

Trial Hearing
WITNESS: MLI-OTP-P-0565

(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 Thursday, 26 November 2020
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:46] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE MINDUA: [9:33:18](Interpretation) The Court is in session.
15 Court officer, could you please call today's case.
16 THE COURT OFFICER: [9:33:28] Thank you, Mr President.
17 The situation in the Republic of Mali, in the case of The Prosecutor versus Al Hassan
18 Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, case reference ICC-01/12-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE MINDUA: [9:33:50](Interpretation) Thank you very much.
21 Good morning, everybody.
22 As usual, we will now make the appearances, by starting with the office for
23 the Prosecution.
24 Madam Prosecutor.
25 MS CORBIN: [9:34:12](Interpretation) Good morning, my Lord, your Honours.

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1 The OTP is represented today by my colleague Luping, Huck, Gilles Dutertre and
2 myself.

3 PRESIDING JUDGE MINDUA: [9:34:30](Interpretation) Thank you.

4 And now the Defence.

5 Ms Sutherland.

6 MS SUTHERLAND: [9:34:38] Good morning, Mr President, your Honours.

7 The Defence for Mr Al Hassan is this morning represented by Ms Melinda Taylor,

8 Ms Sarah Marinier-Doucet and Ms Dolly Chahla, and of course myself,

9 Ms Sutherland.

10 PRESIDING JUDGE MINDUA: [9:35:05](Interpretation) Thank you, Ms Sutherland.

11 And now the representative for the victims.

12 MR LUVENGIKA: [9:35:10](Interpretation) Good morning, your Honour, my Lords.

13 The victims are represented by Mrs Claire Laplace and myself, Mr Nsita Luvengika.

14 PRESIDING JUDGE MINDUA: [9:35:25](Interpretation) Thank you very much,

15 Mr Nsita.

16 Today we will continue with the hearing of the 17th witness of the Prosecution,

17 namely P-0656 --

18 THE INTERPRETER: [9:36:44] Sorry, 565, correction.

19 PRESIDING JUDGE MINDUA: [9:36:47](Interpretation) I now turn towards

20 the witness.

21 Madam Witness, can you hear me?

22 WITNESS: MLI-OTP-P-0565 (On former oath)

23 (The witness speaks Songhai)

24 THE WITNESS: [9:36:04](Interpretation) Yes.

25 PRESIDING JUDGE MINDUA: [9:36:05](Interpretation) Good morning. I welcome

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1 you again. And I thank you very much for being available.

2 THE WITNESS: [9:36:21](Interpretation) Yes. Thank you.

3 PRESIDING JUDGE MINDUA: [9:36:26](Interpretation) I would like to remind you
4 that you're still under oath and you must speak the truth and nothing but the truth.

5 THE WITNESS: [9:36:53](Interpretation) Yes, I understand.

6 PRESIDING JUDGE MINDUA: [9:36:58](Interpretation) I would also like to give
7 you some practical advice as regards when you speak.

8 THE WITNESS: [9:37:12](Interpretation) Yes.

9 PRESIDING JUDGE MINDUA: [9:37:17](Interpretation) Of course, this applies to
10 your assistant as well.

11 THE WITNESS: [9:37:26](Interpretation) Yes.

12 PRESIDING JUDGE MINDUA: [9:37:31](Interpretation) I will give the floor
13 immediately to Madam Prosecution for the continuation of her examination.

14 THE WITNESS: [9:37:45](Interpretation) Yes.

15 MS CORBIN: [9:37:49](Interpretation) Thank you, my Lord.

16 First of all, I would like to clarify something in the records on page 2, line 11,
17 the name Coquillaud, which appears amongst the Defence, if you could correct that,
18 I'd be grateful.

19 PRESIDING JUDGE MINDUA: [9:38:14](Interpretation) I also heard that and I was
20 really surprised. I thought that maybe there was a sudden *changement*. Thank you
21 for that.

22 QUESTIONED BY MS CORBIN: (Continuing) (Interpretation)

23 Q. [9:38:35] Good morning, Madam Witness. How are you feeling this morning?

24 A. [9:38:41] I am well, thank you.

25 Q. [9:38:47] I'd like to go back to something you said yesterday.

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1 A. [9:38:57] Okay.

2 *Q. [9:38:58] Yesterday I asked you something about the rules of the Islamists, as you
3 called them, and your answer was as follows, page 15 of the transcript, line 13: People
4 were not allowed to wear suits, and they were not allowed to have hair extensions
5 either. They were not allowed to put on creams. They were not allowed to have any
6 celebrations during marriages. The grins were forbidden as well.

7 A. [9:40:05] Yes.

8 Q. [9:40:12] A clarification for us so we understand fully. What does it mean, not
9 allowed to have any *pommades* or creams?

10 A. [9:40:25] For example, sometimes they wear powder or creams to have a lighter
11 skin. So you can see immediately that it is some sort of cream that they've put on
12 their face.

13 Q. [9:40:53] Thank you. Were there other things that were forbidden at that time
14 in Timbuktu?

15 *A. [9:41:09] That is what I could see myself.

16 Q. [9:41:29] When did the Islamists, as you call them, leave Timbuktu?

17 A. [9:41:42] I can't quite remember. I don't remember the month and I don't know
18 how to say it in French either.

19 Q. [9:41:57] How did you react once they left, you personally?

20 * A. [9:42:14] When they left [REDACTED] and what I heard was that the next day,
21 people were saying that the military had arrived and those people had left.

22 Q. [9:42:52] And how did you -- how did the inhabitants of Timbuktu react when they left?

23 A. [9:43:14] They took drums and people gathered together and were very pleased.

24 Q. [9:43:55] Why did people play drums?

25 A. [9:44:16] I don't really know, but I saw that people were happy and wanted to

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1 express their joy.

2 *Q. [9:44:29] Thank you, Madam. Just to be clear, you said that you those things
3 that had been banned that you had seen. Did you hear --- not see, but did you hear
4 about other things that had been banned?

5 A. [9:44:54] I didn't hear about any other things. I didn't even ... I didn't even go out
6 anymore.

7 Q. [9:45:11] You said you didn't go out anymore. Could you explain why?

8 A. [9:45:21] I could.

9 Q. [9:45:26] Go ahead, Madam.

10 A. [9:45:48] Well, it was my mother who didn't let me go out. She forbade me,
11 because I had one baby and [REDACTED] she said that I should
12 remain at home. And so I stayed at home. [REDACTED] did the shopping.

13 MS CORBIN: [9:46:18](Interpretation) With your permission, my Lord, could we
14 move to private session.

15 PRESIDING JUDGE MINDUA: [9:46:24](Interpretation) Please, court officer, could
16 we move into closed -- private session.

17 (Private session at 9.46 a.m.)

18 THE COURT OFFICER: [9:46:37] We are in private session, Mr President.

19 PRESIDING JUDGE MINDUA: [9:46:46](Interpretation) Thank you.

20 Madam Prosecutor.

21 MS CORBIN: [9:46:49](Interpretation) My Lord -- sorry, there was some
22 disturbance.

23 PRESIDING JUDGE MINDUA: [9:47:03](Interpretation) Yes, please, court officer,
24 could you check that, because I think we should tell the interpreters working remote
25 about it.

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1 Please proceed, Madam Prosecutor.

2 MS CORBIN: [9:47:21](Interpretation) I would like to show you an excerpt of
3 a video which was filmed in Timbuktu. I would like to show the witness this clip.
4 It takes less than two minutes and it was already seen in this courtroom.

5 THE WITNESS: [9:47:55](Interpretation) Fine.

6 MS CORBIN: [9:47:59](Interpretation) The reference is [REDACTED] It's at
7 tab 14. We will do this without sound. And it's at 15 and in the translation at tab 16.
8 We will start at 4:28 and we will stop at 6:03.

9 THE COURT OFFICER: [9:48:44](Interpretation) It will be played on channel
10 evidence 2.

11 MS CORBIN: [9:48:56](Interpretation)

12 Q. [9:48:58] Madam, I'm going to play an extract of the video, and once you have
13 seen it I'm going to ask you questions about what you've seen.

14 A. [9:49:18] Very well.

15 Q. [9:49:32] Could you please confirm that you can see the video image on your
16 screen?

17 A. [9:49:43] Yes, I can see the image.

18 Q. [9:49:51] We're going to play it now.

19 A. [9:49:56] Very well.

20 (Viewing of the video excerpt)

21 MS CORBIN: [9:51:38](Interpretation) We stopped at 6:02.

22 Q. [9:51:46] Madam Witness, do you recognise this scene?

23 A. [9:51:57] Yes.

24 Q. [9:52:02] What was happening?

25 A. [9:52:14] I saw myself there.

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- 1 Q. [9:52:27] How did you recognise yourself?
- 2 A. [9:52:39] Through the clothing that I was wearing and also what was happening.
- 3 Q. [9:53:05] Did you recognise the location?
- 4 A. [9:53:11] Yes.
- 5 Q. [9:53:16] Where was that?
- 6 A. [9:53:21] Sankoré.
- 7 Q. [9:53:29] What was happening during that scene?
- 8 *A. [9:53:46] What I see is what happened there. People ... people gathered, and ...
- 9 there was a flogging going on.
- 10 Q. [9:54:06] Besides yourself, did you recognise anyone else on that video?
- 11 A. [9:54:19] No, I didn't recognise anyone other than my husband.
- 12 Q. [9:54:38] You talked about a flogging. Who was being flogged?
- 13 A. [9:54:43] Myself.
- 14 Q. [9:54:52] Were you the only person flogged that day?
- 15 A. [9:55:05] I only saw myself. Because when they finished with me, they put me
- 16 into the vehicle. I don't know what happened after that.
- 17 Q. [9:55:23] Madam, now I'm going to freeze the video to show you an image.
- 18 A. [9:55:38] Fine.
- 19 Q. [9:55:42] The image I'm going to freeze is at 5:20, 5 minutes and 20 seconds.
- 20 Madam Witness, what do you see on this image?
- 21 A. [9:56:21] I see myself and the person who is flogging me. And other people
- 22 who are standing by.
- 23 Q. [9:56:49] Do you recognise the vehicle?
- 24 A. [9:57:02] That's exactly the vehicle which I call the van.
- 25 *Q. [9:57:12] Is it the same van that you mentioned yesterday that took you from the

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1 judge's office to Sankoré square?

