
ICC-01/12-01/18-T-054-CONF-ENG CT 30-11-2020 1/53 NB T

Trial Hearing
WITNESS: MLI-OTP-P-0557

(Open 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 Ag
- 5 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 1
- 9 Monday, 30 November 2020
- 10 (The hearing starts in open session at 9.31 a.m.)
- 11 THE COURT USHER: [9:31:06] All rise.
- 12 The International Criminal Court is now in session.
- 13 Please be seated.
- 14 PRESIDING JUDGE MINDUA: [9:31:32](Interpretation) Court is in session.
- 15 Good morning to everyone.
- 16 Court officer, please could you call the case.
- 17 THE COURT OFFICER: [9:31:42] Thank you, Mr President.
- 18 The situation in the Republic of Mali, in the case of The Prosecutor versus Al Hassan
- 19 Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, case reference ICC-01/12-01/18.
- 20 And for the record, we are in open session.
- 21 PRESIDING JUDGE MINDUA: [9:32:05](Interpretation) Thank you very much,
- 22 court officer.
- 23 As usual, we are going to start with the appearances, firstly
- 24 the Office of the Prosecutor.
- 25 Madam Prosecutor.

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1 MS LUPING: [9:32:20] Good morning, Mr President, good morning, your Honours.

2 Appearing on behalf of the Prosecution today are Ms Nelly Corbin, Ms Marie-Jeanne

3 Sardachti, Mr Gilles Dutertre, and myself Dianne Luping.

4 PRESIDING JUDGE MINDUA: [9:32:41](Interpretation) Thank you very much,

5 Ms Luping.

6 Now the Defence, Ms Taylor.

7 MS TAYLOR: [9:32:49] Good morning, Mr President. Good morning,

8 your Honours. Good morning, everyone in the courtroom. My name is

9 Melinda Taylor and I'm appearing on behalf of Mr Al Hassan today with

10 Ms Dolly Chahla. Thank you.

11 PRESIDING JUDGE MINDUA: [9:33:06](Interpretation) Thank you very much,

12 Ms Taylor.

13 And now I turn to the Legal Representative of Victims, Maître Nsita.

14 MR LUVENGIKA: [9:33:15](Interpretation) Good morning, your Honour,

15 your Honours. The victims are represented at this hearing by Claire Laplace and

16 myself Fidel Nsita Luvengika. Thank you.

17 PRESIDING JUDGE MINDUA: [9:33:27](Interpretation) Thank you very much,

18 Maître Nsita.

19 I now turn towards the witness and the witness's assistant.

20 Good morning, Witness, can you hear me?

21 WITNESS: MLI-OTP-P-0557

22 (The witness speaks Songhai)

23 THE WITNESS: [9:33:43](Interpretation) Yes, I can hear you.

24 PRESIDING JUDGE MINDUA: [9:33:56](Interpretation) On behalf of the Chamber I

25 would like to welcome you. You are going to testify with a view to helping

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- 1 the Chamber establish the truth in the case versus Mr Al Hassan.
- 2 Is there interpretation for the witness?
- 3 Court officer?
- 4 THE COURT OFFICER: [9:34:28](Interpretation) Message to the Songhai booth:
- 5 Please could you interpret the words of the Presiding Judge, please.
- 6 Message to the Songhai booth: Can you hear me?
- 7 THE SONGHAI INTERPRETER: (Interpretation) Yes, we can hear you, but we just
- 8 hear Arabic here.
- 9 THE COURT OFFICER: [9:35:04](Interpretation) You only hear Arabic? Very well.
- 10 Please could you give me a moment.
- 11 THE SONGHAI INTERPRETER: [9:35:11] (Interpretation) We only hear Arabic here.
- 12 THE COURT OFFICER: [9:35:21](Interpretation) Your Honour, the problem has
- 13 been resolved.
- 14 PRESIDING JUDGE MINDUA: [9:35:26](Interpretation) Thank you very much,
- 15 court officer.
- 16 So I'm now going to restart.
- 17 Good morning, Witness, can you hear me?
- 18 THE WITNESS: [9:35:43](Interpretation) Yes, of course.
- 19 PRESIDING JUDGE MINDUA: [9:35:45](Interpretation) On behalf of the Chamber I
- 20 would like to welcome you.
- 21 You are going to testify with a view to aiding the Chamber establish the truth in
- 22 the case concerning Mr Al Hassan.
- 23 Witness, protective measures have been taken to ensure that your identity is not
- 24 revealed to the public.
- 25 Whenever you have to give details which could reveal your identity, we will speak

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1 about that in private session.

2 As such, nobody, apart from people who are in this courtroom, will be able to hear

3 you.

4 Have you understood?

5 THE WITNESS: [9:37:23](Interpretation) Yes, I've understood.

6 PRESIDING JUDGE MINDUA: [9:37:27](Interpretation) Thank you very much.

7 I'm now going to take your solemn undertaking under Rule 66(1) of the Rules of

8 Procedure and Evidence.

9 This is the solemn undertaking according to which you swear to tell the truth and

10 the whole truth.

11 So I'm now going to ask you to repeat after me.

12 THE WITNESS: [9:38:17](Interpretation) Very well.

13 PRESIDING JUDGE MINDUA: [9:38:19](Interpretation) I solemnly declare.

14 THE WITNESS: [9:38:27](Interpretation) I solemnly declare.

15 PRESIDING JUDGE MINDUA: [9:38:32](Interpretation) That I will tell the truth.

16 THE WITNESS: [9:38:36](Interpretation) That I will tell the truth.

17 PRESIDING JUDGE MINDUA: [9:38:40](Interpretation) The whole truth.

18 THE WITNESS: [9:38:44](Interpretation) The whole truth.

19 PRESIDING JUDGE MINDUA: [9:38:47](Interpretation) And nothing but the truth.

20 THE WITNESS: [9:38:52](Interpretation) And nothing but the truth.

21 PRESIDING JUDGE MINDUA: [9:38:57](Interpretation) Thank you very much.

22 Witness, you are now under oath. The representatives of the witnesses and

23 the Prosecution have already told you what that means. The Legal Representatives

24 and the Prosecutor's representatives have already told you what that means.

25 I now have some issues of a practical nature for you.

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1 You must always remember throughout your testimony that everything that's said in
2 this courtroom is transcribed by court reporters and it is simultaneously interpreted
3 into different languages by the interpreters. It's therefore important to speak clearly
4 and slowly.

5 Do not start to speak until the person who's asking you a question has finished asking
6 that question. Count up to three in your head before answering. This pause is
7 essential to ensure that your testimony is duly noted.

8 Of course, if you have a question, raise your hand in order to indicate that you would
9 like to intervene.

10 Have you understood that well?

11 THE WITNESS: [9:41:47](Interpretation) I have understood it well.

12 PRESIDING JUDGE MINDUA: [9:41:50](Interpretation) Very well. We are now
13 going to hear your testimony. You will be questioned by the different parties and
14 possibly by the Chamber.

15 Before giving the floor to the Prosecutor, I would also like to point out for the record
16 that the accused is present here in the courtroom today.

17 Madam Prosecutor, the witness is over to you for the examination-in-chief.

18 MS LUPING: [9:42:33] Thank you, Mr President.

19 QUESTIONED BY MS LUPING:

20 Q. [9:42:37] Good morning, Mr Witness.

21 A. [9:42:45] Good morning.

22 Q. [9:42:49] Mr Witness, my name is Dianne Luping and, as you may recall, we
23 have met before.

24 A. [9:43:22] Yes, I remember.

25 Q. [9:43:25] Mr Witness, before I start, I just wanted to remind you of a few things.

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1 First of all, if you could please remember to speak loudly and clearly and perhaps as
2 close to the microphone as possible.

3 Secondly, if anybody asks you a question that is not clear or you do not understand it,
4 please ask the person to either repeat it or clarify it.

5 A. [9:44:40] Very well.

6 Q. [9:44:46] And if you do not know the answer to the question, or if you cannot
7 remember it, please say so.

8 A. [9:45:08] Very well.

9 Q. [9:45:11] And if there are any questions that may reveal your identity, I will ask
10 the leave of the Presiding Judge to go into what's called private session. And, as
11 a reminder, this means that nobody outside of the courtroom can hear the information
12 you're providing that could identify you.

13 A. [9:45:57] Very well.

14 MS LUPING: [9:45:59] Mr President, with your leave, I would ask that we go into
15 private session. I do not expect to be more than 10 minutes, possibly less, for
16 questions of an identifying nature.

17 PRESIDING JUDGE MINDUA: [9:46:13](Interpretation) Court officer, please would
18 you be so kind as to take us into private session.

19 (Private session at 9.46 a.m.)

20 THE COURT OFFICER: [9:46:28] We are in private session, Mr President.

21 PRESIDING JUDGE MINDUA: [9:46:35](Interpretation) Thank you very much.

22 Madam Prosecutor.

23 MS LUPING: [9:46:41] Thank you.

24 Q. [9:46:42] So, Mr Witness, we're now in private session, so nobody outside this
25 courtroom can hear your answers. What is your full name?

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- 1 A. [9:47:14] My name is [REDACTED].
- 2 Q. [9:47:21] And do you have any nickname, another name by which you are
- 3 known?
- 4 A. [9:47:39] I'm called [REDACTED].
- 5 Q. [9:47:46] And when were you born?
- 6 THE INTERPRETER: [9:48:08] Message from the Songhai booth: The sound is cut.
- 7 PRESIDING JUDGE MINDUA: [9:48:17](Interpretation) Court officer.
- 8 THE COURT OFFICER: [9:48:21](Interpretation) Could you -- Witness, could you
- 9 come closer to the microphone.
- 10 Could you ask the witness to repeat the answer.
- 11 Assistant, if you could go closer to the microphone.
- 12 THE WITNESS: [9:48:42](Interpretation) My name is [REDACTED]
- 13 MS LUPING: [9:48:48]
- 14 Q. [9:48:48] Mr Witness, simply because apparently the sound was cut, could you
- 15 repeat when you were born.
- 16 A. [9:49:05] I was born on [REDACTED]
- 17 Q. [9:49:23] And where were you born?
- 18 A. [9:49:33] I was born in [REDACTED] a neighbourhood of Timbuktu.
- 19 A neighbourhood of Timbuktu which is called [REDACTED]
- 20 Q. [9:49:48] And is that Timbuktu city?
- 21 A. [9:49:57] Yes.
- 22 Q. [9:50:02] And in what city did you grow up?
- 23 A. [9:50:16] I grew up in Timbuktu.
- 24 Q. [9:50:21] And is that where you lived most of your adult life?
- 25 A. [9:50:38] Yes, of course. That's where I spent the time.

