreed to be the chief judge. The other
19 judges agreed because they cannot take that responsibility themselves and
20 that's why they elected -- or they nominated Houka Houka. They cannot take
21 that responsibility within Ansar Dine. Some people also nominated
22 Houka Houka, given his importance and given that his Wahhabist ideas were
23 consistent with the ideas of the jihadists.
24 At this meeting, it was agreed that Houka Houka to take up this responsibility,
25 [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1

2 THE ARABIC INTERPRETER: [9:42:13] Note from the interpreters: The
3 gentleman's voice is suddenly very low in comparison to the last few days.

4 MR DUTERTRE: [9:42:33](Interpretation)

5 Q. [9:42:35] Mr Witness, could you please bring the microphone a little bit
6 down towards you and approach it, please.

7 There were lots of details that you have provided. I shall come back to those.

8 You spoke of the dignitaries who were part of this meeting, namely, Bedouin

9 Arabs. Do you remember any of the names of the dignitaries in attendance?

10 I know it was a few years ago now, but do you remember any of the names?

11 A. [9:43:34] No, but I know that most of them came from areas like Neptat

12 Al Harik (phon), which I previously mentioned.

13 Q. [9:43:58] I'm just looking at something in the transcript. I think that in

14 the English transcript, page 5, line 9, Lamine in mentioned and Abou Al ...

15 Mr Witness, were there two separate individuals, "Mohamed Lamine" and

16 "Abou Al" -- or "Abou Al ..." whose name has not been entirely transcribed?

17 Or is that the continuation of the name, "Mohamed Lamine"?

18 A. [9:44:42] It's one name. It's * Muhammed Al-Amin son of Abdul Wadud.

19 Q. [9:44:57] Could you please put it or write it on a white piece of paper, a

20 blank piece of paper for the transcript. That would be simpler.

21 A. [9:45:08] Yes, but I think I've already written this name before.

22 PRESIDING JUDGE MINDUA: [9:45:51](Interpretation) There we are. The

23 document is on channel evidence 1.

24 Mr Courtroom Officer, a number please.

25 THE COURT OFFICER: [9:45:59] (Overlapping speakers) Your Honours, the

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 document will be assigned exhibit number MLI-REG-0001-0071.

2 PRESIDING JUDGE MINDUA: [9:46:08](Interpretation) Thank you very
3 much.

4 Mr Prosecutor.

5 MR DUTERTRE: [9:46:12](Interpretation) Thank you, Mr President.

6 Q. [9:46:15] Mr Witness, approximately how long after the departure of
7 Iyad Ag Ghaly did that meeting take place?

8 A. [9:46:33] I'm sorry, I gave you the illusion in my previous remarks that
9 this meeting came -- happened after Iyad's return, but the meeting I'm referring
10 to actually was attended by Iyad.

11 Q. [9:47:04] So the meeting with the dignitaries and Arab Bedouins was
12 before Iyad left for Kidal, is that what you mean?

13 A. [9:47:21] I have a little doubt that he returned -- that he spent a few days
14 and then returned to attend the meeting or whether he stayed in Timbuktu
15 until the meeting took place.

16 But the whole thing did not last more than a week or 10 days.

17 Q. [9:47:57] Very well. You say that Iyad was in attendance. Where did
18 that meeting take place precisely?

19 A. [9:48:12] It was held at what I called the Thimi house. It's a large
20 building. I don't know whether it's his hotel or whether it was his residence
21 or whether it was a bank. I'm not sure what it was before that

22 Q. [9:48:38] Mr Courtroom Officer, could you please call up the map,
23 0019-[0]290 for the witness to be able to mark that location on it -- 0019-0290
24 from memory.

25 A. [9:49:17] Could you please zoom in further on the soccer stadium, the

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 south of the -- south of a soccer stadium a little bit. Yes.

2 Just give me a little while so that I can give a look.

3 I think that's where it is.

4 Q. [9:50:24] Thank you very much.

5 MR DUTERTRE: [9:50:25] Mr President, if we could have a number please.

6 PRESIDING JUDGE MINDUA: [9:50:29](Interpretation) Courtroom officer,
7 could we have a number please.

8 THE COURT OFFICER: [9:50:34] Your Honours, the document will be
9 assigned exhibit number MLI-REG-0001-0072.

10 PRESIDING JUDGE MINDUA: [9:50:48](Interpretation) Thank you very
11 much.

12 Mr Prosecutor.

13 MR DUTERTRE: [9:50:51](Interpretation)

14 Q. Just a point of clarification, Mr Witness. In the French transcript is
15 written *maison* "Thimi" or "Thimi". Could you please write or repeat the
16 precise name that you used, *maison* Thimi being Thimi house.

17 A. [9:51:14] Yes, Thimi, a businessman from the Tamasheq, the Tuareg, a
18 famous one.

19 Q. [9:51:33] And to be entirely accurate, Mr Witness, could you please write
20 down his name on a piece of paper.

21 PRESIDING JUDGE MINDUA: [9:52:13](Interpretation) We have it on
22 evidence 1.

23 Mr Courtroom Officer, could you please administer.

24 THE COURT OFFICER: [9:52:21] Your Honours, the document will be
25 assigned exhibit number MLI-REG-0001-0073.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 PRESIDING JUDGE MINDUA: [9:52:34](Interpretation) Thank you very
2 much.

3 Mr Prosecutor.

4 MR DUTERTRE: [9:52:37](Interpretation) Thank you, Mr President, your
5 Honours.

6 Q. [9:52:40] Mr Witness, could you tell us who had convened this meeting at
7 the Thimi house?

8 A. [9:52:55] Abou Zeid, and Abou Al Hammam as well, because Abou Al
9 Hammam is the person who invited the Arabs in the countryside.

10 Q. [9:53:15] And to clarify, why did Abou Al Hammam invite the Arabs
11 from the countryside?

12 A. [9:53:34] Yes, your question was about the judiciary and I said that the
13 judiciary is part of the subject for which this meeting was held. The meeting
14 was the second of its kind where there was an attempt to reconcile the tribes or
15 the armed groups, that there be no war between the different groups -- armed
16 groups in Timbuktu, such as, the Arabs, MNLA, and other jihadist factions
17 such as the monotheism and jihad group.

18 Iyad held previously a meeting with MNLA - and, the Arabs attended that
19 meeting to also meet Abou Zeid and Abou Al Hammam - so at this meeting,
20 there was an opportunity seized to discuss the subject of creating a judiciary.

21 Q. [9:55:17] Very well. And who presided over this meeting at Thimi house?
22 Who chaired it?

23 A. [9:55:31] On that day there were three elderly people or major people,
24 Iyad, Abou Zeid -- Abou Zeid and Abou Hammam. [REDACTED]

25 [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1

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As for moderating the exchanges, Abou Al Hammam gave

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people the floor and permitted them to speak.

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and they did not respect the -- the specific rules about moderating the

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meetings. So it was not really clear to me - because of that - who of those

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three I mentioned presided over the meeting.

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My impression then was that Abou Zeid is the one who presided over the

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meeting.

10 THE ARABIC INTERPRETER: [9:56:47] Note from the interpreters: The

11 gentleman used at the beginning of his answer a word in Arabic that could

12 mean either major, big or elderly or important, in reference to the three people.

13 MR DUTERTRE: [9:57:11](Interpretation)

14 Q. [9:57:12] Mr Witness, the interpreters are indicating that with regard to

15 these three individuals, you used a term that can be interpreted in a different

16 way or different ways. So either elderly or important. Can you please clarify

17 the manner in which you were using that term?

18 A. [9:57:37] Very good. I meant the three men, the emirs, who were

19 running the city. They were present at the same meeting, and each of them I

20 saw was carrying out a role and I was not sure who, among the three, presided

21 over the meeting.

22 Q. [9:58:12] According to your recollection, how long did this meeting last

23 for, approximately?

24 A. [9:58:20] During this meeting, some people were removed and some

25 other people were added during the day. But all in all, it lasted for four hours.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 From dusk until midday.

2 Q. [9:58:56] And could you provide us with further details? Could you
3 enlighten the Chamber with regard to the professional criteria necessary to
4 decide who a professional judge will be? What criteria do they need to fulfil?

5 A. [9:59:28] It's possible to talk about general criteria that Muslims recognise,
6 but these were not the criteria followed by the jihadists in their selection of a
7 judge. The jihadists -- the general criteria that Muslims recognised is that a
8 judge should be someone who has attained a high command of Islamic
9 jurisprudence and the principles of that jurisprudence, as well as the public
10 and private morals of the judicial function, because the judicial function is an
11 art in and of itself. And also, a command of the different Islamic
12 denominations or schools of thought; and, also, to have a great deal of
13 smartness, wisdom and integrity -- I meant, integrity and impartiality.
14 As for the jihadists, they did not rely -- need such criteria. They needed
15 someone who was perceived by the locals as capable of exercising a judicial
16 function, even if that person was not in fact capable of that. It's important for
17 them to have people loyal working for them -- or to have people who enjoy
18 fellowship among the people, whether duly -- whether they duly have it or not.
19 And the thing they knew is that * Muhammed Al-Amin son of Abdul Wadud
20 was an Arab judge, and has many Arabs who follow him, and they wanted
21 him to be a chief judge. And they also knew that Houka Houka was a judge
22 before their arrival in the eyes of many Tuaregs and he embraced Wahhabist
23 ideas; so they wanted him to be a judge.
24 Nevertheless, they held individual meetings to have other judges in Timbuktu
25 come around, people in Bellafarandi and in other neighbourhoods in Timbuktu.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 So they sat with these and they also sat with the grand imam, Imam Essayouti.
2 They convinced him to -- they convinced them to either cooperate or to at least
3 not stand against the measures they were about to undertake in the city. So at
4 this meeting, they were able to guarantee that the other judges would not stand
5 against any nominee for the bench.