2 A. [9:57:28] Yes, it's the same van.

3 Q. [9:57:37] I'm going to show you another image at 5:43, 5 minutes 43.

4 Sorry, I think it's 5:44.

5 Can you see this image, Madam?

6 A. [9:58:19] Yes.

7 Q. [9:58:23] What do you see on this image?

8 A. [9:58:39] I don't see anything else other than my husband and the person who
9 was carrying out the flogging.

10 Q. [9:58:48] How did you recognise your husband?

11 A. [9:58:56] I know what he was wearing.

12 Q. [9:59:09] Was it the same day?

13 A. [9:59:14] Yes.

14 *Q. [9:59:27] Does this video footage that we just saw represent the incident that you
15 talked about yesterday?

16 A. [9:59:47] Yes, that's -- that's exactly what it is.

17 Q. [10:00:02] I would like to show you another image of that video.

18 The timestamp is 4:44.

19 Do you recognise anything, Madam?

20 A. [10:00:54] I see people, but I don't recognise them.

21 Q. [10:01:06] Very well.

22 I would like to show another video, which has also already been shown here. It's
23 a lot shorter than the previous one, it's only 19 seconds long.

24 A. [10:01:30] (No interpretation)(Overlapping speakers)

25 Q. [10:01:32] This video, this video has the number MLI-OTP-0018-0284 and we're

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- 1 going to play this video in its entirety. The transcript of this video can be found at
2 tab 59. The reference is MLI-OTP-0069-1864. And the translation in French is * at
3 tab 60 and the reference is * MLI-OTP-0078-1880.
- 4 And with your permission, we will play the video from here without the sound for
5 the first two seconds thereof. And we'll play it from here.
- 6 So we're now at 2 seconds.
- 7 Madam, what can you see on this picture?
- 8 A. [10:03:12] I can see the person who's whipping me, and there's lots of people
9 around.
- 10 Q. [10:03:29] And just to be clear, the person who is on their knees, who is that?
- 11 A. [10:03:46] Yes.
- 12 Q. [10:03:51] Who is the person kneeling on the ground?
- 13 A. [10:03:59] That's me.
- 14 Q. [10:04:12] I'm now going to play the entire video.
- 15 A. [10:04:24] Very well.
- 16 Q. [10:04:25] If you need time, having seen the video, please tell me.
- 17 A. [10:04:36] Very well. You have to continue.
- 18 MS CORBIN: [10:04:47](Interpretation) With your permission --
- 19 THE COURT OFFICER: [10:04:51](Interpretation) Would you like to play the video
20 with sound or without?
- 21 MS CORBIN: [10:04:55](Interpretation) I want to play it with sound, please.
- 22 THE WITNESS: [10:05:08](Interpretation) Very well.
- 23 MS CORBIN: [10:05:14](Interpretation) We're going to start from the beginning.
- 24 THE WITNESS: [10:05:23](Interpretation) Very well. If there are no other problems,
25 I don't have any problem with it.

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1 (Viewing of the video excerpt)

2 * (Translation of transcription of video MLI-OTP-0018-0284, without any changes or
3 alterations by the English Court Reporters)
4 00:00:00. Beginning of the recording. Shot of a group of people standing around a
5 number of men who are wearing turbans. One of the men is wearing a vest for
6 carrying ammunition. The shot includes a woman who is being flogged by one of the
7 men.

8 Unidentified Speaker: Eighteen, nineteen, twenty, twenty one, twenty two, twenty
9 three, twenty four, twenty five...

10 Unidentified Speaker: It's finished. It's finished. It's finished.

11 Unidentified Speaker: (incomprehensible, 00:00:16 - 00:00:19)
12 (00:00:19. End of the recording)

13 MS CORBIN: [10:06:01](Interpretation)

14 Q. [10:06:07] Which event is this?

15 A. [10:06:21] This is the flogging that I was given. And the words that were
16 spoken.

17 Q. [10:06:37] And what was that?

18 A. [10:06:48] I just saw the person who was dressed in black, and he was saying,
19 "It's finished. It's finished." He was wearing black clothes and he was speaking in
20 Tamasheq.

21 Q. [10:07:17] And where did this event take place?

22 A. [10:07:22] Sankoré.

23 Q. [10:07:28] Is it the same event to the one we saw on the previous video?

24 A. [10:07:40] It's the same day.

25 MS CORBIN: [10:07:52](Interpretation) Your Honour, we can go back into open

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1 session, your Honour.

2 PRESIDING JUDGE MINDUA: [10:07:58](Interpretation) Court officer, please could
3 you take us back into open session.

4 (Open session at 10.08 a.m.)

5 THE COURT OFFICER: [10:08:12] We are in open session, Mr President.

6 PRESIDING JUDGE MINDUA: [10:08:20](Interpretation) Thank you very much.

7 Prosecutor, please continue.

8 MS CORBIN: [10:08:33](Interpretation)

9 Q. [10:08:34] Could you describe to the Chamber what you felt when you were
10 flogged?

11 A. [10:09:01] When I was being flogged, is that what you're talking about?

12 The moment that I was being flogged in front of people?

13 Q. [10:09:19] First of all, the moment in which you were being flogged.

14 A. [10:09:30] Yes.

15 Q. [10:09:34] What did you feel when you were being flogged?

16 A. [10:09:48] I felt pain on my back.

17 Q. [10:10:07] Any other parts of your -- were there any other parts of your body
18 where you felt pain?

19 A. [10:10:27] Yes. When I came home, my whole body, my whole back was
20 hurting and I was -- my mother gave me medicine to heal the wounds.

21 Q. [10:10:47] What type of wounds or injuries did you have?

22 A. [10:11:04] There was inflammation on my back. I had bruising. It was very
23 red. And it was my mother who was able to provide me with * traditional medicines.

24 Q. [10:11:31] And for how much time did you feel this pain?

25 A. [10:11:48] I don't know how long this lasted for. I just took this medicine.

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1 That's it.

2 Q. [10:12:06] And do you still have back pain to this day?

3 A. [10:12:21] Where I am at the moment, I don't feel anything anymore. After my
4 mother gave me the medicine, I no longer felt anything.

5 Q. [10:12:41] And at the time when you had these wounds, how were you able to
6 sleep?

7 A. [10:12:53] I slept on my chest.

8 Q. [10:13:09] And in terms of your morale, what did you feel, in terms of your
9 emotions at the time of the flogging?

10 A. [10:13:28] I was an adolescent. I was an adolescent. I couldn't determine all of
11 that. It was my parents who said that that could happen to anyone and that's
12 destiny. And they were the ones who comforted me and they advised me.

13 Q. [10:14:16] And how did people react around you?

14 A. [10:14:53] People filmed. People filmed and I was able to see that [REDACTED]
15 People were filming. There were boys who were filming and people said that they'd
16 seen it [REDACTED]

17 Q. [10:15:24] And your family and friends, how did they react?

18 *A. [10:16:03] Members of my family didn't see it. It was mostly my friends and other
19 people around me who saw it. For a while I had it on a memory stick. It was my
20 husband who got the stick from somewhere. I don't even know where he might have
21 got it from, but he had it on a stick that he gave me.

22 THE ASSISTANT: [10:16:44](Interpretation) In fact, the question of the Prosecutor is
23 about what was felt, so they have to say how the lady felt. And she said, at that time,
24 how your -- the entourage saw it.

25 But the question was how those close to you felt it, what their feelings were. So

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1 the interpretation could be formed in a better way so that the witness is able to
2 understand it.

3 PRESIDING JUDGE MINDUA: [10:17:24](Interpretation) Madam Prosecutor, could
4 you put the question again so that the interpreters can say what's necessary.

5 MS CORBIN: [10:17:33](Interpretation) Thank you very much for this correction.

6 Q. [10:17:36] Madam, my question was, how did you feel, morally, emotionally?
7 What did you feel on the day of the flogging?

8 A. [10:18:07] How did I feel, what?

9 Q. [10:18:12] Within you emotionally, your morale.

10 A. [10:18:34] At that time, at that time I couldn't say that I felt something, because I
11 just thought that there was nobody to come to my rescue. My father wasn't there.
12 My older brother. Nobody from my family could come to save me.

13 Q. [10:19:34] And your family, how did they react to what you experienced?

14 A. [10:20:19] There were some people who were able to film, they were there. But
15 what could they do apart from that? Just advise me, comfort me and say "Get well
16 soon."

17 Q. [10:20:43] And after that, did you feel at ease to move around Timbuktu?

18 A. [10:21:21] Well, where would I go? Where would I leave my parents? I
19 couldn't even think of doing that. It was not an idea that occurred to me.

20 Q. [10:21:38] And in the streets of Timbuktu, I mean, did you go out in Timbuktu
21 streets? Did you feel able to go out in Timbuktu? Did you feel at ease to do so?

22 A. [10:22:06] Yes. I -- I did. I could go out with my sari, I could go out in
23 the streets.

24 PRESIDING JUDGE MINDUA: [10:22:20](Interpretation) Counsel, is there
25 a problem?

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- 1 MS SUTHERLAND: [10:22:22] My observation was merely that the witness has
2 already been asked this and provided a full answer. But it's redundant now.
- 3 PRESIDING JUDGE MINDUA: [10:22:36](Interpretation) Very well. Okay.
4 Madam Prosecutor.
- 5 MS CORBIN: [10:22:53](Interpretation) I asked the question again because of the
6 translation issue, just to make sure that we -- that the witness had understood fully.
- 7 Q. [10:23:11] Madam, you said that you only would go out with a full sari and that
8 only your eyes would be seen?
- 9 A. [10:23:26] Yes.
- 10 Q. [10:23:31] Why did you go out with a sari like that?
- 11 A. [10:23:57] That's what was allowed. A lot of people would wear this type of
12 clothing. Even here I often wear it. This is what was allowed at the time.
- 13 Q. [10:24:17] It was allowed by whom? It was permitted by whom?
- 14 A. [10:24:26] At the time of the Islamists, that's what they imposed. But there
15 were people who would usually wear such clothing. * And up to this very day, there
16 are people who usually wear such clothing.
- 17 Q. [10:25:06] And what happened at the time if women didn't wear such clothing?
- 18 A. [10:25:17] If the -- if women don't wear it, they're beaten.
- 19 Q. [10:25:26] How are they beaten?
- 20 A. [10:25:35] They beat them. Well, I don't know how to say this, but they -- they
21 hit them hard.
- 22 Q. [10:25:54] Who hits them? Who beats them?
- 23 A. [10:26:01] The Islamists, of course.
- 24 Q. [10:26:15] Did you keep all of your friends after the flogging?
- 25 A. [10:26:25] Yes.