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- 1 Q. [9:50:46] And what is your ethnicity?
- 2 A. [9:50:56] I am Songhai.
- 3 Q. [9:51:05] And what languages do you speak?
- 4 A. [9:51:18] I speak Songhai.
- 5 Q. [9:51:23] And do you speak any other languages?
- 6 A. [9:51:42] Yes, there are others, but I don't speak them as well as I speak Songhai.
- 7 Q. [9:51:58] And what are these other languages?
- 8 A. [9:52:23] I speak Arabic, I speak Tamasheq, and I speak a bit of French.
- 9 Q. [9:52:33] And, Mr Witness, can you read or write?
- 10 A. [9:53:05] I can read a bit. But I make a lot of mistakes when I write.
- 11 Q. [9:53:18] And what is your religion?
- 12 A. [9:53:31] I'm Muslim.
- 13 Q. [9:53:36] Are you married?
- 14 A. [9:53:47] I don't understand.
- 15 Q. [9:53:49] Are you married?
- 16 A. [9:54:00] Yes, I'm married.
- 17 Q. [9:54:06] And, and what is your wife's name?
- 18 A. [9:54:21] My wife's name is [REDACTED]
- 19 Q. [9:54:33] And do you have any nickname for her?
- 20 A. [9:54:52] I call her [REDACTED]
- 21 Q. [9:55:00] And in what year did you get married?
- 22 A. [9:55:23] We got married in the third month of 2012.
- 23 Q. [9:55:35] And how many children do you have?
- 24 A. [9:55:57] Currently, we have five children and one adopted child.
- 25 Q. [9:56:10] And in what year was your oldest biological child born?

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1 A. [9:56:39] My first child was born in the third month of 2012.

2 Q. [9:56:53] And do you have a current job?

3 A. [9:57:10] I'm sorry, I didn't understand.

4 Q. [9:57:12] Do you have a job?

5 A. [9:57:30] I'm not doing anything at the moment. It's changed. I'm
6 unemployed.

7 Q. [9:57:38] And in 2012, what was your job then?

8 A. [9:57:56] In 2012, I transported wood, plants, and I also planted plants in
9 the fields of my father. My father was sick. So I also helped my father farming and
10 I transported wood as well.

11 Q. [9:58:56] Mr Witness, I'm now going to ask to go back into public session, which
12 means that people outside the courtroom can hear what you are saying.

13 A. [9:59:27] Very well.

14 Q. [9:59:28] So I would ask that you remember not to mention your name,
15 the names of your wife or any other family members in that time.

16 A. [9:59:57] I've understood.

17 Q. [9:59:59] If I've asked a question that you think might identify you, please say so,
18 so I can ask to go -- return back into private session.

19 A. [10:00:29] Very well. I've understood.

20 MS LUPING: [10:00:33] Mr President, with your leave, if we could return to public
21 session.

22 PRESIDING JUDGE MINDUA: [10:00:42](Interpretation) Courtroom officer, if we
23 could go into open session.

24 (Open session at 10.00 a.m.)

25 THE COURT OFFICER: [10:00:54] We are in open session, Mr President.

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1 PRESIDING JUDGE MINDUA: [10:01:03](Interpretation) Thank you.

2 Continue.

3 MS LUPING: [10:01:09]

4 Q. [10:01:11] Mr Witness, were you present in Timbuktu when the city was taken

5 over by armed groups?

6 A. [10:01:34] Yes, I was there.

7 Q. [10:01:38] And do you remember what year that was?

8 A. [10:01:56] Yes, of course, I remember.

9 Q. [10:02:02] And what year was that?

10 A. [10:02:11] 2012.

11 Q. [10:02:21] And after these armed groups took over in 2012, which group was

12 running Timbuktu city?

13 THE INTERPRETER: [10:02:43] Message from the interpreter: The sound is cutting

14 out at some points, your Honour.

15 PRESIDING JUDGE MINDUA: [10:02:56](Interpretation) Madam Prosecutor,

16 perhaps you could repeat your question because the interpreters did not hear your

17 question in the remote location.

18 MS LUPING: [10:03:06] Not a problem, Mr President.

19 Q. [10:03:09] Mr Witness, I'm going to repeat my question.

20 After the armed groups took over Timbuktu in 2012, do you know which group was

21 running Timbuktu city?

22 A. [10:03:59] They were called the Islamists. The Islamists were the ones who

23 were running Timbuktu at that time.

24 Q. [10:04:14] And do you know any name for these Islamists, any name for this

25 group of Islamists who are running the city?

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1 A. [10:04:50] The name that I knew was Ansar Dine.

2 Q. [10:05:01] And how did you learn of this name Ansar Dine?

3 A. [10:05:30] Ansar Dine, I heard that from the -- from those people themselves.

4 They would say "Ansar Dine. Ansar Dine."

5 Q. [10:05:48] I won't ask you to give any names now, I'll ask you that later,

6 Mr Witness. But this group that call themselves Ansar Dine, what type of clothing
7 did they wear?

8 A. [10:06:46] They would wear sand-coloured clothing.

9 Q. [10:07:04] And -- you said they wore sand-coloured clothing. Did any of them
10 wear any other coloured clothing?

11 A. [10:08:04] Well, the clothing that they wore was sand coloured. They wore
12 other kinds of clothes as well.

13 Q. [10:08:20] And what other kinds of clothes do you recall?

14 A. [10:09:02] Other ones wore *white clothing. Some wore *black clothing, others
15 wore blue clothing, and other people ash-coloured clothing.

16 Q. [10:09:25] The blue-coloured clothing, can you describe it. What type of
17 clothing was that?

18 A. [10:10:03] Blue clothing that went down as far as the knee.

19 Q. [10:10:17] And can you describe the types of trousers that they wore?

20 A. [10:10:51] The trousers that they wore, some of them wore trousers, well, that
21 would go down as far as the knee. The trousers would go down as far as the knee.

22 Q. [10:11:14] And what types of vehicles did they drive?

23 A. [10:11:47] There were vehicles that they were not covered and then there were
24 some vehicles that were completely covered.

25 Q. [10:12:10] And what types of vehicles were these, what size, for example?

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- 1 A. [10:12:40] They were four-by-four pickups.
- 2 Q. [10:12:49] And did they have weapons?
- 3 A. [10:13:03] Yes, yes, of course. They bore weapons.
- 4 Q. [10:13:13] What types of weapons did they carry?
- 5 A. [10:13:28] They had Kalash.
- 6 Q. [10:13:42] And this group that called themselves Ansar Dine, did they have any
- 7 flag that you saw?
- 8 A. [10:14:14] Yes, they did have a flag. It was a black flag with white
- 9 letters -- with white across it.
- 10 Q. [10:14:36] I will ask you later where you saw the flag, Mr Witness. But, in
- 11 terms of the people who were members of Ansar Dine, what ethnicities did you see?
- 12 A. [10:15:28] Well, they weren't from the same ethnic group. They were mixed
- 13 people, mixtures.
- 14 Q. [10:15:42] And what were these different mixtures, these different ethnic
- 15 groups?
- 16 A. [10:16:20] Well, there were some Arabs, some Tuareg, some Soninke and
- 17 Songhai people as well.
- 18 Q. [10:16:49] And I just see there's a difference between the French and the English
- 19 transcripts. I want to clarify your answer, Mr Witness. Did you say the Soninke?
- 20 A. [10:17:29] Soninke is Marka. I said Marka, that is what I say. Marka is not
- 21 the same thing.
- 22 Q. [10:17:55] So you have mentioned a group, the Marka. And can you clarify if I
- 23 heard you say Songkalé (phon).
- 24 Is that correct? Am I pronouncing it correctly?
- 25 A. [10:18:37] Sarakolé.

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1 Q. [10:18:45] And what languages did these different groups speak?

2 A. [10:19:21] Some spoke Songhai, others spoke Tamasheq, and some people spoke
3 Arabic.

4 Q. [10:19:44] And this group in Timbuktu who are running the city, do you know
5 how they were -- how they organised themselves?

6 A. [10:20:42] The way they organised themselves, in actual fact, what I knew is -- I
7 knew the way that they seemed to be, but each subgroup did another kind of work.
8 I know the way that they apprehended me.

9 Q. [10:21:19] Mr Witness, I'm going to ask you questions about how they
10 apprehended you in private session. But, first, when you say that you know the way
11 they seemed to be, what do you mean by that?

12 A. [10:22:25] Well, what I meant by that was I was waiting for the time
13 to -- the right time to say it.

14 Q. [10:22:43] Would you prefer that I ask that question later in private session, is
15 that what you mean?

16 A. [10:23:22] As you asked me to, the way that they worked, I already gave an
17 answer. But I'm waiting for other questions to answer.

18 Q. [10:23:35] You also mentioned that each subgroup did another kind of work.
19 What subgroups do you mean?

20 A. [10:24:26] Some of them were policemen, others were soldiers. And then there
21 were as well the judges.

22 Q. [10:24:45] And after Ansar Dine took over Timbuktu, was life in Timbuktu any
23 different compared to what it was like before?

24 A. [10:25:35] Well, life in Timbuktu changed. Life changed, because people who
25 did not know about weapons, well then all of a sudden you would hear weapons

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1 everywhere. So, yes, life did change.