6 So the purpose of the group was to have famous people making up the bench.

7 Q. [10:02:34] Beginning of this morning's proceedings, you spoke about
8 other judges and now you've mentioned again other judges. Are you
9 referring to people who were *cadi* judges before the arrival in 2012 or are you
10 talking about other members of the judiciary?

11 Could you please clarify that for us.

12 A. [10:03:06] Here, I was referring to the Timbuktu judges, people who were
13 famous to giving -- issuing religious opinions to people in Timbuktu. These
14 religious opinions, these *fatwas*, sometimes took a tribal dimension.

15 For example, Houka Houka is the Tuareg's judge. Mohamed Ali-Amin is the
16 Arab's judge. Daoud Ali Maiga was the Songhai's judge. Daoud Ali Jomaa
17 was the Bellata -- the Bellata's judge and so on and so forth.

18 Although, there was no major disagreement among these scholars in the city,
19 and, they even collaborated to draft a religious opinion on a particular matter,
20 however, the ethnic difference was dominant on them.

21 Q. [10:04:12] You mentioned on page 5, lines 24 to 26 that Houka Houka was
22 appointed given his importance since he had Wahhabist ideas which complied
23 with the jihadist ideas.

24 Did Houka Houka comply with the general criteria for the Muslims to become
25 a judge at the Islamic tribunal to the best of your knowledge?

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [10:04:50] No, never. But he is a trusted person in ethical terms. He
2 never takes assets that are not his nor does he ever lie.

3 Q. [10:05:13] Mr Witness, could you please repeat the end of your sentence.

4 A. [10:05:21] I said that in terms of his scholarship, he cannot be a judge, but
5 I said that in terms of his ethics, he is a trusted -- he's a trustworthy person.
6 He never takes assets that are not his nor does he ever lie. And these are
7 conditions for someone to qualify as a judge.

8 Q. [10:05:57] If I may, I'd like to come back to one point. You said what's
9 important for them, the jihadists in this case - page 12, 17 to 20 - was to have
10 people who were loyal, who worked for them, or those who had a certain
11 camaraderie among the people whether that exists or not.

12 Why was it important for the jihadists to have people who were loyal and who
13 worked for them?

14 A. [10:06:46] Yes, that's the point. The general strategy of the jihadists in
15 order for them to be able to stay in a land -- in an area and to be able to preach
16 for their ideas and their ideology on a large-scale basis so when they are not
17 opposed by people who have great fellowships among the people, they would
18 be able to stay. And able also, to do deeper and more thorough preaching.

19 Q. [10:07:36] And do you know what was the reaction of Houka Houka
20 when he was appointed a judge?

21 A. [10:07:53] Yes. He felt the heaviness of the responsibility and he was
22 afraid of that. But it seems from the situation that he could not escape that.
23 The others were -- could not be judges for Ansar Dine because they did not
24 even have Wahhabist ideas -- the other judges, I mean.

25 But Mohamed Amin was closer to the -- who was closer to the jihadists in

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 comparison to them, categorically refused to take up their position. [REDACTED]

2 [REDACTED]
3 [REDACTED]

4 [REDACTED] Houka Houka saw that this position was imposed on him
5 and he accepted that.

6 Q. [10:09:00] [REDACTED]

7 [REDACTED]

8 A. [10:09:14] [REDACTED]

9 [REDACTED]
10 [REDACTED]
11 [REDACTED]

12 Q. [10:09:41] And to clarify this, who was it who appointed him as a judge,
13 in fact?

14 A. [10:09:59] Abou Zeid.

15 Q. [10:10:06] [REDACTED]

16 [REDACTED]
17 [REDACTED]

18 A. [10:10:38] [REDACTED]

19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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3 Q. [10:12:34]

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5 A. [10:12:49]

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10 Q. [10:13:19]

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12 A. [10:13:34]

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15 Q. [10:13:57] Could you please kindly write these names from the first list on

16 a piece of paper. Thank you. I'm talking here about the first list.

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22 PRESIDING JUDGE MINDUA: [10:16:19](Interpretation) Thank you very
23 much.

24 MR DUTERTRE: [10:16:23](Interpretation) Thank you, your Honours.

25 Q. [10:16:27] If we could, I would like to work through these one name at a

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 time and have a little bit of information about each of them.

2 The first one, can you see the document yourself? I can't read the Arabic
3 writing, obviously. So the first, could you please read the name for us. It's ...
4 Something has been -- my English is not good enough to say that the focus has
5 just been disturbed. Maybe you could reset it. Thank you.

6 So what is the first name on that list, Mr Witness?

7 A. [10:17:23] * Muhammed Al-Amin son of Abdul Wadud.

8 Q. [10:17:34] You said he was an Arab, is that correct?

9 A. [10:17:41] Indeed.

10 Q. [10:17:56] And if you know, of course, could you tell us what was his
11 religious orientation?

12 A. [10:18:09] [REDACTED]

13 [REDACTED]

14 [REDACTED] He is a traditionalist Maliki.

15 Q. [10:18:35] Could you clarify for us all here, what do you mean exactly
16 by -- what is meant by "Maliki traditionalist"?

17 A. [10:18:53] When we describe someone as being "Maliki", that means that
18 he recognises within Islamic jurisprudence only part of that jurisprudence,
19 which is, the teachings of the Maliki school of thought. And this is in
20 reference to a scholar of -- in the Medina, who came 200 years after the death of
21 the prophet, peace be upon him.

22 This person I'm referring to led a school -- his own school of thought. Most
23 people of Timbuktu, Azawadi Arabs, and most north Africans, believe in his
24 ideas.

25 As for the word "traditionalist", it describes people who are not open to other

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 schools of thought, to other opinions and instead stick to their inherited ideas,
2 ideas inherited within society. Ideas that have -- that turned from religion
3 and jurisprudence into social norms, to the extent that people no longer tell the
4 difference between their behaviour and then learned social practices on the one
5 hand and religious texts that represent these ideas.

6 So religion turned into a social habit and a societal practice. So the people
7 who stick to these traditions, we also call them "traditionalists". So he is a
8 Maliki traditionalist.

9 Q. [10:20:52] So he didn't accept the function at the tribunal.

10 If we could move on to the second person. Could you please read his name
11 for us?

12 A. [10:21:06] The second is Houka Houka. * His name is Mohamed
13 Bin-el-Houssein.

14 Q. [10:21:19] We've already talked about him. So let us move on to the
15 third name, if you could read that for us?

16 A. [10:21:27] Daoud Ali Maiga.

17 Q. [10:21:37] Daoud Ali Maiga is from which ethnicity?

18 A. [10:21:45] He is from the Songhai, and, in Timbuktu, they introduce
19 themselves as Koyraboro.

20 Q. [10:22:15] Could you please repeat the last term that you used as -- and
21 explain to us what it is. You said they introduce themselves as ... and we
22 didn't get what that was and if you could explain that please?

23 A. [10:22:30] Yes. That's indeed what I said. The -- they introduce
24 themselves -- I call them the Songhai, I always refer to them as the Songhai, I
25 mean. But they introduce themselves as Koyraboro. It's a Songhai word

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 meaning, the people of the city.

2 Q. [10:22:57] Noted.

3 And to your knowledge, what is his religious orientation, Daoud Ali Maiga?

4 A. [10:23:11] He is from the Wahhabist school. One hundred per cent, he's

5 a pure Wahhabist. But there's something called "scholarly Salafism". That's

6 what he embraces, and he is opposed to jihadist Salafism. There are two

7 branches within Wahhabism. One is called "scholarly Salafism" and another

8 called "jihadist Salafism". He embraced the branch within Wahhabism

9 referred to as scholarly Salafism and he was against jihadist Salafism.

10 Q. [10:23:53] Could you please explain to us what is "jihadist Salafism"?

11 A. [10:24:05] Salafism was one before the Afghanistan war. And Salafism

12 was one, and, it is, to hold a viewpoint whereby religion is inspired from the

13 texts of the Koran and prophetic traditions and the state of Muslims when the

14 Koran was revealed, which was in the 6th or 7th century AD. And we should

15 disavow the -- what became of Muslims and their opinions afterwards. This

16 Salafism, later on, they said that the rulers and governments of Arab and

17 Muslim countries have been cooperating with the nonbelievers in the fighting

18 and destruction of some Muslim countries.

19 For example, they say, were it not for Kuwait opening its harbours and naval

20 boundaries to America, America would not have defeated Iraq. And they also

21 say that were it -- had Saudi Arabia been -- had -- were it not for Saudi Arabia's

22 compliance with America's future intelligence policy, that would not -- it

23 wouldn't have happened that Muslims got defeated.

24 So it was these ideas. So this is a school of thought that believes that Muslim

25 governments are nonbeliever governments, and, therefore, should be fought.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 So later on it became called, jihadist Salafism.

2 Q. [10:26:29] Correction in French: It says, "Salah *files*". I think it should be
3 "Salafism" and not "Salah *files*" -- just to clarify that point in French.

4 And where did Daoud Ali Maiga practice? Where did he operate?

5 A. [10:27:03] Daoud Ali Maiga had a very large centre that included a grand
6 mosque, an elementary school, and also his homes, the homes of his wives and
7 also his reception -- his receptions. So he had a large land where he built up
8 all of these things in east Timbuktu, in the eastern part of Timbuktu.

9 The Saudis are the ones who built these for him because he studied in Saudi
10 Arabia and he had friends in Saudi Arabia supporting him.

11 Q. [10:27:54] So if I've understood correctly, he was also on the second list.
12 Did he, in the end, become part of the council? Part of the Islamic tribunal in
13 Timbuktu?

14 A. [10:28:13] Yes. But he never fully embraced jihadist Salafism.

15 Q. [10:28:29] If we could now move on to the person noted at number 4.
16 Could you please give us his name, Mr Witness?