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1 Q. [10:26:34] And how do you feel today with regards to this event?

2 A. [10:26:53] If today what?

3 Q. [10:26:59] How do you feel? How do you feel emotionally with regard to this
4 incident?

5 A. [10:27:40] Very well. Nothing has changed. I've still kept my friends. My
6 friends know that I was flogged. Everybody knows. But I've kept in contact with
7 people. Everybody knows what happened. Nothing else.

8 Q. [10:28:16] Thank you, Madam.

9 I've got a last clarification to ask you with regard to what you said yesterday.

10 A. [10:28:32] Very well.

11 * Q. [10:28:35] Yesterday you spoke about the marriage of Adama with a woman.

12 We're in open session now, so I'm not going to say the name, nor how you know her.

13 A. [10:29:04] Yes.

14 Q. [10:29:11] Could you tell us when this marriage finished between this woman
15 and Adama?

16 A. [10:29:45] I don't know when the marriage finished. All I know is that [REDACTED]

17 [REDACTED] they got married and they were in there.

18 Q. [10:30:17] Did Adama stay in Timbuktu?

19 A. [10:30:27] No, I didn't see him anymore.

20 Q. [10:30:33] And did this woman follow Adama or did she stay in Timbuktu?

21 A. [10:30:48] The woman remained. And she was still there when I left Timbuktu.

22 [REDACTED]

23 Q. [10:31:12] Did she follow Adama when he left?

24 A. [10:31:28] No. I told you that she stayed in Timbuktu. And now she has
25 remarried and has two children and she's still in Timbuktu now.

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1 Q. [10:31:47] How did she react when Adama left?

2 A. [10:32:10] I don't know, because we didn't really get involved in other people's
3 affairs.

4 Q. [10:32:28] (Microphone not activated)

5 A. [10:32:30] (Overlapping speakers)

6 PRESIDING JUDGE MINDUA: [10:32:33](Interpretation) Prosecution, your
7 microphone was off.

8 MS CORBIN: [10:32:40](Interpretation) Thank you, madam. I have no further
9 questions for today.

10 THE WITNESS: [10:32:49](Interpretation) Very well.

11 PRESIDING JUDGE MINDUA: [10:32:55](Interpretation) Thank you, Madam
12 Prosecutor.

13 Madam Witness, before giving the floor to the other party, I have a small question for
14 you.

15 THE WITNESS: [10:33:12](Interpretation) Fine.

16 PRESIDING JUDGE MINDUA: [10:33:14](Interpretation) I would like to point out
17 for the parties that my question relates to page 16, line 11, 12 and 13 of today's
18 records.

19 Madam Witness, you have said that women who did not wear the appropriate
20 clothing or garments were beaten by the Islamists. "Islamists" is your word, your
21 term.

22 My question is as follows: They were immediately hit or were they beaten later in
23 the street? Or later, after a sentence or judgment had been reached by the tribunal?

24 *THE WITNESS: [10:34:44](Interpretation) What I could see myself is what happened
25 in the market. The only person who they beat in front of me and the person ran away.

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1 It just so happened that I was sufficiently covered with my clothing and you only saw
2 my eyes. So that's how I entered the market. If other things happened, if they took
3 people away to put them on trial, I am not in a position to know that. I just know that
4 they beat someone there, in front of me, and the person fled.

5 PRESIDING JUDGE MINDUA: [10:35:36](Interpretation) Thank you, madam. It's
6 very clear.

7 We have finished now with the Defence -- the Prosecution, sorry.

8 I look at the representative of the victims.

9 THE WITNESS: [10:36:05](No interpretation)

10 PRESIDING JUDGE MINDUA: [10:36:09](Interpretation) Thank you.

11 Mr Nsita, we've received your submissions. After having listened to the Prosecution,
12 would you like to intervene?

13 MR LUVENGIKA: [10:36:19](Interpretation) Thank you, my Lord, for giving me
14 the floor.

15 After having heard the examination of the Prosecution and the way in which
16 the witness answered, we have some questions of clarification which we would like to
17 put. And then we have a motion as regards the statements made by the witness.

18 PRESIDING JUDGE MINDUA: [10:36:52](Interpretation) Very well.

19 Would you first like to do the motion or would you like to put your questions first?

20 MR LUVENGIKA: [10:37:01](Interpretation) I first would like to question her.

21 PRESIDING JUDGE MINDUA: [10:37:04](Interpretation) Very well. I will confer
22 very quickly with my colleagues.

23 (Trial Chamber confers)

24 PRESIDING JUDGE MINDUA: [10:37:32](Interpretation) The Chamber grants you
25 the permission to question the witness.

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1 Please proceed.

2 THE SONGHAI INTERPRETER: [10:38:10] We are not hearing anything.

3 PRESIDING JUDGE MINDUA: [10:38:15](Interpretation) The representative hasn't
4 started yet. We're starting now.

5 QUESTIONED BY MR LUVENGIKA: (Interpretation)

6 Q. [10:38:25] Good morning.

7 A. [10:38:26] Good morning.

8 Q. [10:38:29] We haven't spoken yet. I am one of three lawyers appointed by
9 the Judge to defend all the victims of Timbuktu.

10 A. [10:38:58] Fine.

11 Q. [10:38:58] I want to ask you some questions by way of clarification. And then I
12 will see with the Chamber what we should do with your testimony.

13 A. [10:39:28] Very well. It's noted.

14 Q. [10:39:33] Very quickly, I want to go back, and very succinctly, to your
15 statement of this morning. You mentioned - we're going to remain in public session
16 so that we can remain in public session - you talked about punishment that you
17 received in 2012. My question is, is that for now you don't feel anything anymore, so
18 my question is to know whether -- do you have any scars or -- of that punishment?

19 A. [10:40:34] No. I don't have any scars or marks on my body.

20 Q. [10:40:40] Thank you.

21 Yesterday when giving your testimony you spoke about the marriage, your marriage,
22 your wedding. My question is, this obligation of the Islamists, as you call them,
23 would you have carried out your wedding under those circumstances, or would
24 things have happened differently?

25 A. [10:41:29] Yes, we could have had a ceremony for our wedding, but the normal

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1 tradition is to do it at the mosque. But there's always a ceremony. But there wasn't
2 a proper ceremony.

3 Q. [10:42:07] And are you sorry that you didn't have a ceremony and things
4 happened in that way?

5 A. [10:42:44] Well, it did upset me. But at that moment, I left, thinking and
6 intending to do the ceremony later. And I was busy thinking about the ceremony
7 when I left. I still hope to carry out the ceremony.

8 Q. [10:43:19] A final question, madam --

9 PRESIDING JUDGE MINDUA: [10:43:24](No interpretation)

10 MS CORBIN: [10:43:26](Interpretation) I am just worried about this being in open
11 session. I don't know, perhaps, if we should move into private session as regards
12 her marriage, her wedding.

13 Perhaps it could be redacted, please.

14 PRESIDING JUDGE MINDUA: [10:43:48](Interpretation) Would you like to go into
15 private session or continue in public session?

16 MR LUVENGIKA: [10:43:58](Interpretation) I would like to stay in public session,
17 please.

18 PRESIDING JUDGE MINDUA: [10:44:02](Interpretation) Please continue.

19 MR LUVENGIKA: [10:44:04](Interpretation)

20 Q. [10:44:05] My last question, I think you can't be identified by this question.

21 You said this morning that during the occupation you were already pregnant with
22 your second child. My question is, when you received the flogging, were you
23 already pregnant? Can you remember?

24 PRESIDING JUDGE MINDUA: [10:44:50](No interpretation)

25 THE COURT OFFICER: [10:44:55](Interpretation) Please don't answer that question.

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- 1 PRESIDING JUDGE MINDUA: [10:45:00](Interpretation) Mr Nsita, perhaps I
- 2 suggest that we move into private session.
- 3 MR LUVENGIKA: [10:45:08](Interpretation) That's fine.
- 4 PRESIDING JUDGE MINDUA: [10:45:09](Interpretation) Please let us move into
- 5 private session.
- 6 (Private session at 10.45 a.m.)
- 7 THE COURT OFFICER: [10:45:18] We are in private session, Mr President.
- 8 PRESIDING JUDGE MINDUA: [10:45:22](Interpretation) Thank you very much.

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1 Mr Nsita, please proceed.

2 MR LUVENGIKA: [10:45:26](Interpretation)

3 Q. [10:45:28] I'll repeat my question.

4 When you received the punishment, the flogging, were you already pregnant with
5 your second child?

6 A. [10:46:11]

7

8

9 Q. [10:46:30] Thank you very much, Madam Witness. I have no further questions.

10 MR LUVENGIKA: (Interpretation) My Lord, I would like to submit an application.

11 The witness said that she would like to participate in the proceedings. I would like
12 to submit that passage to the Court. I have already taken contact with the victim as
13 regards reparations and I would like to include her in the proceedings. So with your
14 permission, we would like to obtain and be able to organise this meeting with
15 the witness after her testimony, after she has finished with her testimony and after
16 the Defence has questioned her.

17 PRESIDING JUDGE MINDUA: [10:47:40](Interpretation) Very well. I would like
18 to have these submissions in writing, please. Thank you.

19 Can we move back into public session, court officer.

20 (Open session at 10.48 a.m.)

21 THE COURT OFFICER: [10:48:01] We are back in open session, Mr President.

22 PRESIDING JUDGE MINDUA: [10:48:09](Interpretation) Thank you very much.

23 We have now completed the examination of the Prosecution. We have also heard
24 the representatives of the victims.

25 We now turn to the cross-examination of the Defence.

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1 Ms Sutherland, are you ready?