2 Q. [10:26:00] And apart from hearing weapons, did life change in any other way?

3 A. [10:26:38] Well, there was also the fact that you might be sitting somewhere, and
4 then they would be looking for people and so you would -- they would be going after
5 people and you would have to go into the house. People would run into their
6 houses.

7 Q. [10:27:19] And when you say that they were going after people, or chased
8 people - in the French transcript - do you know what they were going after them for?

9 A. [10:28:14] When they saw people who had long trousers, for example, they
10 would run after them. People who would *stop in the street and *talk to their
11 girlfriends, they would go after them.

12 Q. [10:28:36] And you said that they would run after people wearing long trousers,
13 are these the men or the women?

14 A. [10:29:05] They would go after both men and women.

15 Q. [10:29:12] And starting first with the men, do you know what would happen if
16 they caught a man wearing long trousers?

17 A. [10:29:48] If they caught a man who was wearing long trousers, they would hit
18 him and then they would cut the trousers.

19 Q. [10:30:03] And how do you know that?

20 A. [10:30:19] I saw it. It happened in front of me as well.

21 Q. [10:30:25] And can you give an example of what you saw. Do you know who
22 was hitting the people? Do you know who these people were that were hitting
23 the people you saw?

24 A. [10:31:23] Well, there was one who they caught, one of my neighbours. They
25 caught him and beat him and they cut his trousers. And there was also one of my

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1 sisters, and I saw her passing. They caught her and they beat her and they took her.

2 Q. [10:31:54] Mr Witness, I'll ask you more questions about the names of these two
3 individuals in private session.

4 But do you know why, did you learn why they would catch and beat people who
5 were -- first, starting with the men that were wearing long trousers?

6 A. [10:32:54] Well, the reason they hit these people was because, in their principles,
7 they said that the trousers had to be above the knee.

8 Q. [10:33:15] And what do you mean by "in their principles" that the trousers had
9 to be above the knee? What do you mean by "principles"?

10 A. [10:34:12] They said that it wasn't good, it was banned, it was *haram*.

11 Q. [10:34:25] Now, when you said that the men would be caught and beaten for
12 wearing long trousers, do you know if they were judged at all before this happened?

13 A. [10:35:23] I didn't see that thing, but what I was able to see, nevertheless, was
14 that they beat the person and they cut their trousers and they cut everything that they
15 were wearing as a -- like a bracelet. And they took away everything that they were
16 wearing, such as bracelets.

17 Q. [10:35:54] And who did they take bracelets away from? Was this men or
18 women, or both?

19 A. [10:36:23] It was a man who they took the bracelet from.

20 Q. [10:36:30] And do you know why?

21 A. [10:36:43] I haven't understood.

22 Q. [10:36:47] And did you learn why they took the bracelet from the men?

23 A. [10:37:15] They said it was prohibited. It was prohibited for a man to wear
24 a bracelet. They said it was forbidden.

25 Q. [10:37:25] And did they say why it was forbidden?

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- 1 A. [10:37:51] Personally, I didn't hear them say it. I didn't hear them say why.
- 2 Q. [10:38:03] And what types of bracelets were being forbidden?
- 3 A. [10:38:30] Well, they said that bracelets which were in silver, and chains as well,
- 4 that you -- that they prohibited people from wearing chains.
- 5 Q. [10:38:50] And these bracelets and chains, were they just decorations or did
- 6 these items have any meaning to the people?
- 7 A. [10:39:45] There are bracelets -- or there were people who wore bracelets
- 8 traditionally for problems for like -- such as cramp, as a medicine. And there were
- 9 some who would just wear them just like a decoration.
- 10 Q. [10:40:10] And these medicine -- sorry, these bracelets that were used for
- 11 a medicine, who would they get these bracelets from?
- 12 A. [10:40:51] They made them and then they would be taken to the marabout for
- 13 incantations.
- 14 Q. [10:41:02] And can you explain what is a marabout?
- 15 A. [10:41:28] Marabouts are people who carry out incantations and they read
- 16 books.
- 17 Q. [10:41:45] And when you say "incantations", are these religious incantations?
- 18 A. [10:42:15] Yes. There's all that, yes.
- 19 Q. [10:42:23] And these religious incantations given by the marabout, are these
- 20 Muslim?
- 21 A. [10:43:02] Well, I can't say, but this is something that I found out. It continues.
- 22 I can't explain it briefly.
- 23 Q. [10:43:21] I'm going to rephrase my question, Mr Witness.
- 24 The marabout and the religious incantations that they made, is this part of the religion
- 25 of Islam or is this outside of Islam?

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1 A. [10:44:26] As I already said, this is a practice that I found out about. It's been
2 around for a long time. I never tried to get details as to whether it was part of it or
3 not.

4 Q. [10:44:48] Now, earlier on, Mr Witness, you said that they said some things were
5 banned or *haram*. Could you explain to the judges what do you mean by "*haram*".

6 A. [10:45:41] What they say is *haram* are long trousers and bracelets. These people
7 say it's *haram*. That's what I heard.

8 Q. [10:45:56] But if you have to explain the concept of *haram*, the meaning of the
9 word "*haram*" to somebody who's not a Muslim, what does the word "*haram*" mean?

10 A. [10:46:32] *Haram* is something that isn't good. It's something that's not good
11 which is *haram*.

12 Q. [10:46:44] Now, Mr Witness, you explained that members of Ansar Dine also
13 chased women, did you learn why women were also being chased?

14 A. [10:47:38] Well, women were pursued because often they found that women
15 were arrested -- or, they found women in the street with boys and there were other
16 women as well and they weren't completely -- all their body wasn't covered by their
17 clothing, and that's the reason why they pursued them.

18 Q. [10:48:10] And just first starting with what you said, that all their body wasn't
19 covered by their clothing, did you see this for yourself, women being chased for their
20 bodies not being covered?

21 A. [10:49:10] They were women whose clothing wasn't covering their entire bodies.
22 There were women who weren't wearing headscarves, they were the ones who they
23 were pursuing. Women whose arms were also to be seen uncovered.

24 Q. [10:49:33] And what would happen to these women if they were stopped?

25 A. [10:49:58] Well, some of them would be taken away and locked up. Some

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1 would be locked up and then they would be beaten. And then they would be
2 released.

3 Q. [10:50:14] And how do you know that?

4 A. [10:50:42] These are things that happened in front of me. There was one of
5 them who was beaten in front of me. There was another who was taken away.
6 They locked her up and then they released her afterwards.

7 Q. [10:51:06] And again, I'll ask their names in private session.

8 You said that women were also chased if they were found in a street with boys.
9 Could you explain what would happen.

10 A. [10:51:49] Well, there were people who fled. As soon as they saw them
11 arriving, they would flee.

12 Q. [10:52:05] And did you ever see anybody who was caught?

13 A. [10:52:45] I saw people who were caught, a female cousin I spoke to you about.
14 And the person I spoke to you a moment ago, I saw that.

15 Q. [10:53:11] And could you explain if anything else was banned? You've talked
16 about what people were wearing, who they were with. Was anything else banned,
17 that you know of, by the Ansar Dine group?

18 A. [10:54:03] I haven't understood the question.

19 Q. [10:54:07] I will rephrase my question. Did Ansar Dine -- sorry, did
20 Ansar Dine ban anything else in people's day-to-day life?

21 A. [10:55:03] What could have changed is that everything that happened before in
22 Timbuktu, everything changed. The life in Timbuktu changed. All the traditions.

23 Q. [10:55:24] And when you say all the traditions changed, could you explain what
24 you mean?

25 A. [10:56:27] Well, when it came to the graves in the cemetery, they changed that.

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1 It was banned. The marriages, the ceremonies. They changed everything. So you
2 couldn't even have any ceremonies, for example.

3 Q. [10:56:51] And what do you mean that the graves in the cemetery changed?

4 A. [10:57:37] Well, generally, when people have died, in the cemetery, people, they
5 cover the tombs. If they're -- they recover the graves. And this was banned.

6 Q. [10:58:05] And do you know what happened if people covered the graves with
7 tombs? What would happen?

8 A. [10:58:54] Well, when they banned it, any person who was at the cemetery, they
9 would beat them. Some would flee, and some would jump over the wall in order to
10 flee.

11 Q. [10:59:17] And how do you know that?

12 A. [10:59:47] I was passing once it happened. I was passing next to the cemetery
13 on my way home and I saw a case of that.

14 Q. [11:00:02] I'll ask you which cemetery that was in private session. I won't ask
15 you now.

16 You also said that you could not have ceremonies. Can you explain what type of
17 ceremonies you're referring to.

18 A. [11:01:00] We could no longer listen to music and there was a traditional
19 women's celebration that they prohibited as well.

20 MS LUPING: [11:01:18] Mr President, I'm conscious of the time. Would I be
21 permitted one question about the traditional women's ceremony?

22 Q. [11:01:28] Mr Witness, you explained that the traditional women's ceremony
23 was also not allowed. Could you explain what that ceremony was, first of all.

24 A. [11:01:56] It was a ceremony during which the children would go around
25 the mosque. And then they would go to the square called Sankoré and they would

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- 1 meet up there.
- 2 THE INTERPRETER: [11:02:40] Correction, interpreter correction: The women
- 3 would go around the mosque.
- 4 MS LUPING: [11:02:48]
- 5 Q. [11:02:48] And do you know when this ceremony was? Sorry, usually.
- 6 A. [11:03:22] I don't know the actual date. But it's each year. It's held each year.
- 7 Q. [11:03:33] And is it before or after Ramadan?
- 8 A. [11:03:59] Well, I don't want to say something wrong. I know it's once a year,
- 9 but I don't know what the date is.
- 10 Q. [11:04:10] And the final question on this topic, if it's allowed: Do you know
- 11 why it was banned? Did you learn that?
- 12 A. [11:04:44] I didn't hear. I didn't tell anyone.
- 13 Q. [11:04:55] Thank you, Mr Witness. We now have a break. I will have more
- 14 questions for you after the break.
- 15 PRESIDING JUDGE MINDUA: [11:05:07](Interpretation) Very well. We will now
- 16 take a break for half an hour and we will resume at 11.30. The hearing is suspended.
- 17 THE COURT USHER: [11:05:22] All rise.
- 18 (Recess taken at 11.05 a.m.)
- 19 (Upon resuming in open session at 11.33 a.m.)
- 20 THE COURT USHER: [11:33:14] All rise.
- 21 Please be seated.
- 22 PRESIDING JUDGE MINDUA: [11:33:42](Interpretation) We shall now resume
- 23 the hearing and the Prosecutor shall continue with her examination-in-chief.
- 24 Madam Prosecutor.
- 25 MS LUPING: [11:33:58] Thank you, Mr President.