17 A. [10:28:44] This is Daoud Al Jomaa.

18 Q. [10:28:54] What ethnicity is Daoud Al Jomaa?

19 A. [10:29:05] The Bellata. They are the black Tuaregs.

20 Q. [10:29:13] Do you know his religious orientation?

21 A. [10:29:22] Yes, certainly. I would say about him the same thing I said
22 about Mohamed Al-Amin, he is a Maliki traditionalist. I may also add a Sufist.
23 He's also a Sufist.

24 Q. [10:29:39] So what is a "Sufist", Mr Witness? Could you enlighten us on
25 that, please.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [10:29:52] Sufism is Islamic ideas based on disavowing earthly life, piety
2 and righteousness. They have -- and they have ideas, such as, believing that
3 the Koran having hidden meanings, meanings accessible only to those who
4 truly worship God. So they take a lot of -- spend a lot of time worshipping
5 God and revering God more than other Muslims. So they think as a result of
6 that, new lights are opened to them, and they have new horizons that God
7 opens to them and that's how they access new information in the Koran that
8 others cannot access.

9 And this is something that the Wahhabists condemn.

10 So this Sufism, whether we're talking -- that's Sufism and that applies to both
11 old and modern Sufism.

12 Q. [10:31:13] Where would he exercise his activities, Daoud Al-Jomaa, in
13 Timbuktu?

14 A. [10:31:27] He's an average person. He had his homes. I know that two
15 homes he had two wives, he might have had more, and I know his mosque.
16 He had a very large grand mosque where he led people in prayer and gave the
17 Friday sermon. [REDACTED]

18 [REDACTED]

19 Q. [10:32:02] In the French transcript, Mr Witness, it is written that this is an
20 average person. Is that the word that you used or was this an interpretation
21 problem?

22 It's the beginning of your answer, "He is an average person, he had homes. I
23 knew that he had two homes."

24 A. [10:32:40] I just wanted to say that he's a regular layman, simple person.
25 He did not have connections like the ones I have been talking about, like

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 connections to the outside world. He's just a scholar in Timbuktu.

2 PRESIDING JUDGE MINDUA: [10:33:06](Interpretation) Mr Prosecutor, I can

3 see at line 22, it is also written that he would -- there was the prayer on Sunday.

4 Is Sunday the day of the week that he wanted to mention?

5 MR DUTERTRE: [10:33:21](Interpretation) Indeed, Mr President. It might be

6 an issue of interpretation.

7 Q. [10:33:24] You said that he had a very large mosque where he would lead

8 prayer and --

9 PRESIDING JUDGE MINDUA: [10:33:37](Interpretation) Ms Taylor.

10 MS TAYLOR: [10:33:38] Thank you, Mr President. If it may assist, I believe

11 we have a different answer in the English transcript. The English transcript

12 says, "Friday."

13 So I believe it might just be an error in the French transcript.

14 PRESIDING JUDGE MINDUA: [10:34:03](Interpretation) Thank you very

15 much, Ms Taylor.

16 Mr Dutertre.

17 MR DUTERTRE: [10:34:07](Interpretation) Yes, thank you, Ms Taylor.

18 Q. [10:34:11] Yes, so the Sunday sermon or Sunday prayer is incorrect.

19 [REDACTED]

20 [REDACTED]

21 A. [10:34:34] Yes, yes. [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 Q. [10:35:12] [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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A. [10:35:27]

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Q. [10:35:53]

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A. [10:36:03] The jihadists filmed all their activities in the city and they

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shared them with the -- they shared that with the press. The purpose for them

9

was to show the world whether the world that opposed them -- or, the world,

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they were hoping, to come around and agree with what they were doing. The

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purpose of -- behind all of that is well considered in advance.

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As for those who stand against them, it was a form of defiance. As to those

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who were -- whom they were hoping would come around, they were hoping

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they would simply collaborate and join in.

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Q. [10:36:58] So I'd like to now move on to the fifth name, Mr Witness.

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Could you tell us what you have written and then there's something in

17

brackets?

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A. [10:37:13] "Al-Jomaa (Khatou)".

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MR DUTERTRE: [10:37:22](Interpretation) Mr President, maybe madam

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usher could sit down. I see that she's standing up for quite some time.

21

PRESIDING JUDGE MINDUA: [10:37:33](Interpretation) Yes, you're right.

22

I was getting a little bit worried as well.

23

MR DUTERTRE: [10:37:40](Interpretation) Thank you very much, madam

24

courtroom officer.

25

Q. [10:37:49] So you said, "Al-Jomaa (Khatou)". Is that correct?

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [10:37:59] Indeed, Khatou.

2 Q. [10:38:04] So "Khatou", is that the one in brackets or is it the other name at
3 line 5, preceding that?

4 A. [10:38:16] It's the one between brackets, indeed.

5 Q. [10:38:26] And why did you put Khatou in brackets?

6 A. [10:38:34] Because it's a sort of an alias. It's not part of the actual name.

7 Q. [10:38:49] What ethnic group did Khatou belong to?

8 A. [10:38:58] He's from the Bellata. He was close to the previously
9 mentioned Daoud Al-Jomaa.

10 Q. [10:39:18] And do you know his religious beliefs, Khatou's religious
11 beliefs?

12 A. [10:39:26] I would say about him the same thing I said about Daoud
13 Al-Jomaa. He is a jurist, an imam, and a regular kind of imam. Not a Friday
14 sermon imam.

15 Q. [10:39:53] And which neighbourhood in Timbuktu did he hail from?

16 A. [10:39:59] From the Bellafarandi neighbourhood himself. And Daoud
17 Al-Jomaa, the Bellafarandi neighbourhood.

18 Q. [10:40:17] [REDACTED]

19 A. [10:40:25] [REDACTED]

20 Q. [10:40:33] So I'm going to now move on to the 6th individual on the list.
21 Could you tell us their name, please?

22 A. [10:40:42] Mohamed Ibrahim.

23 Q. [10:40:54] Of which ethnic origin is Mohamed Ibrahim, Mr Witness?

24 A. [10:41:05] Mohamed Ibrahim is from the Songhai. He is a student of
25 Daoud Ali Maiga, the same denomination, the same ethnicity. He is his

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 relative and his in-law. He is the husband of Daoud Ali Maiga's daughter.

2 Q. [10:41:36] And what were his religious beliefs, Mr Witness?

3 A. [10:41:39] Like his Sheikh teacher, a pure Wahhabist -- scholarly Salafism,
4 that is.

5 Q. [10:42:06] I'm going to move on to the seventh name on the list. What is
6 this individual's name, Mr Witness?

7 A. [10:42:15] Mohamed Moussa.

8 Q. [10:42:26] [REDACTED]

9 [REDACTED]

10 A. [10:42:38] [REDACTED]

11 Q. [10:42:45] [REDACTED]

12 [REDACTED]

13 A. [10:42:55] [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 Q. [10:43:46] [REDACTED]

19 [REDACTED]

20 A. [10:43:57] [REDACTED]

21 Q. [10:44:02] [REDACTED]

22 [REDACTED]

23 A. [10:44:14] [REDACTED]

24 Q. [10:44:28] [REDACTED]

25 A. [10:44:38] [REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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3 Q. [10:45:03]

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5 A. [10:45:14]

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8 Q. [10:45:40] Very well.

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13 A. [10:46:09]

14 Q. [10:46:14]

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16 A. [10:46:28]

17 Q. [10:46:41]

18 A. [10:46:45]

19 Q. [10:47:06]

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Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [10:48:02]

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6 Q. [10:48:51]

7 Abdelhay. Could you tell us whether -- or could you tell us what this person's
8 ethnic origin is, to start off with?

9 A. [10:49:13] He's from the Kel Ansar tribe, the ones who, in terms of their
10 maternal ancestry, they come from an eastern tribe called Adnan in eastern
11 Mali. He is a relative of Houka Houka.

12 Q. [10:49:44] And what are his religious beliefs, if you are aware?

13 A. [10:49:50] Just like -- just like Houka Houka, he is a Maliki influenced by
14 Wahhabist ideas.

15 Q. [10:50:07] Where does he live usually, Abdelhay?

16 A. [10:50:17] He lives in his private business 40 kilometres west of Timbuktu
17 on the main road between Timbuktu and Goundam.

18 Q. [10:50:31] Was he part of the Islamic court in Timbuktu in the end or not?

19 A. [10:50:50] Yes.

20 Q. [10:50:58]

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23 PRESIDING JUDGE MINDUA: [10:52:57](Interpretation)

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Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 THE COURT OFFICER: [10:53:06] Your Honours, the document will be
2 assigned exhibit number MLI-REG-0001-0075.

3 PRESIDING JUDGE MINDUA: [10:53:19](Interpretation) Thank you very
4 much, Mr Courtroom Officer.

5 Mr Prosecutor.

6 MR DUTERTRE: [10:53:23](Interpretation)

7 Q. [10:53:26] Mr Witness, does the name of Abdelhay appear on this sheet
8 and, if so, which number is it?

9 A. [10:53:40] Yes, it does and it's at number 7.

10 Q. [10:53:46]

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16 A. [10:54:40] Abou Tourab was perceived by the jihadists as not a regular
17 layman and that's it. No, it was -- they perceived him as someone serving the
18 jihadist agenda in a deep way and the tasks assigned to him -- assigned to him
19 went beyond just the judicial function.

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24 Q. [10:55:40]

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Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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A. [10:56:05]

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Q. [10:57:37]

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A. [10:57:48]

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Q. [10:58:00]

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A. [10:58:31]

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Q. [10:59:09]

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Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [10:59:45]

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5 Q. [11:00:35]

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7 A. [11:00:48]

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9 PRESIDING JUDGE MINDUA: [11:01:12](Interpretation) Right. It is now

10 11.01. We will take our morning break of 30 minutes, starting again at 11.30.

11 The hearing is suspended.

12 THE COURT USHER: [11:01:30] All rise.

13 (Recess taken at 11.01 a.m.)

14 (Upon resuming in closed session at 11.31 a.m.)