2 I think Mrs Sutherland is ready. At least I got the answer to my question; is that
3 correct?

4 MS SUTHERLAND: [10:49:01] Your Honour, yes, I am ready. I would welcome
5 the opportunity to consult with my client, if that could be afforded to us.

6 PRESIDING JUDGE MINDUA: [10:49:18](Interpretation) You can consult your
7 client during the break.

8 MS SUTHERLAND: [10:49:22] Yes, your Honour, I'm mindful of the time. I was
9 asking, essentially, if we could be given a little -- either take the break slightly earlier
10 or have a slightly longer break to accommodate the consultation. I also note that my
11 learned friend for the Prosecution has something to say.

12 PRESIDING JUDGE MINDUA: [10:49:50](Interpretation) Thank you,
13 Mrs Sutherland, I will return to that in a moment.

14 Madam Prosecutor.

15 MS CORBIN: [10:49:58](Interpretation) Thank you, my Lord.

16 I will say it in English, otherwise the witness might understand some words in
17 French.

18 (Speaks English) As per paragraph 61 -- sorry, I'll just -- sorry, I had the French.

19 As per paragraph 61 of the conduct of proceedings decision, the Prosecution would
20 like to make the following observations:

21 First, we want to stress the need for the Defence to show a connection between
22 the witness and the documents shown to her. And this is not clearly apparent from
23 the list we have received yesterday evening, especially for -- especially when there are
24 no specific pages and when the documents are quite long. I'm thinking of the long
25 forensic report prepared by another witness or about the *Plainte avec constitution de*

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1 *partie civile*.

2 And also in fairness to the witness, where only part of the document has information
3 of apparent relevance, not all can be used, especially when she is not the source of
4 that information and cannot fairly respond.

5 And I have two specific objections. First in relation to the annexes to P-557's
6 statement. They are his own personal and amateur drawings of places and objects.
7 It is not fair to ask this witness to comment on these drawings. And in our
8 submission, this would be a meaningless exercise.

9 Second, as regard the Facebook pages, we query the relevance and connection and
10 also the connection to the witness has not been established for any of those Facebook
11 pages. A number of them appear to concern a person mentioned as writing to
12 VPRS -- the VPRS form, sorry, that was completed by P-557 rather than by her. And
13 also we wonder how can recent images of a potential relative of 557 can be at all
14 relevant.

15 PRESIDING JUDGE MINDUA: [10:53:00](Interpretation) Thank you, Madam
16 Prosecutor.
17 Ms Sutherland.

18 MS TAYLOR: [10:53:05] Thank you, Mr President. I'll address this on behalf of
19 the Defence.

20 Firstly, issues of relevance and the connection to the witness can be established at the
21 time of use and not in advance. There's no obligation on the part of the Defence to
22 adduce these issues prior to cross-examination.

23 I can, however, allay the concerns of the Prosecution and indicate that some of the
24 documents will not be used with this witness, but have been included out of an
25 abundance of caution and also in the event that the Prosecution requests the Defence

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1 to establish a foundation for a line of questioning.

2 So not all the items on the list are intended to be shown to the witness. They are on
3 the list as fairness to the other parties in case issues come up concerning whether
4 there's a foundation to put a certain question to the witness. And in particular I'm
5 referring to the annexes to the victim application of P-557.

6 As concerns the forensic report, as the Prosecution is well aware, they created this
7 report, they are fully aware of its contents and they know that there are photos in that
8 report of a location where the witness purported to be. The relevance is clear and
9 apparent.

10 So we do not believe that there's any basis to object to any particular items and these
11 issues should and could be dealt with at the time of use, where the relevance and
12 connection will be apparent.

13 Thank you.

14 PRESIDING JUDGE MINDUA: [10:54:51](Interpretation) Thank you, Ms Taylor.

15 Madam Prosecutor, you raised three points as regards the evidence and this witness.

16 The second subject are your objections vis-à-vis the annexes. And, thirdly, you
17 talked about Facebook pages.

18 I think that the response given by Mrs Taylor are appropriate. It doesn't mean that
19 these documents will be examined and put to the witness.

20 What seems important, however, is the first subject, the connection between
21 the witness and the documents. And the Defence said how the Chamber should
22 consider that, because there's a link between the witness and the documents. We
23 will look at this on a case-by-case basis.

24 I turn again to the Defence and see what the possibilities are as regards them
25 contacting and consulting with their client. Perhaps that could be done during

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1 the break.

2 We need to have a break at 11.30. We could continue until 12 and then you could
3 have an hour to consult with your client.

4 Ms Sutherland.

5 MS SUTHERLAND: [10:56:40] Thank you very much, Mr President, your Honours.

6 I am in your hands. If you would like to start, recommence at 11.30 or perhaps 11.45,
7 then we would be happy to do so. We have had some difficulties, of course, as you
8 know, contacting our client, but we think they are alleviated.

9 PRESIDING JUDGE MINDUA: [10:57:01](Interpretation) Very well.

10 We'll move swiftly. We will start again at 11.30 if you so wish.

11 Madam Prosecutor.

12 MS LUPING: [10:57:13] Mr President, it was just simply to confirm that
13 the Prosecution has no objection to take a break if the Defence indeed wants to make
14 contact with their client.

15 MS SUTHERLAND: [10:57:29] Your Honour, we are mindful that our client has to
16 pray or has a prayer time at 12.30, so we would endeavour for that to be respected.
17 They change every day, so please bear with me. Today the prayer time is 12.30 and
18 again at 2.20.

19 PRESIDING JUDGE MINDUA: [10:58:01](Interpretation) What is your request right
20 now?

21 MS SUTHERLAND: [10:58:04] It would be preferable to start at 11.30. Forgive me
22 for being unclear.

23 PRESIDING JUDGE MINDUA: [10:58:12](Interpretation) Very well.

24 We will adjourn for half an hour and we'll resume again at 11.30.

25 We stand adjourned.

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1 THE COURT USHER: [10:58:25] All rise.

2 (Recess taken at 10.58 a.m.)

3 (Upon resuming in open session at 11.31 a.m.)

4 THE COURT USHER: [11:31:21] All rise.

5 Please be seated.

6 PRESIDING JUDGE MINDUA: [11:31:48](Interpretation) Court is now again in
7 session.

8 The Defence is now going to start with its cross-examination, but first of all, I would
9 like to address the witness.

10 THE WITNESS: [11:32:19](Interpretation) Very well.

11 PRESIDING JUDGE MINDUA: [11:32:21](Interpretation) Madam Witness,
12 the Defence is going to carry out its cross-examination. This means that the Defence
13 lawyers are going to put questions to you.

14 THE WITNESS: [11:32:47](Interpretation) Very well.

15 PRESIDING JUDGE MINDUA: [11:32:49](Interpretation) This doesn't mean that
16 the Defence doubts systematically what you have said.

17 THE WITNESS: [11:33:02](Interpretation) Very well.

18 PRESIDING JUDGE MINDUA: [11:33:04](Interpretation) But the Defence must
19 carry out its work and put questions to you in order to carry out checking.

20 THE WITNESS: [11:33:20](Interpretation) Very well.

21 PRESIDING JUDGE MINDUA: [11:33:21](Interpretation) So I would ask you to be
22 patient and kind to the Defence, as you were with the Prosecutor.

23 THE WITNESS: [11:33:47](Interpretation) Very well.

24 PRESIDING JUDGE MINDUA: [11:33:48](Interpretation) Thank you very much.
25 Ms Sutherland.

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1 MS SUTHERLAND: [11:33:53] Thank you very much, Mr President.

2 QUESTIONED BY MS SUTHERLAND:

3 Q. [11:33:56] Good morning, Madam Witness. We met briefly yesterday.

4 A. [11:34:12] Yes, very well.

5 Q. [11:34:15] How long -- forgive me.

6 Mr President, these questions are very identifying so I'm afraid I'll have to request to
7 go into private session.

8 PRESIDING JUDGE MINDUA: [11:34:34](Interpretation) Court officer, would you
9 be so kind as to take us into private session.

10 (Private session at 11.34 a.m.)

11 THE COURT OFFICER: [11:34:47] We are in private session, Mr President.

12 PRESIDING JUDGE MINDUA: [11:34:54](Interpretation) Thank you very much.

13 Ms Sutherland.

14 MS SUTHERLAND: [11:34:56] Thank you.

15 Q. [11:34:59] Madam Witness, how long had you been in a relationship with
16 (Overlapping speakers) before your marriage?

17 PRESIDING JUDGE MINDUA: [11:35:20](Interpretation) Just a minute,
18 Ms Sutherland.

19 Did you follow that, court officer?

20 THE COURT OFFICER: [11:35:24](Interpretation) I would now like to speak to our
21 colleagues in the field office. Please could you allow Ms Sutherland to speak first
22 and then have the interpretation into French and then interpret for the witness.

23 Thank you.

24 THE SONGHAI INTERPRETER: [11:35:47](Interpretation) Understood.

25 MS SUTHERLAND: [11:35:51] I'll repeat my question.

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1 Q. [11:35:55] How long had you been in a relationship with your now husband
2 before your marriage?

3 A. [11:36:25] One year.

4 Q. [11:36:33] You carry the name [REDACTED]

5 [REDACTED]?

6 A. [11:37:12] No. I don't know the situation with my parents, but I took the name
7 [REDACTED] that's the name of my parents.

8 Q. [11:37:27] You have mentioned [REDACTED]?

9 A. [11:37:47] His name's [REDACTED]

10 Q. [11:37:56] How did your family view your relationship?

11 A. [11:38:16] What do you mean exactly?

12 Q. [11:38:23] Did they, for instance - and I'm not suggesting that this is how they
13 felt - but did they, for instance, approve or disapprove? Or did you keep your
14 relationship a secret? Did they know about your relationship?

15 A. [11:39:03] When I was with him -- do you mean when I was with him?

16 Q. [11:39:14] Yes. Your relationship before you were married.

17 A. [11:39:49] Yes, my parents didn't know, but [REDACTED] knew and my friends
18 as well. My friends knew that. But my parents did not.