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1 Q. [11:33:59] So, Mr Witness, we are still in public session. Just before the break,
2 you explained that ceremonies were banned and you gave one example of
3 the traditional women's ceremony. Do you have any other examples of ceremonies
4 that were banned?

5 A. [11:35:38] That is what I told you, those were the examples that I gave you. But
6 there was another example as well, that is to say, a woman who has a child outside of
7 marriage, that too is forbidden.

8 Q. [11:36:02] And I will ask you about names and more information about that in
9 private session.

10 But, first, you also mentioned that things changed with marriages. Could you
11 explain what you mean, what changed?

12 A. [11:37:10] When those people came, they changed the rules about dowries.
13 They said that the dowries should not be more than 15,000 francs. Although
14 that -- in the past you could negotiate that, a hundred or 150,000.

15 Q. [11:37:38] And were there any other changes in relation to marriages?

16 A. [11:38:26] Well, there was also the fact that when a woman got married, the men
17 would take her to spend a day and, and then after, traditionally, amounts have to be
18 paid to bring her back to the house. All of those things were changed.

19 Q. [11:39:03] I just note for the record that in the French transcript there's
20 a reference to "*les oncles*", but in the English transcript it's only a reference to
21 "the men".

22 Mr Witness, I just want to clarify, did you refer to the uncles or to the men? There's
23 a difference in the two transcripts.

24 A. [11:39:57] That's something -- those are different things, completely different
25 things.

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1 Q. [11:40:03] Did you use the word "uncles"? Is it the uncles who brought them
2 home, or was it just a reference to men bringing them home?

3 A. [11:40:56] I was saying that when a woman gets married, the women -- they take
4 *the woman to her home, and the man is also taken to his home, and the friends of the
5 man, the friends of the man, *when they leave to go fetch the woman,
6 traditionally, they bring something with them ...
7 the women ... with the men.

8 MS LUPING:

9 Q. [11:41:35] And, because some of your answer was not captured, what was
10 the -- how would the friends be involved in this?
11 What would the friends do?

12 A. [11:42:33] As I explained to you, when the marriage occurs, the day of the
13 marriage, the men -- the man, the groom spends the day with his friends. And
14 the same thing on the woman's side, the bride spends the day with her friends. That
15 is what I said.

16 Q. [11:42:58] And this day that they spend together, is it a celebration? What
17 would they do?

18 A. [11:43:29] Yes, they have fun, they play music. It's just -- well, they just have
19 some fun together.

20 Q. [11:43:39] And this celebration, you're saying this was not allowed anymore by
21 Ansar Dine?

22 A. [11:44:08] Yes, they prohibited that. They said it was *haram*.

23 Q. [11:44:17] And before the break you said everything changed in terms of
24 the day-to-day life of the people. Can you remember anything else that changed
25 besides the examples you've already given?

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1 A. [11:45:04] I don't remember anything else that changed. I don't remember.

2 Q. [11:45:11] And what did you think of these changes? How did you react?

3 A. [11:45:57] Well, what changed, what changed, and we --

4 THE INTERPRETER: Inaudible.

5 THE WITNESS: (Interpretation) -- things changed. That's -- that's all there is to it.

6 MS LUPING:

7 Q. [11:46:12] And do you recall when Ansar Dine left Timbuktu?

8 A. [11:46:40] The year that they left, I remember that, but not the dates.

9 Q. [11:46:46] And what year did they leave?

10 A. [11:47:03] They left Timbuktu in 2013.

11 Q. [11:47:10] And how did you react when they left Timbuktu?

12 A. [11:47:44] When they left Timbuktu, it so happened that I lost my work.

13 Everything stopped. So I went off to help my father in the fields.

14 Q. [11:48:04] And when Ansar Dine left, did you notice how the population in
15 general reacted?

16 A. [11:48:36] I haven't understood.

17 Q. [11:48:41] When Ansar Dine left, how did the population react?

18 A. [11:49:25] When they left, the people began to gradually go back to the usual
19 work. People who had jobs went back to their jobs or to their work.

20 Q. [11:49:43] And did they react emotionally in any way?

21 PRESIDING JUDGE MINDUA: [11:50:05](Interpretation) Ms Taylor.

22 MS TAYLOR: [11:50:07] We've been quite lenient to some of these questions, but
23 asking the witness how other unknown people reacted emotionally is the very
24 definition of speculation.

25 PRESIDING JUDGE MINDUA: [11:50:31](Interpretation) *Ms Taylor, I disagree

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1 with you, because the witness *was there and he saw people respond and he observed.

2 I can observe. I can see if you are happy about something or angry or confused. So

3 I think it is a good question.

4 Mr Witness, please answer.

5 THE WITNESS: [11:51:02](Interpretation) Please repeat.

6 MS LUPING: [11:51:04]

7 Q. [11:51:05] Mr Witness, from what you could see and what you could hear, did

8 the population react with any emotions, that you could see for yourself?

9 A. [11:51:42] When those people left, the people were very happy. They were
10 very happy about it.

11 Q. [11:51:52] And how could you see that they were very happy about it?

12 A. [11:52:33] When they left, the children would go out and even the adults,
13 everyone went out to the street. The children were running all over the place,
14 everyone was happy. That is what I saw.

15 MS LUPING: [11:52:53] Mr President, for the next few questions, I would ask that
16 we move into private session.

17 PRESIDING JUDGE MINDUA: [11:53:04](Interpretation) Court officer, private
18 session, please.

19 (Private session at 11.53 a.m.)

20 THE COURT OFFICER: [11:53:18] We are in private session, Mr President.

21 PRESIDING JUDGE MINDUA: [11:53:26](Interpretation) Thank you.

22 Prosecutor.

23 MS LUPING: [11:53:28]

24 Q. [11:53:28] Now, Mr Witness, before the break you explained that your

25 neighbour was caught, beaten and his trousers were cut. Could you give his name,

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1 please.

2 A. [11:54:13] [REDACTED] is his name, [REDACTED]

3 Q. [11:54:29] You also said that -- when you gave examples of females being caught,
4 you said one of them was your cousin, what is her name?

5 A. [11:55:00] [REDACTED] is her name.

6 Q. [11:55:07] And can you describe what happened to [REDACTED]

7 A. [11:56:04] [REDACTED] was going by and I, I saw a lady who didn't have her sari and so
8 they caught her and they took her away. And when --

9 THE INTERPRETER: [11:56:30] Message from the Songhai interpreter:
10 Presiding Judge, could the witness repeat?

11 PRESIDING JUDGE MINDUA: [11:56:36](Interpretation) Mr Witness, could you
12 please repeat your last sentence.

13 THE WITNESS: [11:56:45](Interpretation) I would like to repeat my last sentence,
14 but I want it to be quite detailed.

15 PRESIDING JUDGE MINDUA: [11:57:06](Interpretation) Go ahead.

16 THE WITNESS: [11:57:11](Interpretation) [REDACTED] is my cousin and I was going by and I
17 saw that they caught her because she was not wearing a sari. I went to find her
18 husband and I brought him to that place. Her husband came in and they talked and
19 then she was able -- and then [REDACTED] was able to come out.

20 MS LUPING: [11:58:19]

21 Q. [11:58:19] And when you say that they caught [REDACTED] did you see who caught her?

22 A. [11:58:40] It was just one person who caught her. I didn't see that person.

23 THE INTERPRETER: [11:58:51] Correction: I saw that person.

24 MS LUPING: [11:58:55]

25 Q. [11:58:56] And who was that person?

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- 1 A. [11:59:04] I beg your pardon. I did not hear. Please repeat.
- 2 Q. [11:59:12] Who was that person that you saw catch [REDACTED]?
- 3 A. [11:59:34] The person who grabbed her was -- his name was Hamed Moussa.
- 4 Q. [11:59:45] And how do you know Hamed Moussa?
- 5 A. [12:00:27] Well, the way I knew him, I saw people, Hamed Moussa, ever since
- 6 the crisis began. He was teaching within a Koranic school and each time he would
- 7 go by, people would mention him by name. That's how I know him.
- 8 Q. [12:00:58] Now, you say you saw [REDACTED] being caught. What happened after she
- 9 was caught by Hamed Moussa?
- 10 A. [12:01:39] When Hamed Moussa caught her, he took her to their office. I
- 11 wasn't able to do anything other than to get her husband, and it was her husband
- 12 who intervened.
- 13 Q. [12:01:59] And do you know where the office was that Hamed Moussa took
- 14 [REDACTED]
- 15 A. [12:02:22] Yes, I know it.
- 16 Q. [12:02:27] And what is it called?
- 17 A. [12:02:39] The place is called BMS.
- 18 Q. [12:02:47] And what is the BMS?
- 19 A. [12:03:05] BMS, before the crisis, was a bank.
- 20 Q. [12:03:16] And how do you know that [REDACTED] was brought to the BMS?
- 21 A. [12:03:33] When she was caught, that happened in front of me, so I went to get
- 22 her husband. Because everybody who they caught, they took to BMS.
- 23 Q. [12:03:59] And did you go to the BMS where she was held on that day?
- 24 A. [12:04:32] I was in the BMS a long time before. But on that time, I was at the
- 25 BMS, but I stayed outside.