15 THE COURT USHER: [11:31:25] All rise.

16 Please be seated.

17 PRESIDING JUDGE MINDUA: [11:31:52](Interpretation) The Court is once

18 more in session.

19 Mr Witness, the Chamber is very grateful for your very clear and very detailed

20 answers. Nevertheless, the interpreters are having some difficulty because

21 you seem to be speeding up as you speak. So if you could please ensure that

22 there are breaks to allow the interpreters and court reporters to work properly.

23 That would be much appreciated. Thank you.

24 So I think now, we can now move straight on to the Prosecution.

25 Mr Prosecutor.

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 MR DUTERTRE: [11:32:41](Interpretation) Thank you, your Honours.

2 Q. [11:32:46]

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5 A. [11:33:19]

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11 Q. [11:34:19]

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14 A. [11:34:46]

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23 Q. [11:36:08]

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25 A. [11:36:23]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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[REDACTED]

Q. [11:36:57] [REDACTED]

[REDACTED]

A. [11:37:25] [REDACTED]

[REDACTED]

Q. [11:37:43] [REDACTED]

[REDACTED]

A. [11:38:33] [REDACTED]

[REDACTED]

Q. [11:38:47] [REDACTED]

A. [11:38:52] [REDACTED]

[REDACTED]

Q. [11:39:13] [REDACTED]

[REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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A. [11:39:36]

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Q. [11:40:21]

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A. [11:41:09]

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Q. [11:41:43]

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A. [11:42:11] Daoud Ali Maiga is much more learned in comparison to

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Houka Houka because he is a graduate of a scholarly academy, a

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well-organised one, it's called, The Prophetic Tradition House, based in Saudi

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Arabia. And during his studies in Saudi Arabia, he also learned from many

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 scholars in Mecca and other Saudi cities.

2 While Houka Houka never graduated from any academic institution. He only
3 studied from some local scholars limited in mind, and he studied some limited
4 jurisprudential books within the Maliki school of thought.

5 Q. [11:43:18] So why -- why was it not Daoud Ali Maiga who was the judge,
6 but it was Houka Houka who was the judge?

7 A. [11:43:48] Daoud Ali Maiga belongs to scholarly Salafism, which was
8 opposed to jihadists, just like Mohamed Moussa who also belonged to
9 scholarly Salafism opposed to jihadists. But in light of the one-on-one
10 meetings that Iyad held with them, he was able -- Iyad was able to reach an
11 agreement with them, whereby they would be involved in the cooperation
12 with Muslims - as he laid it out to them at the Bouctou hotel - and for them also
13 not to oppose any of the things that the Islamist group did.

14 [REDACTED]
15 [REDACTED] They were not that in compliance with the group to the extent that
16 any of them would amount to being chief judge.

17 Q. [11:45:09] [REDACTED]

18 [REDACTED]
19 [REDACTED]

20 A. [11:45:39] [REDACTED]

21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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Q. [11:48:10] [REDACTED]

[REDACTED]

A. [11:48:25] [REDACTED]

[REDACTED]

Q. [11:49:00] [REDACTED]

[REDACTED]

A. [11:49:34] [REDACTED]

[REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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3 Q. [11:50:17]

4 A. [11:50:23]

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10 Q. [11:51:28]

11 A. [11:51:39]

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14 A. [11:51:58]

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17 A. [11:52:23]

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19 Q. [11:52:42]

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21 A. [11:52:56]

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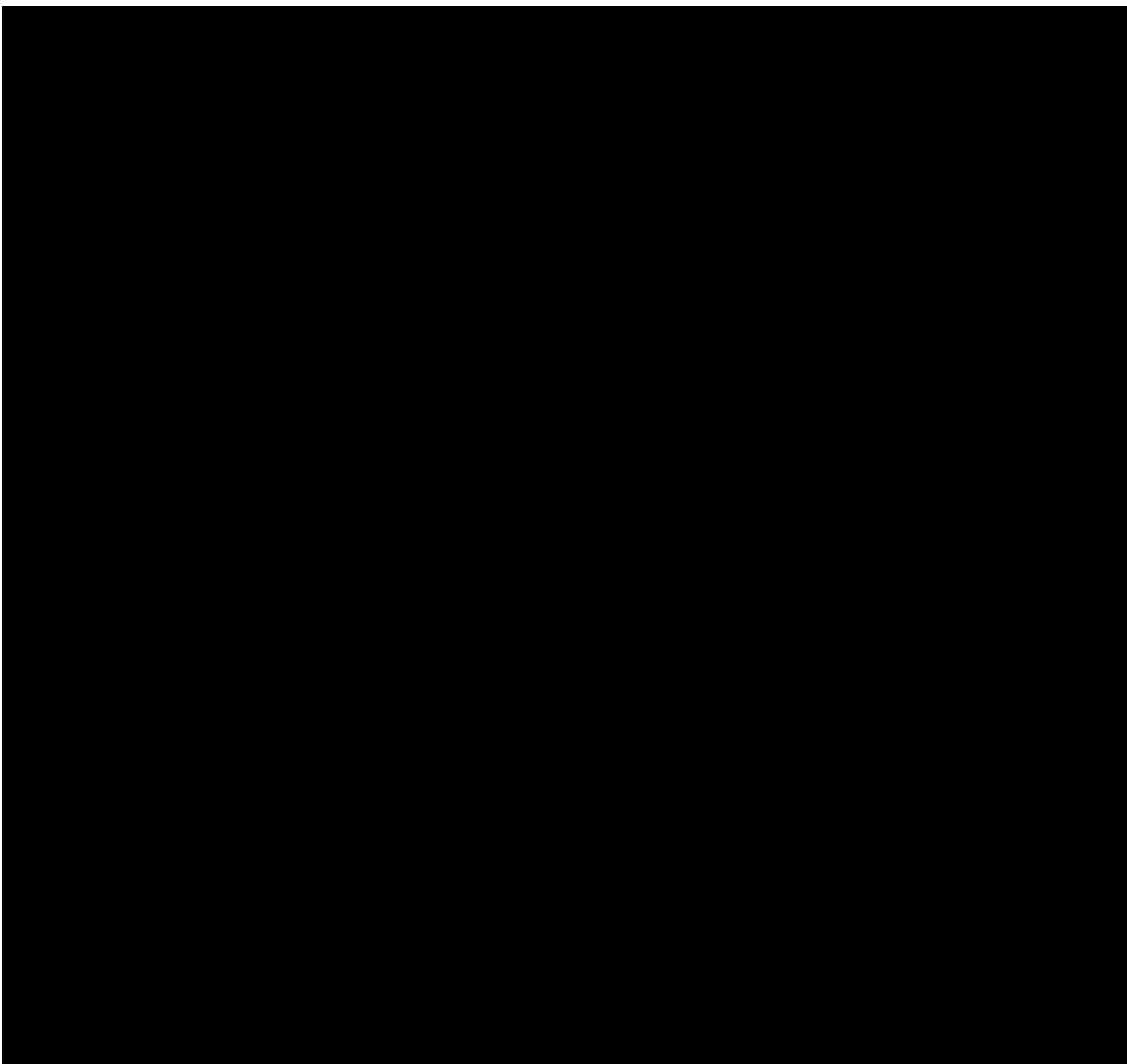
Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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17 Q. [11:55:44] I would like to come back to some of these points, but before I
18 do that, all these religious texts and interpretations were written in which
19 language?

20 A. [11:55:57] The Arabic language.

21 Q. [11:56:02] And how well did Houka Houka speak Arabic? How good
22 was his knowledge of Arabic?

23 A. [11:56:14] It was good. He understands it fine, but he cannot speak it
24 fluently because his mother tongue is not Arabic. But he understands Arabic
25 well.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [11:56:36]

2 A. [11:56:55]

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6 Q. [11:57:25]

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9 A. [11:57:47]

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15 Q. [11:58:48]

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17 A. [11:58:59]

18 Q. [11:59:25]

19 A. [11:59:40]

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22 Q. [12:00:09] Were you -- when you say that Radwan was working on other
23 aspects, could you be more specific as to the other aspects he was working on?

24 A. [12:00:20] The media. He worked at the ORTM radio station.

25 Q. [12:00:43] What else did Radwan do in Timbuktu between April 2012 and

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 January 2013?

2 A. [12:00:52] Radwan was working in the media [REDACTED]

3 [REDACTED] He was also with Sanda all the time and I think he was also a
4 prominent adviser to Abou Al Hammam.

5 Q. [12:01:28] [REDACTED]

6 [REDACTED]

7 A. [12:01:39] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 Q. [12:02:22] [REDACTED]

12 A. [12:02:39] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 Q. [12:03:08] [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 A. [12:03:37] With regards to Koutaïba, he is the most senior person. He is
20 the chief judge for -- he has been the chief judge in the group for a long time
21 until now. He is Al-Qaeda's judge in the Islamic Maghreb. His command of
22 Sharia is profound and large.

23 As to Sheikh Abdallah, he appeared more in Timbuktu because he -- because
24 he was brought by Abou Zeid under his leadership to monitor all Sharia
25 activities in Timbuktu. And also, to encourage and incentivise others to

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 follow suit, [REDACTED] So Sheikh Abdallah's activity in Timbuktu was more
2 apparent than that of Koutaïba.

3 Radwan as well had a dominant personality and he looked like a stalwart, so
4 his role was also visible in Timbuktu.

5 Q. [12:05:15] I'm going to come back a little bit to page 41, Mr Witness, when
6 you said, firstly:

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

11 A. [12:06:01] Yes. Because the jihadist group wants to show that it's faithful
12 to certain claims it has originally made about what it was going to do. And
13 that consists in the fact that the city of Timbuktu, the Islamic city of Timbuktu,
14 described as the city of knowledge and scholars, has amongst its own people,
15 those who are qualified to be judges; needless of having others do that job.
16 So they needed to show that all judges were from the people of Timbuktu.
17 Nevertheless, they were not able to stay afar from this judiciary because they
18 wanted to ensure the judiciary went according to their plan and their vision of
19 how things should be.