19 Q. [11:40:07] Why did you not tell your parents?

20 A. [11:41:01] I couldn't. It's not part of our custom to tell your parents about
21 relationships. [REDACTED] and I told
22 my friends, they knew it. The friends with whom we would go out, they knew it.

23 Q. [11:41:33] Did your parents ask the identity of the father of your baby?

24 A. [11:42:10] Personally, I wasn't able to inform my mother, but [REDACTED] she
25 was the one who told my mother that I was pregnant and then she said she told my

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1 mother the person who I was going out with.

2 Q. [11:42:29] How did your mother react?

3 A. [11:43:06] Nothing, apart from the fact that she scolded me. And it was [REDACTED]

4 [REDACTED] who told me not to say anything. But that was something that

5 was -- wasn't done [REDACTED] said not to say anything, just to be quiet.

6 Q. [11:43:31] Did your family want you to marry your husband?

7 A. [11:44:01] Yes, of course. That's what my mother wanted. If you bring
8 somebody, she immediately is in agreement, whether it's -- as long as it's a Muslim.

9 Q. [11:44:21] And did your husband's family also want you to marry?

10 A. [11:44:45] I couldn't know that. My husband would know that, he -- whether
11 he spoke to his parents.

12 Q. [11:45:01] You told us that before -- when the Islamists came to your door, just
13 before, you were discussing marriage plans. Is it therefore fair to say that you and
14 your husband wanted to get married?

15 A. [11:45:34] Yes.

16 Q. [11:45:44] Was there a problem getting a dowry?

17 A. [11:46:02] Well, I don't know anything about the dowry. It's the men who deal
18 with that. I know nothing about that dowry.

19 Q. [11:46:29] Are you aware that your husband told [REDACTED] -- and for

20 the Court's benefit, this is Defence binder tab 3 and the MLI is [REDACTED]

21 at [REDACTED]

22 And my question to the witness is, are you aware that your husband told [REDACTED]

23 that he did not have enough money to marry you?

24 PRESIDING JUDGE MINDUA: [11:47:21](Interpretation) Madam Prosecutor.

25 MS LUPING: [11:47:23] Mr President, I just wish to object. The witness does not

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1 understand English, so I don't believe we need to ask her to remove her headphones.
2 But I would ask my learned friend to simply rephrase her question. She is asserting
3 that her husband has provided information [REDACTED] as if it's an uncontested fact.
4 We in fact do not know what precisely was stated [REDACTED]
5 So rather than stating that this is what her husband had said [REDACTED] it should
6 be stated what is reported to have been said [REDACTED] for the sake of accuracy,
7 Mr President.

8 PRESIDING JUDGE MINDUA: [11:48:08](Interpretation) Ms Sutherland,
9 the Prosecutor is completely right.
10 Please reformulate.

11 MS SUTHERLAND: [11:48:14] I am grateful to my learned friend. Thank you.

12 Q. [11:48:20] Madam Witness, are you aware that it has been reported that your
13 husband felt unable to marry because he didn't have enough money?

14 A. [11:48:56] You're asking if my husband had said what?

15 Q. [11:49:08] That he was unable to marry you because he did not yet have -- or he
16 did not have enough money.

17 A. [11:49:25] Whom did he say that to? I don't know. I don't know if he said that
18 or who he said it to.

19 Q. [11:49:56] [REDACTED] I'll move on.

20 PRESIDING JUDGE MINDUA: [11:50:07](Interpretation) Ms Sutherland, I think that
21 the witness has answered the question. She said she wasn't aware of it, she doesn't
22 know. She doesn't know who said what, particularly [REDACTED] So I don't think
23 it's worth pursuing this.

24 MS SUTHERLAND: [11:50:25](Overlapping speakers) I agree, Mr President, I'm
25 moving on.

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- 1 MS LUPING: [11:50:27] I would just --
- 2 PRESIDING JUDGE MINDUA: [11:50:27](Overlapping speakers)
- 3 MS LUPING: [11:50:28] Just to note for the record --
- 4 PRESIDING JUDGE MINDUA: [11:50:30](Interpretation)
- 5 Madam Prosecutor.
- 6 MS LUPING: [11:50:31] Apologies. Just also, just to note for the record,
- 7 Mr President, we've looked at that page and we do not actually see that information
- 8 that's also being put to the witness. There's no mention of anything about the dowry,
- 9 at least in what was disclosed to the Prosecution. It's -- there's no such passage in
- 10 what's been provided to us.
- 11 PRESIDING JUDGE MINDUA: [11:50:51](Interpretation) What passage, Ms Luping?
- 12 Are you talking about tab 3 of the Defence binder?
- 13 MS SUTHERLAND: [11:51:00] It's page [REDACTED] I accidentally said [REDACTED] Forgive me.
- 14 It's the very bottom of the page.
- 15 MS LUPING: [11:51:09] Yeah, sorry, now we see it. It wasn't at page [REDACTED]
- 16 (Overlapping speakers)
- 17 MS SUTHERLAND: [11:51:14](Overlapping speakers) My apologies.
- 18 MS LUPING: [11:51:15](Overlapping speakers) that was the reference we'd been
- 19 given.
- 20 MS SUTHERLAND: [11:51:15](Overlapping speakers) My apologies.
- 21 MS LUPING: [11:51:16](Overlapping speakers) Thank you.
- 22 MS SUTHERLAND: [11:51:19] In any event, moving on.
- 23 Q. [11:51:24] You have referred to your parents and told us that [REDACTED]
- 24 [REDACTED] Does that mean that your father was alive in 2012?
- 25 A. [11:52:00] I didn't know my -- I didn't know my father. I grew up without him.

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1 I didn't know him.

2 Q. [11:52:12] When you say "parents", who are you referring to?

3 A. [11:52:33] I'm speaking about my father and my mother.

4 Q. [11:52:46] You told us earlier that your parents comforted you. Who were you
5 referring to?

6 A. [11:53:18] I'm speaking about my mother, my sisters, and also my mother's
7 sisters who were there.

8 Q. [11:53:50] Did somebody in your family tell the Islamists that you were not
9 married?

10 A. [11:54:22] Nobody told me that. I didn't know that anybody told them that.
11 I don't know.

12 MS SUTHERLAND: [11:54:33] And before I put my next question, for the benefit of
13 the Court, I'm relying on Defence binder, tab 23. The ERN is MLI-OTP-0031-1093.

14 And I'm afraid because it's a call data record -- Hello?

15 Because it's a call data -- am I audible? Sorry.

16 Because it's a call data record, it's of course extremely difficult to follow. But this
17 shows that the witness's husband used a number to call somebody we believe, on
18 the basis of other evidence in the case, to be Adama.

19 (Counsel confer)

20 PRESIDING JUDGE MINDUA: [11:55:56](Interpretation) Ms Sutherland, I don't
21 understand. It's not the witness. It's the husband. So you have to withdraw
22 the question. If not, you shouldn't put it to this witness.

23 MS SUTHERLAND: [11:56:14] Your Honour, I was just trying to establish
24 the foundation before asking the question. I don't think this is appropriate for
25 the witness to hear. I can ask the question (Overlapping speakers)

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- 1 PRESIDING JUDGE MINDUA: [11:56:30](Interpretation)(Overlapping speakers)
2 Madam Prosecutor.
3 MS LUPING: [11:56:32] Mr President, as I am explaining this in English, I think this
4 will not be translated, I assume, to the witness.
5 But I would totally agree. It's not appropriate. Even with foundation questions.
6 This is not the witness to put questions to about any purported conversations
7 between her husband and another individual that has now been named as Adama.
8 She will have -- she has no personal knowledge of this, it cannot be assumed that she
9 has, and it's simply not appropriate that she be asked.
10 And there is another witness coming and that may be appropriate at that point in
11 time, but not for this witness.
12 PRESIDING JUDGE MINDUA: [11:57:14](Interpretation) I agree with
13 the Prosecutor.
14 Ms Sutherland, please continue. Go on to another question.
15 MS SUTHERLAND: [11:57:26]
16 Q. [11:57:29] You previously explained that [REDACTED] was Adama. How
17 long was he [REDACTED] for? [REDACTED]
18 [REDACTED]?
19 A. [11:58:00] I didn't say anything to Adama. I didn't say "Adama". I said
20 "the wife of Adama". [REDACTED]
21 [REDACTED]
22 Q. [11:58:23] When did they get married?
23 A. [11:58:40] I can just say it was in 2012, but I do not know the day nor the date.
24 PRESIDING JUDGE MINDUA: [11:58:56](Interpretation) Madam Prosecutor.
25 MS LUPING: [11:58:59] Mr President, just a request for the -- any future questions.

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1 The witness is indeed correct, that was not what she stated. And perhaps to avoid
2 this happening again, if the Defence could remember that they should state
3 the page and line from which the testimony of the witness is being referred and then
4 we can clarify that.

5 But the witness was correct, but just for future questions, if we could have page and
6 line references, please.

7 MS SUTHERLAND: [11:59:30] Of course.

8 PRESIDING JUDGE MINDUA: [11:59:33](Interpretation) Ms Sutherland.

9 She's already said yes.

10 MS SUTHERLAND: [11:59:50]

11 Q. [11:59:50] When the Islamists arrived, and we're referring to transcript 51,
12 page 18, lines 18 to 20, you told us that you told them that your husband was your big
13 brother and gave them a different last name.

14 A. [12:00:42] Yes. But I didn't give them a name of family. I said it was my big
15 brother. At that time they asked the name of my father, which is not the same name
16 as the name of my father.

17 Q. [12:01:06] Did they believe you?

18 A. [12:01:30] No, they didn't believe me, because I gave the name of the father of
19 my husband. And my husband gave the name of my father, so there was
20 a difference.

21 Q. [12:01:54] And then on the same transcript, page 20, line 13, yesterday you told
22 us that you avoided arrest by running into the house and pretending, I think
23 the transcript says "to be dead".

24 A. [12:02:31] Yes. That's right.

25 Q. [12:02:43] And it was the next day that four Islamists arrived. Did they arrive

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1 with your husband?