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- 1 Q. [12:04:43] And do you know how long [REDACTED] was held at the BMS?
- 2 A. [12:05:11] I wasn't able to count the time.
- 3 Q. [12:05:16] Was it for a day, more than a day?
- 4 A. [12:05:38] No, it wasn't even a day. She didn't spend the whole day there.
- 5 Q. [12:05:44] And apart from being brought to the BMS, do you know if she was
- 6 punished in any way while she was there?
- 7 A. [12:06:24] Well, if it wasn't when they took her, I don't know. I don't know if
- 8 she was hit or not.
- 9 Q. [12:06:32] And what is [REDACTED]'s last name?
- 10 A. [12:06:49] Her surname is [REDACTED] But her father is called [REDACTED] (phon).
- 11 Q. [12:07:06] And also before the break, you said you saw your sister being caught
- 12 and beaten. Could you give your sister's name.
- 13 A. [12:07:43] [REDACTED] is her name. [REDACTED]
- 14 [REDACTED]
- 15 Q. [12:08:11] Is she related to you? [REDACTED]
- 16 I'm just trying to understand your answer.
- 17 A. [12:08:37] [REDACTED] [REDACTED] is my sister. My cousin, [REDACTED] [REDACTED]
- 18 [REDACTED] but I see her as a sister.
- 19 Q. [12:09:06] And can you describe what happened to [REDACTED] when she was caught.
- 20 A. [12:09:39] [REDACTED] was walking in the street. She was wearing a sari. So the sari
- 21 was slightly off her and so they caught her.
- 22 Q. [12:09:57] And who is "they"? Who caught her?
- 23 A. [12:10:11] I don't know the person who caught her.
- 24 Q. [12:10:26] And after she was caught, do you know where she was brought?
- 25 A. [12:10:49] They took [REDACTED] to the BMS. But afterwards, they let her go.

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1 Q. [12:10:57] And do you know for how long she was at the BMS?

2 A. [12:11:09] She didn't spend all day there.

3 Q. [12:11:22] And before the break, you said that they beat her. When did they
4 beat her? Was that when she was arrested or at the BMS, do you know?

5 A. [12:11:54] It was at that time, at the time of the arrest that they beat her in
6 the street, before taking her.

7 Q. [12:12:04] And did you see that with your own eyes?

8 A. [12:12:21] Yes. In the case of [REDACTED] I did see it well.

9 Q. [12:12:29] And did you see who beat her?

10 A. [12:12:46] I saw the person who was beating her, but I don't know who it was.

11 Q. [12:12:55] Can you recall what clothing they were wearing?

12 A. [12:13:21] The clothing that who was wearing?

13 Q. [12:13:23] The person who beat [REDACTED]

14 A. [12:13:47] The person who was beating [REDACTED] was wearing a turban and, and
15 blood-coloured clothing -- or ash-coloured clothing.

16 THE INTERPRETER: [12:14:09] Corrects the interpreter.

17 MS LUPING:

18 Q. [12:14:11] And do you know if this person was part of Ansar Dine?

19 A. [12:14:36] I don't know. I saw that he got into one of their vehicles. Or, rather,
20 he came in one of their vehicles.

21 Q. [12:14:49] And how do you know it was one of their vehicles?

22 A. [12:15:11] There was the flag on the vehicle and that's how I can say it.

23 Q. [12:15:18] Is that the flag that you described before the break?

24 A. [12:15:38] Yes, the same flag, black flag with the white cross it.

25 Q. [12:15:45] And before the break, you also said that the groups told you that they

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1 were from Ansar Dine. Can you give names of people who told you that the group
2 was called Ansar Dine. We are still in private session.

3 A. [12:16:44] These people, there were Arabs, there were Tuaregs, there were
4 Maraka. There were some Songhai as well.

5 Q. [12:17:02] And all of these people told you that they were from Ansar Dine?
6 I'm just trying to understand your response.

7 A. [12:17:44] No, they didn't tell me, but you could see them. You could see
8 somebody speaking Arabic, somebody speaking Tuareg, somebody speaking
9 Tamasheq, somebody speaking Marka or Songhai, and that's how I was able to
10 identify them.

11 Q. [12:18:02] And who told you of the name Ansar Dine?

12 A. [12:18:31] Nobody spoke about that to me, but I heard it from their mouths
13 when they spoke about it.

14 Q. [12:18:42] Mr Witness, you said also before the break that you "know the way
15 that they apprehended me". Who apprehended you?

16 A. [12:19:35] Those who apprehended me, or those who caught me were Adama,
17 there was Demba Demba. But I didn't recognise the others.

18 Q. [12:19:55] And what year was this that you were apprehended?

19 A. [12:20:14] It was in 2012.

20 Q. [12:20:18] And do you remember if this was before or after the Ramadan?

21 A. [12:20:36] This was the time -- well, I can't say exactly when it was. I know that
22 it was in 2012.

23 Q. [12:21:01] And were you with anybody else at the time that you were
24 apprehended?

25 A. [12:21:26] The moment that they caught me, I was with a woman, and I was

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1 arrested before the door.

2 Q. [12:21:53] And you are in private session, Mr Witness. What was the name of
3 the woman?

4 A. [12:22:10] The woman was called [REDACTED]

5 Q. [12:22:17] And can you describe what happened, what you saw at the time you
6 were apprehended.

7 A. [12:23:03] When we were arrested before the door, there was a motorbike which
8 had passed first and there was a vehicle following it. And afterwards, it stopped at
9 the end of the road. So the vehicle -- the motorbike stopped at the end of the road
10 and the car stopped next to us.

11 And they asked who it was, I said it was my sister, and they wanted to take her to
12 the house. I said that there were people in my family. I wanted to help them put
13 barrels inside the house, that there were barrels to be put inside by my family. And
14 they took me to where the driver was from -- or they put me on the driver's side and
15 my wife on the passenger's side. And they asked us the names of our fathers. I
16 gave the name of the woman's father and the woman gave the name of my father.
17 And it was at that moment that they realised that we had lied.

18 The woman entered her home and she pretended that she had fainted. And when
19 she fainted she poured water on her. And then they caught me and they took me
20 away.

21 And they locked me up there. And then the next day they asked me questions.

22 They found out that I had a child with that woman prior to marriage. And that's
23 how I stayed there.

24 Every day they brought the woman, and it was on the third day that they took us for
25 trial, or the judgment.

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1 They took me, they said to read the first page, second page and they told me, here it is
2 written that a man and a woman have a child outside marriage, they have to be given
3 100 lashes.

4 After that, they took me to Sankoré and it was there that we were flogged. They hit
5 me, they hit the woman, and then they put us in an ambulance to take us to
6 the hospital.

7 When we arrived in the hospital, they gave us 10 tablets each and then they took us
8 home.

9 In the evening they came back, they said that you have to get married. If you don't
10 get married, each of you will be imprisoned for two years. They told me to give
11 15,000. I gave 20,000. And they said to go and get my uncle and he went to get
12 the woman's parents.

13 So they came to the woman's house, they gave what they had to give. They spoke
14 with the parents of the family. They carried out the marriage, and then they left.

15 And that's everything. When that finished, I called my uncle and I gave 85,000 for
16 a new marriage in the mosque -- 80,000.

17 THE INTERPRETER: [12:30:28] Corrects the interpreter.

18 THE WITNESS: [12:30:31](Interpretation) And that finished and they did all that.

19 They said that the marriage is done. And that was everything.

20 MS LUPING: [12:30:52]

21 Q. [12:30:52] Thank you, Mr Witness.

22 I do have a number of questions, (Overlapping speakers), but it is 12.30, so I will
23 reserve those questions. I do have many questions to ask you. I will reserve those
24 till we return after the break.

25 A. [12:31:22](Interpretation) Very well.

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1 PRESIDING JUDGE MINDUA: [12:31:29](Interpretation) Court officer, could you
2 take us back into open session.

3 (Open session at 12.31 p.m.)

4 THE COURT OFFICER: [12:31:36] We are in open session, Mr President.

5 PRESIDING JUDGE MINDUA: [12:31:46](Interpretation) Thank you very much.

6 So it's now 12.30. We're going to have a break for an hour, for lunch. And we will
7 be back at 13.30, at 1.30.

8 Court is suspended.

9 THE COURT USHER: [12:32:02] All rise.

10 (Recess taken at 12.32 p.m.)

11 (Upon resuming in open session at 1.30 p.m.)

12 THE COURT USHER: [13:30:08] All rise.

13 Please be seated.

14 PRESIDING JUDGE MINDUA: [13:30:38](Interpretation) The Court is once again in
15 session.

16 PRESIDING JUDGE MINDUA: [13:30:45](Interpretation) Prosecutor, you have
17 the floor in order to continue your examination-in-chief.

18 MS LUPING: [13:30:54] Thank you, Mr President.

19 The following questions are of a potentially identifying nature. We will return to
20 public session as soon as this group of questions is finished. But with your leave,
21 Mr President, if we could return to private session.

22 PRESIDING JUDGE MINDUA: [13:31:13](Interpretation) Court officer, private
23 session, please.

24 (Private session at 1.31 p.m.)

25 THE COURT OFFICER: [13:31:23] We are in private session, Mr President.

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1 PRESIDING JUDGE MINDUA: [13:31:31](Interpretation) Thank you very much.

2 Prosecutor.

3 MS LUPING: [13:31:34]

4 Q. [13:31:37] Mr Witness, before the break you said that, "Those who apprehended
5 me, or those who caught me were Adama, Demba Demba. And I did not recognise
6 the others."

7 A. [13:32:13] (No interpretation)

8 Q. [13:32:14] My first question is --

9 A. [13:32:16] Indeed.

10 Q. [13:32:16] -- do you know to what group they belonged?

11 A. [13:32:41] They were part of Ansar Dine.

12 Q. [13:32:46] And how do you know that?

13 A. [13:33:06] I knew at the time when they took me ...

14 THE INTERPRETER: [13:33:16] I apologise, I didn't get the last bit of that reply.

15 MS LUPING: [13:33:29]

16 Q. [13:33:29] Mr Witness --

17 Actually, before I repeat the question, I just wanted to note for the court officer's
18 information, the French live feed, which I'm also following at the same time as
19 the English, has frozen.