20 Q. [12:07:20] [REDACTED]

21 [REDACTED]
22 [REDACTED]

23 THE INTERPRETER: [12:07:39] [REDACTED]

24 [REDACTED]

25 MR DUTERTRE: [12:07:42](Interpretation).

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [12:07:43]

[REDACTED]

2 A. [12:07:51]

[REDACTED]

3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]

8 Q. [12:08:45]

[REDACTED]

9 A. [12:08:49]

[REDACTED]

10 Q. [12:09:02]

[REDACTED]

11 [REDACTED]

12 A. [12:09:18]

[REDACTED]

13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 Q. [12:10:13]

[REDACTED]

18 [REDACTED]
19 [REDACTED]

20 A. [12:10:39]

[REDACTED]

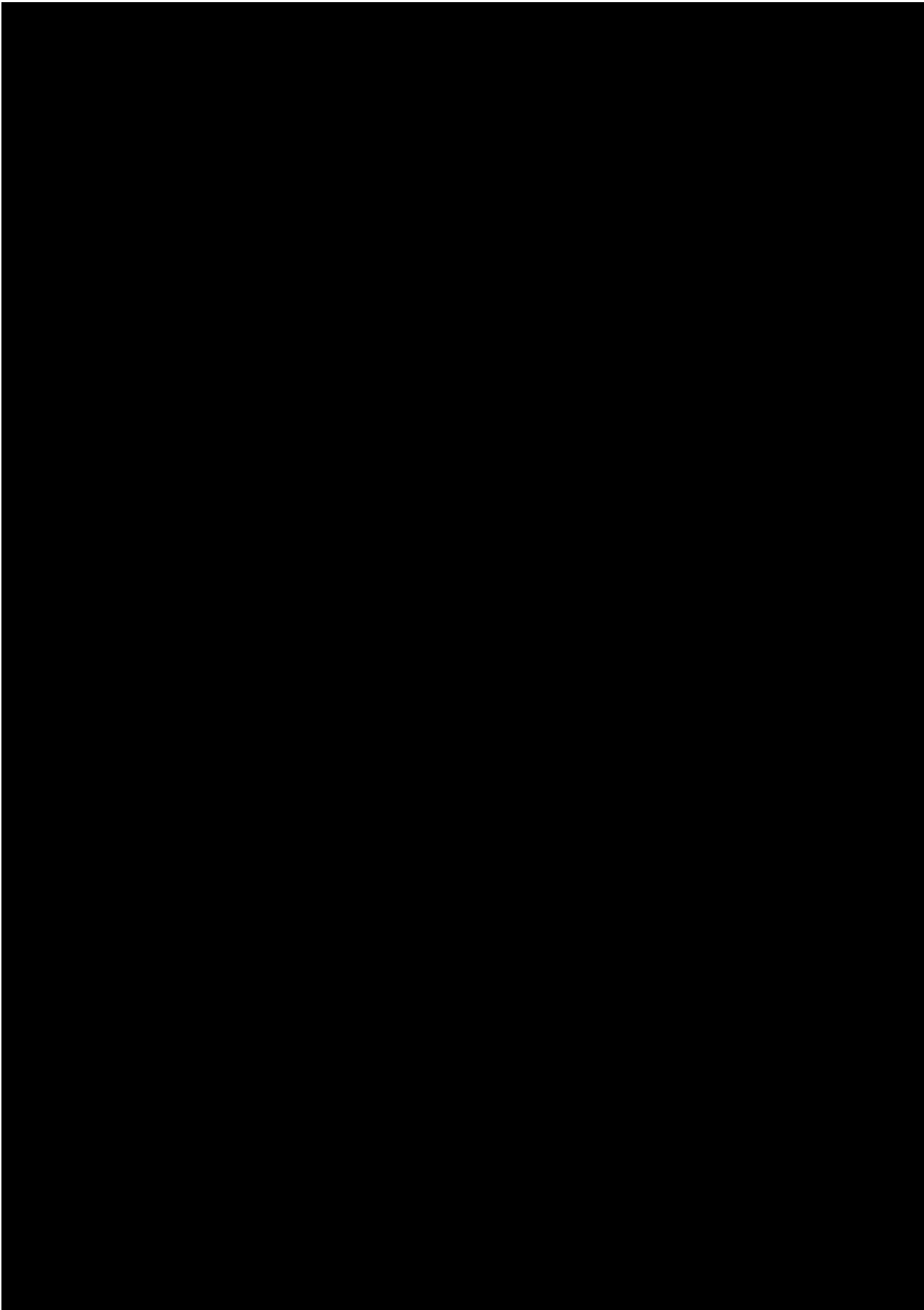
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Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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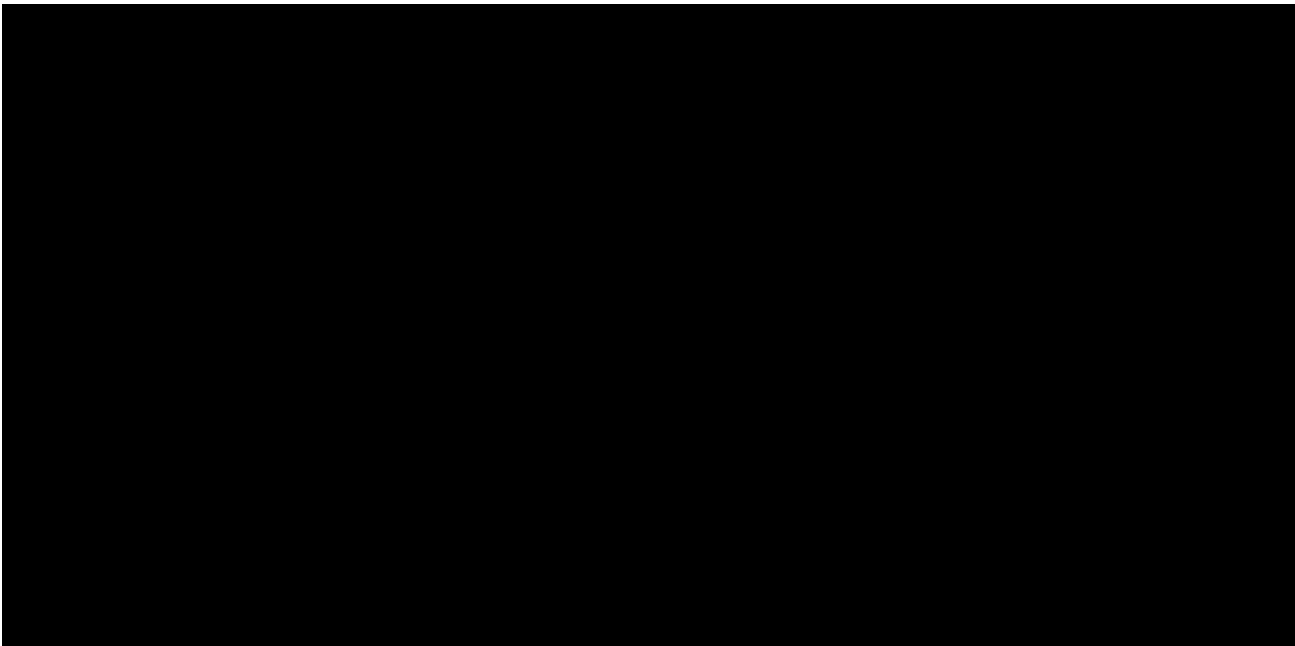


Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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10 Q. [12:14:58] Thank you, Mr Witness. I shall listen to the recommendations
11 of the presiding judge at the beginning of the session. If you would mind
12 please speaking a little bit more slowly, this will facilitate the job of our
13 interpreters.

14 [REDACTED]

15 A. [12:15:39] [REDACTED]

16 Q. [12:15:53] You mentioned, I haven't got the exact sentence ... Yes, I do.
17 The question of strategy, that it served their strategy. What did you mean by
18 that?

19 A. [12:16:19] Because the execution seemed -- was at that point the only *hadd*
20 that has not yet been enforced. They had up to that point enforced the
21 flogging and the hand amputation, but execution was yet to be enforced. So
22 they were adamant to showcasing an example implemented of that type of
23 *hudud*.

24 This was also a chance for them because this is someone who has joined the
25 ranks of the jihadists few months before he committed the crime. So they

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 wanted to show that they were applying Sharia to everybody, even those
2 within their ranks.

3 It was also an opportunity because the ethnicity, the blank-skinned Songhai
4 and Bellata accused the new occupiers of being white-skinned, and that,
5 therefore, they would favour whites over the rest. Therefore, the killing, the
6 execution of Moussa would demonstrate that the group does not favour whites
7 over blacks, nor Arabs over non-Arabs.

8 All of these things the group wanted to prove through the execution of
9 Moussa.

10 Q. [12:18:21] Can you assist us in a matter. You indicated that the Bellata
11 accused the new occupiers who had lighter skins and that they favoured
12 whites over others. Could you develop that point somewhat and tell us what
13 you heard and observed?

14 A. [12:18:46] These were part of hearsay then. I said that even before the
15 arrival of the jihadists, there was a racial factor among the tribes there. There
16 was -- there was a tension between the white skinned and the black skinned.
17 And the black skinned perceived the raiders -- the occupiers as raiders from
18 Arab origins and that they had been in the past enslavers of the locals.
19 Therefore, they held inside of them resentment in that respect.
20 The Malian authorities tried to calm things down and sometimes even
21 members of the government seemed to intensify this tension; anyway, these
22 things preceded the arrival of the jihadists.
23 And locals in Timbuktu were afraid that these occupiers would favour the
24 whites over the blacks, and therefore would create a balance that would put the
25 whites at an advantageous position that would be unfair to the blacks.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [12:20:39]

2 [REDACTED]
3 [REDACTED]

4 A. [12:21:06]

5 [REDACTED]
6 [REDACTED]

7 In approximate terms, the jihadists withdrew from the judge all cases that
8 would lead to conflict - such as, land matters and matters pertaining to wells,
9 agricultural lands, and also anything that could affect the future of leadership
10 within the ranks of the Islamist group - in addition to other complex matters
11 that the judge cannot settle, having never been through a similar situation in
12 his life.