2 A. [12:03:10] Yes.

3 Q. [12:03:16] And they took you to their office, the office of the judge; is that
4 correct?

5 PRESIDING JUDGE MINDUA: [12:03:30](Interpretation) Madam Prosecutor.

6 MS LUPING: [12:03:31] Mr President, again, if I ask that this not be translated, my
7 objection. But again, page and line. But from the Prosecution's recollection, that is
8 not what the witness stated. That's not where she was first taken to.

9 MS SUTHERLAND: [12:03:46] I'll rephrase.

10 Q. [12:03:55] You agree that you were taken to a building that you knew from
11 before?

12 A. [12:04:18] A building, they took me to a building I knew, what do you mean?

13 Q. [12:04:32] A building that you had prior knowledge of.

14 A. [12:04:53] Yes, BMS. I know BMS. It's a building that we know well, this BMS.
15 It's an area which I know well as well.

16 Q. [12:05:09] Could you draw a plan of the inside for us, please.

17 A. [12:05:31] How can I draw it? I don't know how to draw.

18 Q. [12:05:47] Okay.

19 PRESIDING JUDGE MINDUA: [12:05:48](Interpretation) Madam Witness, I see
20 you -- I see you nodding with your head, does that mean you don't know how to
21 draw?

22 THE WITNESS: [12:06:03](Interpretation) I don't know how to draw, yes.

23 PRESIDING JUDGE MINDUA: [12:06:08](Interpretation) Ms Sutherland, she doesn't
24 know how to draw.

25 THE WITNESS: [12:06:15](Interpretation) I don't know anything. I've never studied.

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1 I don't know how to write.

2 MS SUTHERLAND: [12:06:23] Okay, Madam Witness --

3 PRESIDING JUDGE MINDUA: [12:06:25](Interpretation) I understand. We'll move
4 on to another question.

5 Ms Sutherland, please continue.

6 MS SUTHERLAND: [12:06:31]

7 Q. [12:06:37] Do you confirm that you didn't see your husband in this building?

8 MS SUTHERLAND: [12:06:50] And for the benefit (Overlapping speakers)

9 THE WITNESS: [12:07:11] No, I didn't see him. I didn't see him. But the day they
10 took us for the flogging, then it was at that time that I realised he was there as well.

11 MS SUTHERLAND:

12 Q. [12:07:30] In your interview with the Prosecution, and the reference is

13 MLI-OTP-0046-8881 at 8885, and that's paragraph 25, you said that you were taken to
14 the office of the judge; is that right?

15 THE INTERPRETER: Message from the Songhai cabin: We no longer hear you.

16 PRESIDING JUDGE MINDUA: [12:08:26](Interpretation) Court officer.

17 THE COURT OFFICER: [12:08:39](Interpretation) Madam Witness, could you please
18 repeat.

19 THE WITNESS: [12:08:45](Interpretation) What?

20 PRESIDING JUDGE MINDUA: [12:08:48](Interpretation) It's working now.

21 Madam Sutherland, please proceed.

22 MS SUTHERLAND: [12:08:54]

23 Q. [12:08:55] I previously asked you, and for the benefit of the Court we'd like you
24 to repeat your answer. I asked you -- I put it to you that you had told

25 the Prosecution previously that you were taken to the office of the judge; is that

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1 correct?

2 A. [12:09:40] Yes, that's what I said. I said that I went to the office of the judge.

3 But it was inside the building that I mentioned.

4 MS SUTHERLAND: [12:10:02] For the benefit of the Court, I'm now

5 referring -- the basis of this question is from [REDACTED]

6 Q. [12:10:16] Madam Witness, a person who says that they were present at the
7 Islamic tribunal on Tuesday, 19 June 2012, reports that individuals who had gone to
8 collect you, came to the tribunal to say they were not able to collect you because you
9 had fainted.

10 The next (Overlapping speakers) --

11 A. [12:11:07] (Overlapping speakers)

12 PRESIDING JUDGE MINDUA: [12:11:11](No interpretation)

13 MS LUPING: [12:11:12] Mr President, I would ask that my learned friend rephrase
14 her question. It's not entirely clear as to whom the other individual was referring to.
15 It's been stated to her categorically that it relates to her.

16 So I would ask that she rephrase her question. There's no explicit reference to
17 the witness. So it is stating a fact as if it's uncontested and clear, when it's not.

18 MS SUTHERLAND: [12:11:38] We're trying to establish the dates.

19 PRESIDING JUDGE MINDUA: [12:11:45](Interpretation) Madam Prosecutor,
20 the witness doesn't know how to read the transcript. I think that Mrs Sutherland
21 gave the reference for you, as a party. So what is your question?

22 MS LUPING: [12:12:00] My concern is not a question of the dates or of being
23 provided the reference, Mr President. The fact is that the references that we have,
24 the way it's been currently -- the question -- the way it was put to the witness is that,
25 the information we have is that you were not able to come to the tribunal because you

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1 fainted.

2 It's been put to the witness that is -- another individual identified her. But in our
3 submission, that is not clear as to who the other individual was identifying.

4 MS SUTHERLAND: [12:12:25](Overlapping speakers) I'll rephrase.

5 MS LUPING: [12:12:25] It's not clear that it is in fact this witness and that is why we
6 ask that she rephrase, that my learned friend rephrase her question.

7 MS SUTHERLAND: [12:12:42] I'll rephrase it slightly, your Honour.

8 PRESIDING JUDGE MINDUA: [12:12:46](Interpretation) There you go. You are
9 right.

10 Ms Sutherland, please rephrase.

11 MS SUTHERLAND: [12:12:51]

12 Q. [12:12:52] Madam Witness, a person who reports that they were present at the
13 Islamic tribunal on Tuesday, 19 June 2012 says that individuals returned saying they
14 were unable to collect somebody because they had fainted.

15 The next day was Wednesday, 20 June 2012. Do you agree that this was the day that
16 you attended the tribunal?

17 PRESIDING JUDGE MINDUA: [12:14:05](Interpretation) Madam Prosecutor.

18 MS LUPING: [12:14:09] Mr President, it's just a question of fairness to the witness,
19 taking her step by step. A proposition has been put as to the date on which
20 somebody fainted. She needs to be asked if this relates to her or not. There's an
21 assumption made again that it is her and then another date put to her. There needs
22 to be an opportunity for the witness to actually be asked the question before a date is
23 asserted and put to her.

24 PRESIDING JUDGE MINDUA: [12:14:53](Interpretation) Mrs Sutherland.

25 MS SUTHERLAND: [12:14:54] Mr President, I'll move on.

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1 PRESIDING JUDGE MINDUA: [12:15:06](Interpretation) Very good. Move on.

2 MS SUTHERLAND: [12:15:10]

3 Q. [12:15:10] Madam Witness, did you see the judge on the same day that you were
4 flogged?

5 A. [12:15:31] Yes, yes.

6 Q. [12:15:35] Was that the day after you fainted or pretended to faint?

7 A. [12:16:08] No, it wasn't on the same day. The day I fainted was the day that
8 I was taken.

9 Q. [12:16:31] Was that day the day before?

10 A. [12:16:50] The day that I fainted was the next day.

11 PRESIDING JUDGE MINDUA: [12:17:07](Interpretation) Madam Prosecutor.

12 MS LUPING: [12:17:09] Perhaps it's just a question of a problem with what is
13 recorded in the transcript, but I think there is a lack of clarity in the question and
14 answer that we've just received. Because in the English transcript it says: "The day
15 that I fainted was the next day."

16 But when you see the series of the question and answers, it appears as if there may
17 have been a potential problem with interpretation, Mr President.

18 And out of fairness to the witness, I would also ask that, that the question be put
19 a little bit more clearly to her in terms of being able to understand the question. It's
20 a little bit complicated.

21 PRESIDING JUDGE MINDUA: [12:18:04](Interpretation) Madam Prosecutor, it is
22 a problem of interpretation.

23 Mrs Sutherland, could you please repeat so that the records are clear?

24 Please proceed.

25 MS SUTHERLAND: [12:18:19] Mr President, would you like me to repeat or should

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1 I rephrase as per the Prosecutor's request? I can do that.

2 PRESIDING JUDGE MINDUA: [12:18:31](Interpretation) Rephrase, please.

3 MS SUTHERLAND: [12:18:35]

4 Q. [12:18:37] Were you taken to the tribunal, the office of the judge, the day after
5 you fainted, pretended to faint?

6 A. [12:19:17] It was during the night when I pretended to faint. And the next day
7 they took me to the BMS. And it was on the third day when they took us for
8 the flogging that I saw the judge.

9 Q. [12:19:57] In your statement to the Prosecution - and that's MLI-OTP-0046-8881
10 at 8888, paragraph 42 - Madam Witness, you identified somebody called Houka and
11 told the Prosecution that you were able to name him because you had known him for
12 years and described him as a blacksmith selling rings.

13 Do you confirm that the person you claim he was, was a blacksmith?

14 A. [12:21:12] I can confirm him, how do you mean?

15 PRESIDING JUDGE MINDUA: [12:21:21](Interpretation) Madam Prosecutor.

16 MS CORBIN: [12:21:23](Interpretation) I don't remember that the witness yesterday
17 stated this about Houka Houka. Could we have the reference in the records
18 yesterday.

19 PRESIDING JUDGE MINDUA: [12:21:37](Interpretation) Mrs Sutherland.

20 MS SUTHERLAND: [12:21:38] It's not -- it's not from the transcript. It's from
21 the previous statement to the Prosecution. I gave the -- I gave the reference.

22 PRESIDING JUDGE MINDUA: [12:21:49](Interpretation) You do have the reference.

23 MS LUPING: [12:21:51] Mr President, it's a different objection actually.

24 The Defence has just stated that the witness said she had known him for many years.

25 What is actually stated in the statement is a reference to what his occupation was

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1 when she was a child. There's no reference as to how long actually she knew him for.

2 It's not clear from the reference in the statement as to how many years she in fact

3 knew him.

4 PRESIDING JUDGE MINDUA: [12:22:27](Interpretation) Mrs Sutherland.

5 MS SUTHERLAND: [12:22:28](Overlapping speakers) I stated "years", not "many

6 years", just to be very clear. And perhaps that's my reading of French. I apologise.

7 The important point is that she, the witness, claims that she knew him and that he

8 was -- she knew him to be a blacksmith. That's her claim.