20 If something could be done with that because I can't see the last response in French, to
21 see if it's captured there.

22 PRESIDING JUDGE MINDUA: [13:34:10](Interpretation) Yes, apparently it is there
23 in the French.

24 THE COURT OFFICER: [13:34:15](Overlapping speakers)

25 PRESIDING JUDGE MINDUA: [13:34:18](Interpretation) Thank you very much.

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1 MS LUPING: [13:34:21] Thank you.

2 I do note that in the French transcript, that indeed it's there, and it states: "I learned
3 it at the moment where they took me to their office and to those who were occupying
4 those places."

5 Q. Now, Mr Witness, you said that those who caught you, there were others who
6 you didn't recognise. How many others were there, besides Adama and
7 Demba Demba?

8 A. [13:35:34] Those I didn't recognise, well, there must have been about five of
9 them, because they were the ones -- there were five people who -- sorry, there were
10 seven people who took me, so the ones I didn't recognise, there must have been five
11 of them.

12 Q. [13:35:51] And amongst the five, the other five who took you, could you
13 describe their ethnicity.

14 A. [13:36:20] Well, I don't really think I'm in a position to know what their ethnicity
15 was. It's not possible to know. I know, however, that they were part of ...

16 THE INTERPRETER: [13:36:48] And didn't catch the rest.

17 MS LUPING: [13:36:57]

18 Q. [13:36:57] Mr Witness, you said that they form part of, and it's inaudible in both
19 the French and the English. Could you repeat to what group they form part of.

20 A. [13:37:44] I was in a vehicle which was completely covered, the sort that we
21 would describe as a van. They were in there.

22 Q. [13:38:01] And the five, the other five that you mentioned, what group did they
23 belong to?

24 A. [13:38:23] They belong to Ansar Dine.

25 Q. [13:38:27] And did you hear any languages that the other five were speaking?

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1 A. [13:39:02] I didn't hear which language they were speaking, because when they
2 came, they arrived, they separated us and they took the others. They took me to one
3 side and they took my wife to the other, and the rest, well, they took -- they did that
4 so that we didn't escape.

5 Q. [13:39:31] And you mentioned a person called Adama. How do you know
6 him?

7 A. [13:40:04] I called -- heard people saying "Adama, Adama, Adama". And that
8 was all over, so that's how I also called him Adama. But with regard to his real
9 name, well that I don't know. But I do know that he is called Adama.

10 Q. [13:40:37] And did you learn what his job was within Ansar Dine?

11 A. [13:41:09] He was a policeman and he replaced Sanda when Sanda wasn't there.

12 Q. [13:41:29] And when you say he replaced Sanda when Sanda wasn't there, how
13 do you know that?

14 A. [13:41:59] I knew that when I was apprehended.

15 Q. [13:42:11] And can you describe Adama for us. What did he look like?

16 A. [13:42:42] He hasn't got a light skin, he hasn't got a dark skin. And he's not
17 very tall, either.

18 Q. [13:42:59] And did you know what his ethnicity was?

19 A. [13:43:15] I -- no, I don't know what his ethnicity is.

20 Q. [13:43:21] And do you know what languages he was speaking? What language
21 was he speaking when he apprehended you?

22 A. [13:43:46] He spoke in Bella and also in Arabic.

23 Q. [13:43:57] And when was the first time that you saw Adama?

24 A. [13:44:32] The first time I saw him was when the Islamists arrived in Timbuktu.
25 I saw him at traffic lights in our area, near Abaradjou.

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1 Q. [13:44:56] You've also mentioned a person called Demba Demba. How do you
2 know him?

3 A. [13:45:34] I knew Demba Demba before these events took place. He was
4 a mason and he had an area where he -- he worked -- sorry, he sang during
5 manifestations.

6 Q. [13:46:10] And do you know what his job was within Ansar Dine?

7 A. [13:46:38] He was one of those who carried out patrols at night. And he is
8 with -- he was with those people.

9 Q. [13:47:04] And when they came to arrest you, were they all armed?

10 A. [13:47:26] When they apprehended me, they were all armed.

11 Q. [13:47:32] Demba Demba, can you describe what he looked like.

12 A. [13:47:59] Demba Demba, he's slim and he's got black skin.

13 Q. [13:48:13] And do you know what his ethnicity is?

14 A. [13:48:30] He's Songhai.

15 Q. [13:48:40] And you said that when you were apprehended, that you were
16 arrested before the door. Whose house was that?

17 A. [13:49:12] I didn't understand what you said.

18 Q. [13:49:15] When you were arrested, it was in front of whose house?

19 A. [13:49:38] When we were arrested, we were in front of the door of [REDACTED]

20 Q. [13:49:50] You said that when you were arrested, the car stopped next to you.
21 And when they asked who it was, you said it was your sister.

22 A. [13:50:33] Yes. Yes, I answered like that. I said that it was my little sister and
23 that I was currently helping them to take a barrel inside the house.

24 Q. [13:50:52] Who, who asked you who she was? You said "they", but who was it
25 that asked you the question?

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1 A. [13:51:30] The Islamists, they asked the question to me and they asked
2 the question to my wife on the other side of the vehicle.

3 Q. [13:51:46] And you said you were put on the driver's side. Who was
4 the driver?

5 A. [13:52:06] Adama was driving.

6 Q. [13:52:09] So when you said you were asked questions on the driver's side, was
7 it Adama asking you questions?

8 A. [13:52:35] Yes, indeed, he was the one who asked me.

9 Q. [13:52:40] And you said your wife was put on the passenger side. Who was
10 the person asking your wife questions on the passenger side?

11 A. [13:53:07] On the passenger side, it was Demba Demba asking questions.

12 Q. [13:53:19] Now, you said that when you were asking the names of your fathers,
13 that you both lied. My question is, why did you lie?

14 A. [13:53:57] They -- we lied because we wanted them to go away, to continue on
15 their -- on their way and leave us in peace. And that's why we lied.

16 Q. [13:54:14] And when you lied, what did you think was going to happen if you
17 told them the truth?

18 A. [13:54:58] Because telling them the truth, well, I didn't know what could happen
19 to us exactly. But these are people you really have to be careful with. You really
20 need to find a way to get rid of them.

21 Q. [13:55:27] Now, you said that [REDACTED] entered the home and pretended that
22 she fainted. How do you know that?

23 A. [13:56:04] No, not that he -- she pretended to faint, but that she fainted. And
24 somebody poured water over her. When she fainted, everybody started shouting
25 and, and this was next to me. And I was taken and I was put into the vehicle to be

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1 driven away.

2 Q. [13:57:04] And you said that you were taken away, and taken to a place where
3 they locked you up. My question is this, before you got to the place where you were
4 locked up, was there anybody else in the car with you?

5 A. [13:57:55] Yes, when I was being driven away, on the way they stopped two
6 young men who were smoking and they took them as well along with me.

7 Q. [13:58:27] And before they took the three of you to the place where you were
8 locked up, did the Ansar Dine people in the car speak to any of you? Did they say
9 anything to you?

10 A. [13:58:57] Well, I was taken, I was locked up. I didn't -- they didn't say
11 anything to me. The two others, I don't know what -- what happened there. I don't
12 know what happened to them. But what I do remember is that I was shut away and
13 there was also a *talibé*.

14 Q. [13:59:56] Mr Witness, I'm going to just repeat my question, because I'm not sure
15 there was a misinterpretation.

16 When you were in the car, still being driven, did the Ansar Dine people say anything
17 to you, did they speak in the car?

18 PRESIDING JUDGE MINDUA: [14:00:22](Interpretation) Ms Taylor.

19 MS TAYLOR: [14:00:23] Thank you, Mr President. According to the transcript, this
20 was directly asked and answered. The witness did answer this specific aspect of the
21 question directly. He said, "I didn't -- they didn't say anything to me." That's at line
22 14, page 46. Just because the Prosecution hasn't got the answer they like, doesn't
23 mean that they get to ask the question again. It has been answered.

24 MS LUPING: [14:00:51] Mr President, if I could respond. And I would ask that the
25 witness not have this response translated.

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1 The witness stated: "Well, I was taken, I was locked up ... they didn't say anything to
2 me." Indeed. But what I wanted to clarify is the question of timing, because he
3 gives his response after saying he's locked up, so I wanted to clarify whether anything
4 was said in the vehicle before he's locked up. That is my question.

5 PRESIDING JUDGE MINDUA: [14:01:21](Interpretation) Yes, Madam Prosecutor,
6 please put your question.

7 MS LUPING: [14:01:25] And for the Songhai interpreter, my question can now be
8 interpreted for the witness.

9 Q. [14:01:32] When you were still in the car, being taken to the place where you
10 were later held, did the Ansar Dine people who arrested you and were in the car with
11 you, did they say anything to you while you were still in the car?

12 A. [14:02:18] Well, they didn't address me directly, but they said that "you've
13 already spoken enough, but you haven't been listening to us". That's what they said
14 to us in the vehicle.

15 Q. [14:02:40] And did you understand what they meant that you hadn't been
16 listening to them?

17 A. [14:03:05] Yes, I did understand, because I understood it in Tamasheq. It was
18 the others who did not understand.

19 Q. [14:03:22] Did you understand what they meant when they said that you were
20 not listening?

21 A. [14:03:58] Yes, I didn't understand that, because this is the first occasion that
22 I was being apprehended, and before that nothing had been ever explained to me.

23 Q. [14:04:12] And at the time they arrested you, did they tell you why they were
24 arresting you?

25 A. [14:04:58] Yes, it was on the next day that we talked about this and they told me

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1 not to lie, told me to tell the whole truth. And that's when I told the truth.