13 [REDACTED]
14 [REDACTED]

15 Q. [12:22:34]

16 [REDACTED]
17 [REDACTED]

18 A. [12:22:58]

19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]

24 Q. [12:23:54]

25 [REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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3 A. [12:24:30]

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18 Q. [12:26:42]

19 binder number 1, tabs 87 and 88, and maybe the courtroom usher could come

20 and assist the witness, please. 0001-7369. Translation, 0077-2768.

21

22

23 A. [12:28:28]

24 Q. [12:28:40]

25

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [12:28:57]

[REDACTED]

2 Q. [12:29:15]

[REDACTED]

3 A. [12:29:27]

[REDACTED]

4 Q. [12:29:36]

[REDACTED]

5 [REDACTED]

6 [REDACTED]

7 A. [12:30:16]

[REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 THE ARABIC INTERPRETER: [12:31:21] Note from the interpreters: The

16 gentleman used unusual grammatical phrasing in Arabic and this has hindered

17 our ability to interpret.

18 MR DUTERTRE: [12:32:09](Interpretation)

19 Q. [12:32:17] (No interpretation)(Overlapping speakers)

20 A. [12:32:20]

[REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [12:32:59]

[REDACTED]

2 A. [12:33:06]

[REDACTED]

3 Q. [12:33:11]

[REDACTED]

4 A. [12:33:17]

[REDACTED]

5 Q. [12:33:24]

[REDACTED]

6

[REDACTED]

7 A. [12:33:38]

[REDACTED]

8 Q. [12:33:50]

[REDACTED]

9

[REDACTED]

10 A. [12:34:16]

[REDACTED]

11

[REDACTED]

12 Q. [12:34:50]

[REDACTED]

13 A. [12:34:59]

[REDACTED]

14 Q. [12:35:17] Thank you.

15 I'm now going to show a document, which is in binder 3, I believe, at tab 568

16 and translation at 569. ERN is 0055-0231, that's the original, and 0078-6282 for

17 the translation.

18 And again, I would ask you to start with the page on the left, Mr Witness.

19

[REDACTED]

20

21 A. [12:37:24]

[REDACTED]

22 Q. [12:37:33]

[REDACTED]

23 A. [12:37:44]

[REDACTED]

24 Q. [12:37:59]

[REDACTED]

25 A. [12:38:13]

[REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 [REDACTED]

2 Q. [12:38:28] [REDACTED]

3 [REDACTED]

4 A. [12:38:42] [REDACTED]

5 [REDACTED]

6 Q. [12:39:07] [REDACTED]

7 [REDACTED]

8 A. [12:39:19] [REDACTED]

9 [REDACTED]

10 Q. [12:39:44] [REDACTED]

11 [REDACTED]

12 A. [12:39:58] [REDACTED]

13 [REDACTED]

14 Q. [12:40:26] [REDACTED]

15 [REDACTED]

16 A. [12:40:38] [REDACTED]

17 Q. [12:40:53] [REDACTED]

18 A. [12:41:03] [REDACTED]

19 Q. [12:41:15] [REDACTED]

20 [REDACTED]

21 A. [12:41:30] [REDACTED]

22 [REDACTED]

23 Q. [12:41:51] [REDACTED]

24 A. [12:42:00] [REDACTED]

25 [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 [REDACTED]

2 Q. [12:42:37] Thank you. I would now like to show another document,
3 which is in binder 1, tabs 113 and 114.

4 [REDACTED]
5 [REDACTED]
6 [REDACTED]

7 A. [12:44:08] [REDACTED]

8 Q. [12:44:23] Now you have the document 0001-7382 and [REDACTED]

9 [REDACTED]

10 Q. [12:45:01] [REDACTED]

11 A. [12:45:27] [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 Q. [12:46:21] [REDACTED]

19 A. [12:46:28] [REDACTED]
20 [REDACTED]
21 [REDACTED]

22 Q. [12:46:48] [REDACTED]

23 [REDACTED]

24 A. [12:47:17] [REDACTED]

25 Q. [12:47:32] [REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 A. [12:47:52]

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3 Q. [12:48:10]

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7 A. [12:49:11]

8

9 Q. [12:49:37]

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11 A. [12:49:48]

12 Q. [12:50:05]

13 A. [12:50:16]

14

15 Q. [12:50:46]

16

17 A. [12:51:05]

18

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20 Q. [12:51:37]

21

22 A. [12:51:53]

23 Q. [12:52:03] And if you could now go to 0001-7381, which is at tab 111,

24 which its translation at tab 112.

25 But keep the other one to hand, the one we've just been looking at, please.

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 PRESIDING JUDGE MINDUA: [12:53:08](Interpretation) Ms Taylor.

2 MS TAYLOR: [12:53:09] The Defence would respectfully request that the

3 Prosecution give the MLI references for the translations to make it easier for us

4 to follow.

5 PRESIDING JUDGE MINDUA: [12:53:23] (No interpretation) *Oui, Monsieur le*

6 *Procureur*.

7 MR DUTERTRE: [12:53:23](Interpretation) You're right, I gave the tab, but not

8 the ERN. The translation is 0078-1603 and that's tab 112 of binder number 1.

9 Q. [12:54:51] Mr Witness, what is this document in relation to the one we
10 looked at previously.

11 A. [12:55:13] I don't think the two are connected [REDACTED]

12 [REDACTED]
13 [REDACTED]

14 Q. [12:55:45] [REDACTED]

15 A. [12:55:54] [REDACTED]

16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 Q. [12:56:35] [REDACTED] 0001-7382, [REDACTED]

20 [REDACTED]
21 [REDACTED]

22 A. [12:57:16] [REDACTED]

23 Q. [12:57:40] Thank you, Mr Witness.

24 MR DUTERTRE: [12:57:40](Interpretation) Mr President, given the time, I got

25 something, but it will take me five minutes, which would cause me to overrun,

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 but I'm in your hands.

2 PRESIDING JUDGE MINDUA: [12:58:03](Interpretation) I think we will stop
3 perhaps. We have two minutes and we will stop here and take our lunch
4 break and we will reconvene at 1430.

5 The hearing is suspended.

6 THE COURT USHER: [12:58:22] All rise.

7 (Recess taken at 12.58 p.m.)

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

9 THE COURT USHER: [14:30:46] All rise.

10 Please be seated.

11 PRESIDING JUDGE MINDUA: [14:31:12](Interpretation) The Court is once
12 more in session.

13 Mr Prosecutor, you still have the floor for the examination-in-chief.

14 MR DUTERTRE: [14:31:24](Interpretation) Thank you, your Honours.

15 Q. [14:31:29] Mr Witness, following the break we will continue discussing
16 [REDACTED] and I'm going to start by showing a short video, which is in binder
17 number 6. From memory, it's 0018-[0]251, tab 1049, 1050 is the transcript, and
18 1051 is the translation. The transcript is 0078-1425, and the translation is
19 0078-1427.

20 I'm going to show it without sound first of all.

21 (Viewing of the video excerpt)

22 MR DUTERTRE: [14:33:41](Interpretation)

23 Q. [14:33:43] Mr Witness, can you tell us where this video was taken?

24 A. [14:33:54] Yes. This is the eastern side of the Sankore square where the
25 fornication *hadd* was enforced.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [14:34:27] And when you talk about this *hadd*, can you tell us which one it
2 was in the chronological terms?

3 A. [14:34:42] I said the fornication *hadd*, and I don't know whether it was the
4 first instance, but I think greatly that this is the most attended *hadd* in -- the
5 fornication *hadd* enforcement, the most one -- the most attended by people.

6 Q. [14:35:19] I am now at 00:00:00:02. Can you tell us who is the person on
7 the left of the image with a brown turban and white clothing that we can see
8 face on?

9 A. [14:35:46] The person dressed in white robes and is touching Sheikh
10 Houka Houka and on his side in -- dressed in green with a white turban, is
11 imam Essayouti.

12 Q. [14:36:36] I put this badly, the person that we can see completely with the
13 brown turban and dressed in white?

14 A. [14:36:54] That is Houka Houka, the judge.

15 Q. [14:37:05] And what does he have between his legs?

16 A. [14:37:26] That is his personal weapon.

17 Q. [14:37:49] And the person to the left with a blue robe and a white turban,
18 who is that, Mr Witness?

19 A. [14:38:04] That is imam Essayouti.

20 PRESIDING JUDGE MINDUA: [14:38:12](Interpretation) Ms Taylor.

21 MS TAYLOR: [14:38:12] Thank you very much, Mr President.

22 In case it's of assistance, I believe that the transcript earlier said "green";
23 whereas, the Arabic was "blue".

24 So it might be helpful to have that reflected.

25 It was a previous page, and both the English and French had green; whereas it

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 should have been blue.

2 PRESIDING JUDGE MINDUA: [14:38:52](Interpretation) Indeed, Ms Taylor.

3 That's correct.

4 MR DUTERTRE: [14:38:59](Interpretation).

5 Q. [14:39:01] On the French transcript it's blue, but it didn't pose a problem,

6 61, but it didn't pose a problem, but we can change the English as well.

7 MS TAYLOR: [14:39:20] If I may direct the Prosecutor to page 60, line 20.

8 PRESIDING JUDGE MINDUA: [14:39:39](Interpretation) Yes, 60, 20, it is

9 indeed marked *vert* - green - in the French transcript.

10 MR DUTERTRE: [14:39:49](Interpretation) I didn't pick it up because I wasn't

11 actually asking about that person. It wasn't essential, so I think we can move

12 on.

13 PRESIDING JUDGE MINDUA: [14:39:59](Interpretation) Yes, I think

14 everybody it now clear on that. Please, go ahead.