9 PRESIDING JUDGE MINDUA: [12:22:56](Interpretation) Please put your question
10 to the witness.

11 MS SUTHERLAND: [12:23:04]

12 Q. [12:23:05] Do you agree that the person you claim to be Houka Houka was
13 a blacksmith?

14 A. [12:23:29] Yes, that's how I knew him.

15 Q. [12:23:38] Did you know him personally?

16 A. [12:24:04] That's how I knew him. Everybody who sells bracelets are called
17 blacksmiths. That's how I knew him. Anyone who sells things like bracelets and
18 shoes that are made of leather.

19 Q. [12:24:26] You agree that you wanted to get married?

20 A. [12:24:41] Yes.

21 Q. [12:24:45] And that you didn't contest the sentence?

22 PRESIDING JUDGE MINDUA: [12:24:58](Interpretation) Madam Prosecutor.

23 MS LUPING: [12:24:59] Mr President, we would like the reference to where
24 the witness states that she did not contest the sentence.

25 MS SUTHERLAND: [12:25:08] I'm asking if she agrees. She's free to answer.

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1 PRESIDING JUDGE MINDUA: [12:25:26](Interpretation) I agree with the question
2 of the Defence.

3 Please proceed, Ms Sutherland.

4 MS SUTHERLAND: [12:25:34]

5 Q. [12:25:35] Do you agree that you did not contest the sentence?

6 A. [12:25:50] What sentence?

7 MS SUTHERLAND: [12:26:05] If you forgive me, one moment.

8 (Counsel confer)

9 PRESIDING JUDGE MINDUA: [12:26:42](Interpretation) Ms Sutherland, perhaps
10 you should be more explicit. Because what -- she might not understand what
11 "contest" is nor "sentence".

12 MS SUTHERLAND: [12:26:54] Mr President, I agree. My proposal is that I will
13 reformulate this question over the break with -- by reference to the transcript from
14 this morning.

15 So for now I'll move on. Thank you.

16 Q. [12:27:12] Madam Witness, yesterday you told us that the sentence took place on
17 the same day as the judgment.

18 And for the Court, that's transcript 51, page 45, lines 9 to 10.

19 Do you confirm that Adama told you to cover your face?

20 A. [12:27:59] Yes, he said I -- I should cover it up. And I also covered my eyes,
21 because there was a crowd.

22 Q. [12:28:24] So that was -- was that because -- to stop you being recognised by
23 the crowd?

24 A. [12:28:40] Yes, that's why I did it.

25 MS SUTHERLAND: [12:28:52] Mr President, I'm mindful of the time. I think this

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1 might be an opportune moment for the break.

2 PRESIDING JUDGE MINDUA: [12:29:04](Interpretation) Yes. We still have two
3 minutes, but we can stop here if you like.

4 We will adjourn for half an hour -- no, no, no, no, sorry. This is our lunch break, so it
5 will be one hour and we will start at 13.30.

6 The session is adjourned.

7 THE COURT USHER: [12:29:29] All rise.

8 (Recess taken at 12.29 p.m.)

9 (Upon resuming in open session at 1.32 p.m.)

10 THE COURT USHER: [13:32:13] All rise.

11 Please be seated.

12 PRESIDING JUDGE MINDUA: [13:32:38](Interpretation) The Court is in session and
13 we can continue with the Defence cross-examination.

14 Ms Sutherland. Ah, I can see that the Prosecutor is on her feet.
15 Prosecutor.

16 MS CORBIN: [13:32:56](Interpretation) Thank you, your Honour.

17 I've got a comment to make about the references to the transcript from this morning.

18 We have references here which are not correct, because they're not linked to

19 the statements made by Defence. What I'm talking about is the transcript of this

20 morning which referred to page 40, line 18 of the French version, and this morning

21 where it was mentioned at 96, 23. And I think there were -- the second case is more

22 difficult, because I think that the Defence has taken statements from the witness

23 which I think she didn't give in the -- in the courtroom. But it's a procedure, I would

24 just ask the Defence to be vigilant about references.

25 PRESIDING JUDGE MINDUA: [13:34:12](Interpretation) Are you talking about

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1 the French transcript or the English transcript of the Defence?

2 Ms Sutherland.

3 MS SUTHERLAND: [13:34:21] I'm not sure what Madam Prosecutor is talking
4 about.

5 PRESIDING JUDGE MINDUA: [13:34:40](Interpretation) Prosecution, I think we
6 can gain time by you discussing this separately. I think we need to get on with
7 things now.

8 Ms Sutherland.

9 MS SUTHERLAND: [13:34:58] Mr President, may I address the Bench briefly. I'll
10 speak in English and it doesn't need to be translated for the witness.

11 Are we in private session?

12 PRESIDING JUDGE MINDUA: [13:35:19](Interpretation) No, we are in public
13 session. Would you like us to go into private session?

14 MS SUTHERLAND: [13:35:23] Yes, please, your Honour.

15 PRESIDING JUDGE MINDUA: [13:35:27](Interpretation) Court officer, private
16 session, please.

17 (Private session at 1.35 p.m.)

18 THE COURT OFFICER: [13:35:46] We're in private session, Mr President.

19 PRESIDING JUDGE MINDUA: [13:35:53](Interpretation) Thank you very much.

20 Ms Sutherland.

21 MS SUTHERLAND: [13:35:55] Mr President, your Honours, yesterday evening at
22 17.21, both parties received from the Legal Representative for the victims a video
23 which has been stamped with the number MLI-D28-0004-3798. The Defence
24 requested transcription and translation at 17.55. We anticipate and certainly aim and
25 are doing our utmost behind the scenes to encourage the transcript to be ready as

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1 soon as possible and certainly by tomorrow, we hope, such that we are able properly
2 to review the video and prepare to question the witness thereon.

3 We note that this has the -- this material has the status of a prior recorded statement
4 from another witness. It relates to the witness's husband. And pursuant to the
5 directions on the conduct of proceedings, this material can be used as a basis for
6 questioning this witness. This was a statement taken closer to the event and, unlike
7 other statements, it has the benefit of having been recorded.

8 Accordingly, we would ask that we defer our questioning on that basis to tomorrow
9 morning, which should not take more than an hour, at most.

10 PRESIDING JUDGE MINDUA: [13:37:48](Interpretation) I'm not -- I don't
11 understand what you are asking. Are you asking us to stop the cross-examination
12 now or what precisely are you requesting?

13 MS SUTHERLAND: [13:38:01] Not to stop the cross-examination now, your Honour,
14 but perhaps to adjourn slightly early, if that's what we come to, but just to request
15 that we put questions on the basis of this video tomorrow, that they be deferred to
16 tomorrow, simply because we will not be in a position properly to review the material
17 right now. And nor would the Prosecution.

18 PRESIDING JUDGE MINDUA: [13:38:41](Interpretation) Yes, Prosecution.

19 MS LUPING: [13:38:44] Mr President, yes, we understand that this is newly
20 provided information that the Prosecution also did not have available to it sooner.
21 We do not object to the request that this portion of the questioning be deferred for
22 tomorrow, but we would obviously ask that there be no additional time accorded for
23 the actual period of time for the cross-examination. So we would agree for
24 the postponement to defer the actual topic of questions till tomorrow morning, as
25 requested, but not for any additional time, as such, to be granted.

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1 PRESIDING JUDGE MINDUA: [13:39:24](Interpretation) Thank you very much,
2 Ms Luping.

3 Ms Sutherland, your application is granted, but there will be no additional time
4 granted. I think that's clear. Thank you.
5 Please proceed.

6 MS SUTHERLAND: [13:39:39] Thank you very much, Mr President, your Honours.
7 With regard to the transcript references, I wonder if there is a problem with the slight
8 shift that is seen - and perhaps the Prosecution can comment on this - the slight shift
9 that comes from the real-time to the slightly later version of the real-time and then we
10 have the edited version. Is this -- is this ...

11 MR DUTERTRE: [13:40:18](Interpretation) If I may, your Honour.

12 PRESIDING JUDGE MINDUA: [13:40:23](Interpretation) Please go ahead.

13 MR DUTERTRE: [13:40:24](Interpretation) There was a reference this morning to
14 transcript [REDACTED] and it's just incorrect. The references are [REDACTED] if I recall
15 correctly. It's got nothing to do, either in the English or French, neither with edited
16 nor with real-time with the question that was being raised by Ms Sutherland. So one
17 needs to give the references, but these references must be correct so that everybody
18 can verify this. I realise of course it's very quick during the hearing, but we do need
19 to be able to check up these references afterwards.

20 PRESIDING JUDGE MINDUA: [13:41:04](Interpretation) Thank you, Prosecutor. I
21 think we all agree on that.

22 Ms Sutherland.

23 MS SUTHERLAND: [13:41:09] I would very much like to be able to assist, I'm afraid
24 I still can't see what it is the Prosecution is referring to. We'll deal with this later
25 with them in person. Thank you.

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1 Q. [13:41:20] Madam Witness, forgive the interruption.

2 A. [13:41:37] No problem.

3 Q. [13:41:39] Returning to the topic of the BMS, can you describe it for us, what did
4 you see?

5 A. [13:42:05] What I saw where?

6 Q. [13:42:09] At the BMS, what did the BMS look like?

7 PRESIDING JUDGE MINDUA: [13:42:20](Interpretation) Ms Sutherland, we're in
8 private session. Do we need to remain in private session or can we go back to public
9 session?

10 MS SUTHERLAND: [13:42:31] If you -- I'll ask one question that we'll need private
11 session and then we can perhaps move into public session. It will be slightly
12 disjointed, but it should work.

13 PRESIDING JUDGE MINDUA: [13:42:50](Interpretation) Okay, please proceed.

14 MS SUTHERLAND: [13:42:55]

15 Q. [13:42:57] Madam Witness, yesterday, transcript 51, and I hope this is the correct
16 reference, it's page 33, lines 2 to 4, you told us, "I was able to recognise one of" -- you
17 said, "They were people that [were referred] to as the Islamists and I was able to
18 recognise one of them" as Hamed Moussa.