2 Q. [14:05:16] Now, Mr Witness, I'm going to ask that we now go for some of my
3 questions back into public session. I would ask that you not repeat the names of any
4 of the people who arrested you, and that you not repeat any reasons why you were
5 arrested or who you were arrested with.

6 A. [14:06:03] (No interpretation)

7 MS LUPING: [14:06:05] Mr President, I believe with your leave we can return to
8 public session for a number of my following questions.

9 PRESIDING JUDGE MINDUA: [14:06:16](Interpretation) Madam courtroom officer,
10 open session, please.

11 (Open session at 2.06 p.m.)

12 THE COURT OFFICER: [14:06:24] We're in open session, Mr President.

13 PRESIDING JUDGE MINDUA: [14:06:33](Interpretation) Thank you very much.
14 Madam Prosecutor.

15 MS LUPING: [14:06:37]

16 Q. [14:06:37] Mr Witness, you stated that you were taken to a place where you were
17 locked up. Can you say where you were brought to, where was it that you were
18 locked up?

19 A. [14:07:04] The place where I was taken into custody was the BMS. That is
20 where I was taken into custody.

21 Q. [14:07:22] And when you were first brought to the BMS, did you meet anybody
22 inside the BMS?

23 A. [14:07:52] Yes. We did meet people in the BMS, indeed.

24 Q. [14:08:01] And did you meet a specific person from Ansar Dine within the BMS?
25 And if so, who?

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1 A. [14:08:52] On the next day we met three individuals who talked to me and then
2 they left.

3 Q. [14:09:07] Mr Witness, I'm not talking about the next day. Did you meet any
4 Ansar Dine people when you first arrived at the BMS?

5 A. [14:09:52] Yes, when I was taken there, we met a lot of people. Some people
6 were carrying weapons, some people were inside who were working with them, but
7 I didn't know who they were.

8 Q. [14:10:14] Do you recall meeting any senior person from Ansar Dine on that first
9 day you arrived?

10 A. [14:10:39] Yes, indeed. When I arrived there, I met some people who were
11 highly ranked, yes.

12 Q. [14:11:16] And do you remember the names of any of the highly-ranked people
13 you saw on this first day when you arrived?

14 A. [14:11:50] Really, I do not remember. I don't remember.

15 Q. [14:11:57] Now, when you arrived, can you describe or explain what happened
16 when you arrived at the BMS? That first -- now I'm starting with the first day.

17 A. [14:13:05] Yes, when I arrived, there were three of them who questioned me.
18 One of them was seated in the middle and the other two on either -- on either side.
19 In fact, when they spoke to me, I was frightened because I had been arrested and this
20 was the first time --

21 THE INTERPRETER: [14:13:31] There is noise at the remote location.

22 The interpreter could not hear the rest of the answer.

23 MS LUPING: [14:13:49] I have just a note for the English transcript. We do have
24 a response actually in the French, "I was afraid and this was the first time that they
25 spoke to me in this way." So I think the answer was at least actually captured in

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1 French. So I won't ask that it be repeated.

2 THE WITNESS: [14:14:36](Interpretation) Sorry, I didn't understand what you said.

3 MS LUPING: [14:14:43]

4 Q. [14:14:43] Mr Witness, I'm going to ask you more questions about those three
5 people in private session, but before I do, after you spoke to some senior people,
6 where were you brought to next? What happened next?

7 A. [14:15:24] Yes, after having talked to those three people, they shut me away until
8 the second or third day.

9 Q. [14:15:44] And when you say they shut you away, where did they shut you
10 away?

11 A. [14:15:57] They shut me away in the prison that they have on location. It was
12 a special place that had been set up for the purpose.

13 Q. [14:16:21] And can you please describe this prison that they put you in.

14 A. [14:16:39] The prison that I was taken in, half of it has glass and the other has
15 a grilled door. They had soldered some things together to make a door out of it.

16 Q. [14:17:21] And how big was this room that you were brought to?

17 A. [14:17:52] The location I was shut away in must have been two metres by two
18 metres. And ...

19 THE INTERPRETER: [14:18:03] The interpreter did not catch the end of the
20 response.

21 Correction: And that is where I found a *talibé*.

22 MS LUPING: [14:18:26]

23 Q. [14:18:26] And this room that you were imprisoned in, did it have any
24 windows?

25 A. [14:18:50] Yes, the place where I was shut away, there was indeed a window,

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1 under which there was a generator.

2 Q. [14:19:10] And was the window open?

3 A. [14:19:34] Yes, the window was open and the generator gave out quite a lot of
4 heat, because the electricity was being shut off on quite a regular basis at that moment
5 in time.

6 Q. [14:20:00] And whilst you were held in that prison, did you receive anything to
7 eat or drink?

8 A. [14:20:32] Yes, whilst apprehended, we were given milk, spaghetti, pasta, and
9 also we were given a pot in which to go to the toilet.

10 Q. [14:20:54] And this pot that you were given to go to the toilet, was it in the room
11 in which you were imprisoned?

12 A. [14:21:22] Indeed, yes, it was inside.

13 Q. [14:21:29] And in this time that you were held in the prison, were you able to
14 have any visitors?

15 A. [14:22:01] Yes, I saw two of my sisters who wanted to come and visit me. I
16 could see them through the grille, but their visit was not accepted.

17 Q. [14:22:20] And during this time that you were held in the prison, did you ever
18 have access to a lawyer?

19 A. [14:22:59] Yes, people would often come and have a look at us and then they
20 would go away again. But we didn't know who they were.

21 Q. [14:23:11] I'm going to repeat my question, as I'm not sure it was interpreted
22 correctly.

23 When you were in prison, did you get given a lawyer to represent you?

24 A. [14:23:48] No. Nobody served as my lawyer. Who was going to dare be my
25 lawyer in that place?

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1 Q. [14:24:14] And when you say that nobody would dare to be your lawyer in that
2 place, why do you say that?

3 A. [14:24:51] Well, they are there. They are the ones who were there and, in
4 reality, I didn't look for one, nor did they suggest one to me.

5 MS LUPING: [14:25:29] Mr President, I would ask now for the next following
6 questions, that we move into private session, with your leave.

7 PRESIDING JUDGE MINDUA: [14:25:40](Interpretation) Madam courtroom officer,
8 private session, please.

9 (Private session at 2.25 p.m.)

10 THE COURT OFFICER: [14:25:53] We are in private session, Mr President.

11 PRESIDING JUDGE MINDUA: [14:25:58](Interpretation) Thank you very much.
12 Madam Prosecutor.

13 MS LUPING: [14:26:04]

14 Q. [14:26:07] Mr Witness, you said that on the first day that you arrived at the BMS,
15 you were taken to an office where you saw some leaders. Could you give the names
16 of those leaders.

17 A. [14:26:55] The leaders whom I saw there, one is called Sanda, another Hamed
18 Moussa, and Adama.

19 Q. [14:27:13] And other than these three leaders, did you meet any other leader
20 from Ansar Dine?

21 A. [14:27:45] Yes, that was when I was taken to be sentenced, that's when I saw
22 the others. On that -- in that same location, I also saw Oumar and Talha.

23 Q. [14:28:08] And where did you see Talha?

24 A. [14:28:22] I saw him at the BMS.

25 Q. [14:28:26] And when did you see Talha at the BMS?

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- 1 A. [14:28:47] On the day after the day I was apprehended.
- 2 Q. [14:28:59] And where did you see Talha?
- 3 A. [14:29:16] I saw him at the BMS.
- 4 Q. [14:29:19] Now, you said that you were brought before Sanda, Hamed Moussa
5 and Adama. How do you know Sanda?
- 6 A. [14:29:57] Yes, I knew Sanda before the events. And I used to take rice to his
7 house because he would buy rice from us.
- 8 Q. [14:30:20] And can you describe Sanda.
- 9 A. [14:30:51] Sanda, he has a light skin. He's not particularly big and he's neither
10 fat nor, nor thin. And he also has a beard.
- 11 Q. [14:31:08] And do you know what his ethnicity is?
- 12 A. [14:31:22] His ethnicity is Arab.
- 13 Q. [14:31:36] And do you know his full name?
- 14 A. [14:31:57] The no (sic) that I know for him is Sanda Ould Boumama.
- 15 Q. [14:32:10] And did you learn what Sanda's role was within Ansar Dine?
- 16 A. [14:32:52] I wouldn't be able to say what he did within Ansar Dine. But what I
17 do know is that the next day he was the first person to speak to me before
18 the judgment was passed.
- 19 Q. [14:33:25] And you said you also met with Hamed Moussa, and you've
20 mentioned him before. Could you describe what Hamed Moussa looks like.
- 21 A. [14:34:07] Hamed Moussa is usually -- usually wears white all over and a white
22 turban. He's tall and he also has a beard.
- 23 Q. [14:34:26] And what is his ethnicity?
- 24 A. [14:34:36] I think he's Tamasheq.
- 25 Q. [14:34:55] And you said that Sanda was the first person to speak to you before

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1 judgment was passed. What language did he speak to you in?

2 A. [14:35:20] He just told me to tell the truth about the circumstances which
3 caused -- in which I found myself. And when I told the truth, he asked that I be
4 taken back to my cell.

5 MS LUPING: [14:36:04] This is just a request for the English language interpreter
6 and to the court officer, sometimes we're not hearing everything -- I'm not hearing
7 everything that the interpreter is saying when it's being given in English language
8 interpretation. I don't know if there's some issue with proximity to the microphone
9 and I'm not sure if others are having the same problem, but at times I'm losing
10 the sound.

11 Just noting that, I will get the answer from the transcript.

12 Q. Mr Witness, you also said that you saw Talha at the BMS. Did you speak to
13 Talha as well or did he speak to you?

14 A. [14:37:18] No, I didn't speak to him.

15 Q. [14:37:32] And how do you know Talha?

16 A. [14:38:02] I saw him or I met him the day where they took food from the shops
17 to distribute them to the people. That's the day that I know Talha from.