15 MR DUTERTRE: [14:40:04](Interpretation).

16 Q. [14:40:06] So we are now at 00:00:05:18, or we were and that was it for

17 that video.

18 I would now like to show another video, 0025-0010 from 00:00:13:26

19 timestamp -- 00:13:26. And that is at tab 1022 with 1023, the transcript, 1024,

20 the translation. The transcript is 0033-5244 and the translation is 0033-5448,

21 0033-5448.

22 I'm going to play it without sound. From 00:13:26:16

23 (Viewing of the video excerpt)

24 MR DUTERTRE: [14:42:52](Interpretation) [REDACTED]

25 Q. [14:43:01] [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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A. [14:43:17]

3

Q. [14:43:28] And who is the person in black who is attacking this

4

construction?

5

A. [14:43:41] The person dressed in black is Radwan.

6

Q. [14:44:03] And now another video, 0009-1749. It is at 1013, the transcript

7

1014, and this is in binder 6 again. And I'm going to play this from 00:13:48 to

8

00:14:13. I don't need the transcript. I've already given it several times

9

previously anyway.

10

So that's going to be 00:13:48:12.

11

(Viewing of the video excerpt)

12

MR DUTERTRE: [14:45:48](Interpretation)

13

Q. [14:45:49]

14

A. [14:46:01]

15

16

Q. [14:46:32] Could you please repeat the name of the mosque, Mr Witness?

17

A. [14:46:36] The Sidi Yahia mosque.

18

Q. [14:46:47] And in which town is this mosque, Mr Witness?

19

A. [14:46:53] The city of Timbuktu.

20

Q. [14:47:05] I have stopped at 00:14:07:00 and I would like, Mr Witness, for

21

you to tell me who is this person in the left -- on the left-hand side of the

22

picture with a brown turban on his head? The second person from the left

23

when you look at this picture straight on.

24

A. [14:47:41] This is Sheikh Abdallah Al Chinguetti.

25

Q. [14:48:02] And at 00:13:55:04, who is the person in the foreground of the

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 picture who was pulling at part of the gate?

2 A. [14:48:20] The person looking at the photographer is Abdallah
3 Al Chinguetti.

4 Q. [14:48:43] And the other person in -- behind his arm, who is that,
5 Mr Witness?

6 A. [14:48:53] That is Radwan.

7 Q. [14:49:09] I would now look -- like to consider the location, now having
8 discussed the people.

9 Where was the tribunal located in Timbuktu, Mr Witness, the Islamic tribunal?

10 A. [14:49:30] It's located at the eastern end of the Abaraz neighbourhood.
11 The old neighbourhood Abaraz.

12 Q. [14:49:56] And what type of a place was it, what type of building?

13 A. [14:50:07] I am not one hundred per cent sure, but I think that it was a
14 hotel and a residence for people -- for a foreign woman married in that area in
15 Timbuktu.

16 Q. [14:50:44] And when you said it was a hotel and a residence for people,
17 for a foreign woman married in that area in Timbuktu, what's the link between
18 the building and this woman? Can you clarify that please?

19 A. [14:51:04] I know that this building is owned by that foreign woman.
20 This is what the jihadists believed, and that's why they confiscated that
21 building, and they considered it part of their ownership. And that's where
22 they set up the court.

23 MR DUTERTRE: [14:51:38] Mr court officer, could you please put the map up
24 again, that is, reference 0019-0290, 1271 from binder 7 and, evidence 1, please,
25 so that Mr Witness can attempt to locate this hotel on the map.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Where would you like us to zoom in, Mr Witness?

2 A. [14:52:33] Can we zoom on the northern-western part of the city. Yes.

3 Can we move the image upwards a little.

4 Measurably, the building should be in this location.

5 MR DUTERTRE: [14:53:57](Interpretation) Mr President, I'm in your hands
6 for a number for this document.

7 PRESIDING JUDGE MINDUA: [14:54:01](Interpretation) Court officer.

8 THE COURT OFFICER: [14:54:03] Your Honours the document will be
9 assigned exhibit number MLI-REG-0001-0076.

10 PRESIDING JUDGE MINDUA: [14:54:15](Interpretation) Thank you very
11 much.

12 Mr Prosecutor.

13 MR DUTERTRE: [14:54:26](Interpretation) Thank you, your Honour.

14 Q. [14:54:31] I would like to come back to a video we used just earlier, which
15 is 0025-0010, which is currently on evidence 2 with a screenshot. That's at
16 1022 in binder 6. It's at timestamp 00:10:04:03.

17 Mr Witness, what is the building that we can see here?

18 A. [14:55:16] This is the building I have been trying to identify the location of
19 in the previous image. It was -- it came to be called afterwards the Islamic
20 court.

21 Q. [14:55:42]

22

23 A. [14:56:08]

24

25 Q. [14:56:34]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1

2 A. [14:56:51]

3 Q. [14:57:10]

4

5 A. [14:57:35]

6 Q. [14:57:46] Are you able to say who owns the vehicle that we see here on
7 the left of the image?

8 A. [14:58:00] That's Mohamed Moussa's car.

9 Q. [14:58:14] I'd now like to go to another video, still in binder 6, your
10 Honour, 1112, transcript 1113 and that's 1114. The ERN of the video is
11 0018-0242. The transcript is 0069-1858, and the translation is 0069-7653.
12 I shall show it without sound.

13 (Viewing of the video excerpt)

14 MR DUTERTRE: [15:00:06](Interpretation) I come back to the start,
15 00:00:00:00.

16 Q. [15:00:14] What is the building that we can see here, Mr Witness?

17 A. [15:00:18] This is the Islamic court of Timbuktu's building.

18 Q. [15:00:34] And I've now got the cursor at 00:00:08:06. What can you read
19 in Arabic at the top part of the panel, which is above of door?

20 A. [15:00:58] "The Islamic court".

21 Q. [15:01:20] I'm now at 00:00:05:14. Could you indicate what organ -- this
22 person who is standing before the entry to the Islamic tribunal with a vest on,
23 could you indicate which organ this person belongs to?

24 A. [15:01:48] The Islamic police of Timbuktu.

25 Q. [15:01:59] And can you say what he was doing there?

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [15:02:04] The presence of the police here is for the purpose of guarding
2 the door [REDACTED]

3 [REDACTED]
4 MR DUTERTRE: [15:02:50](Interpretation) I would now like to go, your
5 Honour, still in binder 6, tab 1115, transcript 116, 0018-[0]249. Tab 1115, 1116,
6 ERN 0033-5748 is the ERN. It's 17 seconds long.

7 (Viewing of the video excerpt)

8 MR DUTERTRE: [15:04:13](Interpretation)

9 Q. [15:04:18] Witness, [REDACTED]

10 [REDACTED]

11 A. [15:04:30] [REDACTED]

12 Q. [15:04:39] [REDACTED]

13 A. [15:04:48] [REDACTED]

14 [REDACTED]

15 Q. [15:05:10] So I'm going back to 00:00:00:00.

16 Could you tell us who the person is on the far right -- on the far left of the
17 picture with a white turban?

18 A. [15:05:29] That's one of the judges, Daoud Al-Jomaa, the Bellati.

19 Q. [15:05:51] And the second person from the left, if you are opposite the
20 screen that you can see under the window frame, who is that person, witness?

21 A. [15:06:06] That's the chief judge, Houka Houka.

22 Q. [15:06:21] Witness, I'm sorry, I'm going to ask you to repeat that again.

23 At the end of your previous answer, you said -- it's complete in English, not in
24 French, but that's fine.

25 At 00:00:05:14, who is the person in black on the right of the screen?

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [15:07:01] That's Radwan.

2 Q. [15:07:15] And at 00:00:12:06, who is the person dressed in black in the
3 centre of the picture?

4 A. [15:07:32] That's Radwan.

5 Q. [15:07:42]

6

7 A. [15:07:58]

8 Q. [15:08:09]

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12 A. [15:08:59]

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15 Q. [15:09:31] Thank you. I'm now going to show another video, video

16 0009-1749, tab 6. So tab 1013, 1094, transcript 0028-0839, tabs 1013 and 1014.

17 I'm going to play from 00:09:32:11 to approximately 00:11:20:00. Without the
18 sound firstly.

19 (Viewing of the video excerpt)

20 MR DUTERTRE: [15:13:10](Interpretation) I stopped at 00:11:21:22.

21 Q. [15:13:30]

22

23 A. [15:13:44]

24 Q. [15:13:49]

25

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [15:13:59]

[REDACTED]

2 Q. [15:14:07]

[REDACTED]

3

[REDACTED]

4 A. [15:14:34]

[REDACTED]

5

[REDACTED]

6

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10 Q. [15:15:35]

[REDACTED]

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13 A. [15:16:07]

[REDACTED]

14

[REDACTED]

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21 Q. [15:17:03]

[REDACTED]

22

[REDACTED]

23 A. [15:17:18]

[REDACTED]

24

[REDACTED]

25

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1

[REDACTED]

2

Q. [15:17:55]

[REDACTED]

3

[REDACTED]

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A. [15:18:19]

[REDACTED]

6

[REDACTED]

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9

Q. [15:19:06]

[REDACTED]

10

[REDACTED]

11

[REDACTED]

12

A. [15:19:45]

[REDACTED]

13

Q. [15:19:55] Who is the person on the left of this picture?

14

A. [15:20:01] Houka Houka.

15

Q. [15:20:06]

[REDACTED]

16

A. [15:20:15]

[REDACTED]

17

Q. [15:20:27]

[REDACTED]

18

[REDACTED]

19

A. [15:20:38]

[REDACTED]

20

Q. [15:20:45]

[REDACTED]

21

[REDACTED]

22

A. [15:21:01]

[REDACTED]

23

Q. [15:21:35] So at 00:11:08:14, who is that, Witness?

24

A. [15:21:44] That's Houka Houka.

25

Q. [15:21:51]

[REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 [REDACTED]
2 [REDACTED]

3 A. [15:22:11] [REDACTED]

4 [REDACTED]

5 Q. [15:22:38] [REDACTED]

6 [REDACTED]
7 [REDACTED]

8 A. [15:23:10] [REDACTED]

9 [REDACTED]

10 * Q. [15:23:30] I have to say that I have moved the video on but I've lost the
11 timestamp.