18 Q. [14:38:26] And do you know what his job was within Ansar Dine?

19 A. [14:39:04] I know that within -- no, I don't know what he did within Ansar Dine.
20 But I saw him once with my neighbours, we went to get grass for the animals and
21 then we saw him. And the neighbour told me that that's Talha.

22 Q. [14:39:35] And where was it that you saw him?

23 A. [14:39:54] I saw him at Tinbargom.

24 Q. [14:40:03] And what is it that you saw him doing?

25 A. [14:40:53] On the day that I saw him, they had come by helicopter where they

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1 brought a white man in their vehicle. They gave him to people in the helicopter, and
2 that was when they passed through and that -- they passed and that was when my
3 neighbour said "that's Talha".

4 Q. [14:41:35] And did you learn who this white person was?

5 A. [14:42:05] At the place I didn't recognise this white person, but I found out when
6 I got back to town that people were saying this was Béatrice.

7 Q. [14:42:20] And to clarify, is Béatrice is man or a woman?

8 A. [14:42:37] A woman. A woman.

9 Q. [14:42:43] And do you know what country she's from?

10 A. [14:42:58] No, no, I don't know which country she's from.

11 Q. [14:43:07] Now, you said that you learnt of Adama's job in Ansar Dine after you
12 were arrested. What did you learn about what his job was?

13 A. [14:43:55] I learnt or I was told that Sanda was not there and that he was being
14 replaced by Adama. And that if Sanda wasn't -- if Adama wasn't there, then he
15 would be replaced by Hamed Moussa.

16 Q. [14:44:23] And who told you that?

17 A. [14:44:31] Sanda told me that.

18 Q. [14:44:48] Now, you said that when you first arrived at the BMS, when you were
19 taken to the room, that there was a *talibé* in the room with you. Who was that
20 person?

21 A. [14:45:35] I didn't know the *talibé*, but we had a conversation and then he told
22 me that he had been arrested because all the time he spent in front of the door. And
23 that's why he was arrested. They said he was a bandit. That's why they arrested
24 him.

25 Q. [14:46:02] And how old was this person that they arrested?

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- 1 A. [14:46:26] He must have been about eight years old, I think.
- 2 THE INTERPRETER: [14:46:37] Interpreter says: I don't know whether
- 3 that's 8 or 18.
- 4 THE WITNESS: [14:46:42](Interpretation) But, in any case, I know that I am older
- 5 than he is.
- 6 MS LUPING: [14:46:48]
- 7 Q. [14:46:49] Mr Witness, I'm not sure the answer was captured correctly. Was
- 8 this person 8 years old, or 18? There's a problem with interpretation.
- 9 A. [14:47:14] I said 18.
- 10 Q. [14:47:18] So this was an adult, not a child?
- 11 A. [14:47:47] I said that, but there are children who don't look the age that they are.
- 12 Q. [14:48:11] And what does *talibé* mean?
- 13 A. [14:48:26] A beggar.
- 14 Q. [14:48:37] Now, Mr Witness, I'm just trying to understand the timing. You said
- 15 you arrived at the BMS, and was that the first day before you were put in the prison
- 16 that you met with the three leaders?
- 17 A. [14:49:18] It was the first day that I met them. But during the whole time I was
- 18 there, I saw them, but they didn't come to see me.
- 19 Q. [14:49:51] And what day was it that you actually spoke to them? Which day
- 20 was it that you spoke to them? That Sanda spoke to you?
- 21 A. [14:50:30] It was the night when I was taken, so it was the next day that I spoke
- 22 to him.
- 23 Q. [14:50:40] And what language did Sanda speak to you in?
- 24 A. [14:50:56] He spoke to me in Songhai.
- 25 Q. [14:51:04] And did they bring you out of your prison at any other time, besides

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1 to meet with these leaders?

2 A. [14:51:47] I didn't understand that.

3 Q. [14:51:50] You've explained that you were taken out of your prison and you
4 spoke to these three leaders. But apart from this time when you were brought to
5 the leaders, were you brought out of the prison, your prison, any other time? This is
6 on the first or the second day.

7 A. [14:52:40] Apart from that day, I wasn't taken out until the day when we went
8 for the judgment.

9 Q. [14:53:21] Mr Witness, I would like to show you a document. And
10 that's -- that's at tab 3 of the binders. And that is MLI-OTP-0046-8867.
11 Mr President, we ask also for leave for the Prosecution to show these documents. It
12 is confidential.

13 PRESIDING JUDGE MINDUA: [14:54:22](Interpretation) Court officer.

14 THE COURT OFFICER: [14:54:24] The document will be displayed on the evidence
15 1 channel and we are in private session.

16 MS LUPING: [14:55:00]

17 Q. [14:55:01] Mr Witness, do you recognise this document?

18 A. [14:55:14] Yes, of course.

19 Q. [14:55:15] What is it?

20 A. [14:55:29] It's the BMS.

21 Q. [14:55:31] And who drew it?

22 A. [14:55:41] I did that.

23 Q. [14:55:44] Can you explain what we see at letter A.

24 A. [14:56:00] The letter A shows where I was imprisoned.

25 Q. [14:56:13] And what do we see with the letter B, what is that?

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- 1 A. [14:56:32] B, that's their offices.
- 2 Q. [14:56:37] And what is at letter C?
- 3 A. [14:56:54] That is the garage where there was the group.
- 4 Q. [14:57:14] And what do we see at letter D?
- 5 A. [14:57:24] That's D, that's a hangar, which is within the garage itself.
- 6 Q. [14:57:39] And how do you know that that is the hangar?
- 7 THE INTERPRETER: [14:58:19] Your Honour, I have a message from the Songhai
- 8 booth: We would like the witness to repeat his answer, please.
- 9 THE WITNESS: [14:58:53](Interpretation) It's like a storeroom where people keep
- 10 things.
- 11 MS LUPING: [14:59:05]
- 12 Q. [14:59:05] And how do you know that?
- 13 A. [14:59:16] I -- I saw that. I even went there.
- 14 Q. [14:59:25] And when did you go there?
- 15 A. [14:59:47] The day of the judgment. When they had finished with
- 16 the judgment, I took the spaghetti and other foods that they were arranging into this
- 17 storeroom. It was not the day when they'd done the judgment, it was before
- 18 the judgment.
- 19 Q. [15:00:22] And who told you to do that?
- 20 A. [15:00:50] They asked me to do that. They brought the vehicle and they
- 21 opened the door and they asked us to go and do that.
- 22 Q. [15:01:02] And who is "they"?
- 23 A. [15:01:17] I'm talking about the Islamists.
- 24 Q. [15:01:20] And what is -- what do we see at letter E?
- 25 A. [15:01:30] That is where the shop is.

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1 Q. [15:01:43] And at letter F, what is that?

2 A. [15:02:00] Kitchen. It's the kitchen.

3 Q. [15:02:05] And just above the letter C, we see what appear to be letters GA.

4 Could you explain what that is? What was that?

5 A. [15:02:28] That's the generator.

6 MS LUPING: [15:02:33] Mr President, I see the time. I'm done with this exhibit. I

7 will have my remaining questions for the witness tomorrow.

8 PRESIDING JUDGE MINDUA: [15:02:49](Interpretation) Very well. Thank you

9 very much.

10 Madam courtroom officer, could we please go back into open session.

11 (Open session at 3.03 p.m.)

12 THE COURT OFFICER: [15:03:05] We are back in open session, Mr President.

13 PRESIDING JUDGE MINDUA: [15:03:11](Interpretation) Thank you very much.

14 Mr Witness, the Chamber would like to thank you for answering the questions.

15 We have now reached the end of your testimony for today. But your testimony is

16 not over and you shall be continuing tomorrow.

17 Until then, please remember that you are not allowed to talk to anybody about your

18 testimony, whether it be to members of your family, friends, were you to come into

19 contact with them this evening.

20 Have you understood what I just said?

21 THE WITNESS: [15:04:27](Interpretation) I have understood.

22 PRESIDING JUDGE MINDUA: [15:04:31](Interpretation) Thank you very much.

23 Now, it remains for me to thank all the parties, the participants, the court reporters

24 and the interpreters, and the security guards. Of course, without forgetting our

25 public. And I wish you all a very nice evening.

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1 We shall reconvene tomorrow morning at 9.30.

2 We shall now adjourn.

3 Court is adjourned.

4 THE COURT USHER: [15:05:09] All rise.

5 (The hearing ends in open session at 3.05 p.m.)

6 CORRECTIONS REPORT

7 The following corrections, marked with an asterisk and not included in the

8 audio-visual recording of the hearing, are brought into the transcript.

9 Page 11 line 14

10 "Other ones wore different clothing. Some wore blue clothing and other people

11 ash-coloured clothing. Some wore black clothing as well." Is corrected to

12 "Other ones wore white clothing. Some wore black clothing, others wore blue

13 clothing, and other people ash-coloured clothing."

14 Page 14 line 10

15 "People who would be seated in the street and talking to their girlfriends, they would

16 go after them." Is corrected to "People who would stop in the street and talk to their

17 girlfriends, they would go after them."

18 Page 23 line 25 to Page 24 line 1

19 "I quite agree. Now, the witness is here and he saw people respond and he

20 observed." Is corrected to "Ms Taylor, I disagree with you, because the witness was

21 there and he saw people respond and he observed."

22 SECOND CORRECTIONS REPORT

23 The following corrections, marked with an asterisk and not included in the

24 audio-visual recording of the hearing, are brought into the transcript.

25 Page 22 line 4

26

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- 1 "...the women to -- and the man is taken to his home..." Is corrected by "...the
2 woman to her home, and the man is also taken to his home..."
3 Page 22 lines 5 to 7
4 "the friends of the man --
5 THE INTERPRETER: Inaudible.
6 THE WITNESS: (Interpretation) -- to the women and usually they bring something
7 to the woman, with the men." I corrected by
8 "the friends of the man, when they leave to go fetch the woman, traditionally, they
9 bring something with them ... the women ... with the men."