12 I'm going to go on to another video, Witness. We used it a few moments ago,
13 but with a different sequence, that's 0025-0010, tab 1222. I'm going to play
14 from 00:09:58:17 to 00:10:29:06. Binder 6 -- sorry, binder 7, tab 1222.
15 I'm starting at 00:10:12:13.

16 (Viewing of the video excerpt)

17 MR DUTERTRE: [15:26:03](Interpretation) And I'm stopping at 00:10:29:01.

18 Q. [15:26:24] [REDACTED]

19 [REDACTED]
20 [REDACTED]

21 A. [15:26:53] [REDACTED]

22 Q. [15:27:06] [REDACTED]

23 [REDACTED]
24 [REDACTED]

25 A. [15:27:31] [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [15:27:37] [REDACTED]

2 A. [15:27:49] [REDACTED]

3 Q. [15:28:02] Do you remember who the person was on the far left of the
4 screen with the computer in their hands?

5 A. [15:28:16] No. I forgot who that is.

6 Q. [15:28:26] [REDACTED]

7 [REDACTED]

8 A. [15:28:42] Yes. That's Abdelhay.

9 Q. [15:28:57] The person who follows dressed in white with a brown
10 turban - just after Abdelhay, continuing to the right - who is that person?

11 A. [15:29:16] That's Houka Houka.

12 Q. [15:29:29] And at 00:10:16:14, who is the person on the far right of the
13 picture dressed in black with the paper in his hands?

14 A. [15:29:48] That's Radwan.

15 * Q. [15:29:59] And at 00:10:23:13, who is the person that we can see here?

16 A. [15:30:15] That's Radwan.

17 Q. [15:30:24] I've now come to 00:10:20:06. Could you please tell us what
18 this flag is, this flag to the right of the window?

19 A. [15:30:41] That's the Al-Qaeda flag.

20 Q. [15:30:59] Thank you, Mr Witness.

21 [REDACTED]

22 [REDACTED]

23 A. [15:31:22] [REDACTED]

24 MR DUTERTRE: [15:31:42](Interpretation) I'd now like to move to another
25 video, your Honours. 0018-0102, which is at 1117 of binder 6, transcript

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

1 0069-1374, 1118 of binder 6 and the translation 0078-1865 at 1119, also in binder

2 6.

3 This is a very short video, just five seconds.

4 (Viewing of the video excerpt)

5 MR DUTERTRE: [15:33:15](Interpretation).

6 Q. [15:33:17]

7 A. [15:33:25]

8 Q. [15:33:39] I'm at 00:00:03:14. Can you tell us who that is on the left,

9 under the window, dressed in white with a brownish turban?

10 A. [15:34:10] Yes, that's Houka Houka.

11 Q. [15:34:17] And can you tell us who this person is dressed in black with a

12 black turban, who has his right hand raised and in his left hand, he is holding

13 some yellow-coloured files?

14 A. [15:34:38] Yes. That's Radwan.

15 Q. [15:34:48] And the person on the extreme right, we can see face on, with a

16 khaki-coloured turban?

17 A. [15:35:03] That's Koutaïba.

18 MR DUTERTRE: [15:35:23](Interpretation) Now, Mr President, I'd like to ...

19 Another six-second video, which is 0018-0289, still in binder 6, tab 1120,

20 transcript tab 1121, 0069-0453. And I will play it without sound. It's just *

21 sixteen seconds.

22 (Viewing of the video excerpt)

23 MR DUTERTRE: [15:36:40](Interpretation)

24 Q. [15:36:42]

25 A. [15:36:50]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 Q. [15:37:06] At 00:00:06:20, who is this person we can see on the screen?

2 A. [15:37:15] That's Radwan.

3 Q. [15:37:33] And at 00:00:04:05, who is the person on the right of this
4 picture?

5 A. [15:37:46] That's Koutaïba.

6 Q. [15:37:53] And what do they have on their knees, both of them?

7 A. [15:38:04] Their two respective personal weapons.

8 Q. [15:38:24] At 00:00:18:11, who is the person in white seated at the left of
9 the picture, if you are able to recognise this person?

10 A. [15:38:42] Yes, that's Daoud Al-Jomaa.

11 Q. [15:38:52] And the person in the centre of the picture, the person in white
12 with a dark-coloured turban?

13 A. [15:39:03] That's Houka Houka.

14 Q. [15:39:19] One final video, 0018-0288, which is at 1122, 0018-0288 and the
15 transcript is 0069-0451 and that's at tab 1123. And I will play it without sound.
16 It's 15 seconds long.

17 (Viewing of the video excerpt)

18 MR DUTERTRE: [15:40:43](Interpretation)

19 Q. [15:40:44] Mr Witness, I'm now at 00:00:15:22. In the background there
20 are two people, one in black, one in dark beige. Who are these two?

21 A. [15:41:06] Those are Radwan and Koutaïba.

22 Q. [15:41:16] [REDACTED]

23 A. [15:41:21] [REDACTED]

24 Q. [15:41:29] [REDACTED]

25 [REDACTED]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [15:41:45] [REDACTED]

2 [REDACTED]

3 Q. [15:42:13] [REDACTED]

4 A. [15:42:24] [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Q. [15:42:51] [REDACTED]

8 A. [15:43:04] [REDACTED]

9 [REDACTED]

10 Q. [15:43:21] [REDACTED]

11 A. [15:43:30] [REDACTED]

12 Q. [15:43:41] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 A. [15:44:16] [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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4 Q. [15:46:24]

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7 A. [15:46:46]

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17 Q. [15:48:14]

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20 A. [15:48:38]

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23 Q. [15:49:15]

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25 A. [15:49:23]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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[REDACTED]

Q. [15:50:21] [REDACTED]

[REDACTED]

A. [15:50:30] [REDACTED]

Q. [15:50:41] [REDACTED]

[REDACTED]

A. [15:51:08] [REDACTED]

[REDACTED]

Q. [15:51:47] [REDACTED]

[REDACTED]

A. [15:52:04] [REDACTED]

[REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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7 Q. [15:54:01]

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11 THE ARABIC INTERPRETER: [15:54:23] Could you please have the

12 gentleman stop and repeat the answer because we could not gather his answer

13 from the beginning as a result of a technical issue, please.

14 MR DUTERTRE: [15:54:40](Interpretation)

15 Q. [15:54:42] There was a technical problem. Please, could you repeat your

16 answer. Thank you.

17 THE INTERPRETER: [15:54:49] The technical problem was not enough break.

18 THE WITNESS: [15:54:51](Interpretation)

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24 MR DUTERTRE: [15:55:34](Interpretation)

25 Q. [15:55:34]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 A. [15:55:41]

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9 Q. [15:56:34]

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12 A. [15:56:51]

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23 Q. [15:58:08]

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25 A. [15:58:29]

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

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2 Q. [15:58:51]

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7 A. [15:59:22]

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13 MR DUTERTRE: [16:00:16](Interpretation) I'm in your hands, Mr President.

14 PRESIDING JUDGE MINDUA: [16:00:21](Interpretation) Indeed. It is

15 4 o'clock. Time at which this hearing should conclude.

16 Thank you, Mr Prosecutor.

17 Mr Witness, the Chamber would, once more, like to thank you for having

18 replied very clearly and assiduously to the questions put to you. But as you

19 know, this is not the end of your testimony. So tomorrow morning at 9.30,

20 you will be back here for the continuation of your testimony.

21 As you are aware between now and then, you may not speak about your

22 testimony to anybody at all. Once again, thank you very much.

23 And now I would also like to thank the parties and the participants here this

24 afternoon, and my gratitude also to the court reporters, the interpreters and not

25 forgetting our security officers.

Trial Hearing
WITNESS: MLI-OTP-P-0150

(Closed Session)

ICC-01/12-01/18

1 We will now conclude and we will meet again tomorrow morning at 9.30.

2 The hearing is adjourned.

3 THE COURT USHER: [16:01:50] All rise.

4 (The hearing ends in closed session at 4.01 p.m.)

5 CORRECTIONS REPORT

6 The following corrections, marked with an asterisk and included in the
7 audio-visual recording of the hearing, are brought into the transcript.

8 Page 5 line 9- page 6 line 18-page 11 line 19-page 16 line 7:

9 "Mohamed Al-Amin Ould Abd Alwadud"

10 Is corrected to

11 "Mohamed Al-Amin Ould Abd Alwadud"

12 Page 17 lines 12-13:

13 "His name is Mohamed Ibn Al-Hussein." Is corrected t "His name is Mohamed
14 Bin-el-Houssein."

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

17 Page 25 lines 22-23:

18 [REDACTED]

19 THE INTERPRETER: [10:47:39] [REDACTED]

20 MR DUTERTRE: [10:47:39](Interpretation)

21 Q. [10:47:39] [REDACTED]

22 THE INTERPRETER: [10:47:40] [REDACTED]

23 MR DUTERTRE: [10:47:43](Interpretation)

24 Q. [10:47:44] [REDACTED]

25 [REDACTED]

Trial Hearing

(Closed Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0150

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3 Page 63 lines 10-11:

4 "Q. [15:23:30] I have to say that I'm going to move the video on, but I've lost
5 the timestamp. "

6 Is corrected to

7 "Q. [15:23:30] I have to say that I have moved the video on but I've lost the
8 timestamp."

9 Page 64 lines 15-16:

10

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13 Page 65 line 20:

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15 Page 67 lines 14-15:

16 "how did that take place? How was that organised?"

17 Is corrected to

18 "how did it work? Were salaries paid? How was it organised?"