19 A. [13:43:40] Yes, Hamed Moussa, that I saw, and I know him, but I didn't
20 recognise the others.

21 Q. [13:43:59] How did you see him?

22 A. [13:44:23] The day I went to see the first judge, I saw him in the room.

23 Q. [13:44:35] What do you mean by "The day I went to see the first judge"? Who is
24 the first judge?

25 A. [13:44:55] I said it was the first day where I went to see the judge. On that day,

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1 I was -- that was the day I was flogged.

2 MS SUTHERLAND: [13:45:36] I hope we can -- if we go into public session, I hope
3 that we can maintain it, but that may not be the case.

4 PRESIDING JUDGE MINDUA: [13:45:53](Interpretation) Let's try.

5 Court officer, public session, please.

6 (Open session at 1.46 p.m.)

7 THE COURT OFFICER: [13:46:09] We are back in open session, Mr President.

8 PRESIDING JUDGE MINDUA: [13:46:15](Interpretation) Thank you very much.

9 I see Madam Prosecutor is on her feet. What is happening?

10 MS LUPING: [13:46:23] I just want to note, to assist my learned friend, I believe that
11 in the English transcript that there has been an error because it's different to
12 the French. In the French there is a reference to "*le bureau du juge*" and in the English
13 it says "the first judge". So there is a mistake, I believe, in the English transcript.

14 PRESIDING JUDGE MINDUA: [13:46:52](Interpretation) Indeed. I heard
15 the judge's office, but we can ask the witness, if necessary.

16 MS SUTHERLAND: [13:47:15]

17 Q. [13:47:16] Where were the other people? Can you describe where the other
18 people were?

19 A. [13:48:09] I don't know exactly. I was taken into the office. I was told it was
20 a judge's office. It was a big building. I don't know anything about the rest of it.

21 Q. [13:48:32] Can you describe where the judge's office was in the building?

22 A. [13:49:13] I don't know how I should describe it, but that day it was -- I can say it
23 was on the eastern side of the building, on the east of the building.

24 Q. [13:49:37] How do you know it was on the east of the building?

25 A. [13:49:54] I am able to know that because in our country we know where east is

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1 and that's because we pray in that direction.

2 Q. [13:50:32] Are you able to describe your journey within the building to get to
3 the judge's office?

4 A. [13:51:24] I can know -- I know how to get to the building, but -- I knew
5 the building, I knew how to get to that building, I knew the way there.

6 Q. [13:51:51] But within the building, are you able to describe from entering
7 the building to going to the judge's office?

8 A. [13:52:34] Within the building, as I knew it, unless there have been any changes,
9 if it hasn't been remodelled in any way, I know my way around.

10 Q. [13:52:57] Can you describe more specifically where the judge's office was in
11 the building? As specifically as you can.

12 A. [13:53:44] If you could understand me in Songhai, I could explain myself well.
13 But if -- I could explain how it was if, if I -- if there haven't been any changes since
14 then.

15 Q. [13:54:07] Please explain how it was at the time.

16 A. [13:54:27] Yes, I can explain it as I know it.

17 Q. [13:54:32] Please.

18 A. [13:54:42] Yes. Yes, I can.

19 Q. [13:54:52] On the basis of your knowledge in 2012, please explain, to the best of
20 your ability, where the judge's office was in that building.

21 A. [13:55:23] Yes, I can.

22 Q. [13:55:26] Please do so.

23 A. [13:56:10] Well, what I can recall, unless there have been any changes, because
24 all the doors faced east, but when we get -- went inside, it was on my right. It was
25 the office that was on my right. That's where I was taken.

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1 Q. [13:56:47] Did this building have a courtyard?

2 A. [13:57:20] Perhaps at the back of the building, but I don't know. But what I saw
3 in front, there is no courtyard.

4 (Counsel confer)

5 MS SUTHERLAND: [13:57:52]

6 Q. [13:57:55] Were there windows in this building?

7 A. [13:58:23] The office that I saw had a window, but I don't know whether that's
8 the same in all of the building. The building -- the room I saw had a window that
9 looked out onto the road.

10 Q. [13:58:47] When you were going to the judge's office, did you see other people?

11 A. [13:59:16] Yes, we just passed them. I saw people, but they were people whom
12 I didn't know.

13 Q. [13:59:40] Turning to your first wedding, you told us yesterday -- you told us
14 yesterday at transcript 51 --

15 PRESIDING JUDGE MINDUA: [14:00:04](Interpretation) Ms Sutherland, we are in
16 public session.

17 MS SUTHERLAND: [14:00:08] Oh, forgive me. Forgive me, your Honour. I'm so
18 sorry.

19 PRESIDING JUDGE MINDUA: [14:00:15](Interpretation) Do you want us to go to
20 private session?

21 MS SUTHERLAND: [14:00:19] For the benefit of the witness, I think that's necessary.
22 Thank you.

23 PRESIDING JUDGE MINDUA: [14:00:26](Interpretation) Madam courtroom officer,
24 please.

25 (Private session at 2.00 p.m.)

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1 THE COURT OFFICER: [14:00:38] We're in private session, Mr President.

2 PRESIDING JUDGE MINDUA: [14:00:45](Interpretation) Thank you very much,
3 madam courtroom officer.

4 Ms Sutherland, please proceed.

5 MS SUTHERLAND: [14:00:51]

6 Q. [14:00:54] Madam Witness, regarding your first marriage -- first wedding, and
7 that's transcript 51, page 53, lines 8 to 16, you explained yesterday that the Islamists,
8 and I quote, "confused me [REDACTED] and they asked me what kind of dowry
9 should be brought. And she said, even if it's 500 francs, that's okay."

10 Is it right that your family --

11 A. [14:01:50] Yes.

12 Q. [14:01:53] Is it right that your family did not feel bound by this first wedding?

13 A. [14:03:08] In principle, my parents do not talk about the dowry. It was I who
14 was the person who was supposed to fix the amount of money for the dowry. But as
15 [REDACTED] had given the figure of 500, so then it was granted. Even if I had been
16 present, I would have said the same thing.

17 Q. [14:03:43] Did you believe that that wedding complied with formalities
18 required?

19 A. [14:04:45] The first one was not in keeping with our rules. But when my uncle
20 arrived the second marriage was conducted at the mosque, and that was the correct
21 one.

22 Q. [14:05:14] Nothing prevented you from holding the second wedding with your
23 uncle; is that right?

24 A. [14:05:40] Nothing prevented me in what way?

25 Q. [14:05:45] You were fully able to have the second wedding.

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1 THE INTERPRETER: [14:06:12] Inaudible.

2 THE WITNESS: [14:06:13](Interpretation) In what way?

3 MS SUTHERLAND:

4 Q. [14:06:21] Nobody stopped the second wedding.

5 A. [14:06:55] Nobody was against it. Nobody stopped it from happening. It took
6 place at the mosque in a very discreet manner. At the mosque, that's how it was.

7 Q. [14:07:11] So the only result of the first wedding was the dowry of 500 francs?

8 PRESIDING JUDGE MINDUA: [14:07:38](Interpretation) Madam Prosecutor,
9 please.

10 MS LUPING: [14:07:40] Mr President, I believe the witness has not said that the first
11 wedding involved a dowry of 500 francs. It was just a comment made by [REDACTED]
12 [REDACTED] as to how much might be avail -- might be able to be accepted.

13 But we do not have it, unless the -- my learned friend can indicate precisely where the
14 witness said that that was actually the amount paid. I don't believe that's on
15 the record.

16 MS SUTHERLAND: [14:08:06] My learned friend is correct.
17 I will ask the witness.

18 Q. [14:08:09] Did you receive 500 (Overlapping speakers)

19 PRESIDING JUDGE MINDUA: [14:08:20](Interpretation) You were going too fast.
20 Now, please proceed.

21 MS SUTHERLAND: [14:08:28] My apologies, Mr President.

22 Q. [14:08:31] Madam Witness, did you receive 500 francs?

23 A. [14:09:12] It was not to me that it was given. It was to my mother that the sum
24 was to be given and if she can buy something or not, some things for me. Otherwise,
25 it is not to me that the dowry is given.

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1 And then as to the second marriage, I do not know how much was given. That is my
2 husband's matter. I don't know whether he added something. It would be he who
3 would know.

4 Q. [14:10:17] Your [REDACTED] does he have a job today?

5 A. [14:10:44] Well, he's got older now, I don't know what kind of job he is doing.

6 Q. [14:10:52] Do you know if he has a job?

7 A. [14:11:15] No, I do not know. [REDACTED] But I don't
8 know whether he is still alive.

9 Q. [14:11:36] Does your husband have sisters?

10 A. [14:11:54] Yes. Sorry?

11 Q. [14:12:00] How many sisters does your husband have?

12 PRESIDING JUDGE MINDUA: [14:12:10](Interpretation) Madam Prosecutor.

13 MS LUPING: [14:12:13] Mr President, I would object. I'm not sure what
14 the relevance is with the number of sisters of the other witness's family, especially
15 bearing in mind the nature of his account. I can't see how the number of his sisters is
16 of relevance to either witnesses' account.

17 PRESIDING JUDGE MINDUA: [14:12:41](Interpretation) I was rather expecting you
18 to ask Ms Sutherland the first question again, that was -- well, I don't know where
19 she's going. What she's driving at.

20 Please, Ms Sutherland, put your question.

21 Let's see where she's going.

22 MS SUTHERLAND: [14:13:29]

23 Q. [14:13:30] Is [REDACTED] a name familiar to you?

24 A. [14:13:48] I'm sorry? What did you say?

25 Q. [14:13:56] Is [REDACTED] - and I'll spell that,

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1 [REDACTED] - familiar to you?

2 A. [14:14:24] [REDACTED] what's that all about?

3 Q. [14:14:31] Do you know somebody with that name?

4 A. [14:14:50] [REDACTED] I know that name well. But the name after it, I don't know
5 what that is.

6 Q. [14:15:01] Thank you. I'll move on.

7 Madam Witness, were you living in Timbuktu [REDACTED]?

8 A. [14:15:43] Did you say [REDACTED]?

9 Q. [14:15:50] Yes, Madam Witness.

10 A. [14:16:15] Of course, I think I was there [REDACTED]

11 [REDACTED]

12 Q. [14:16:31] And you agree that you met the Office of the Prosecutor [REDACTED]

13 [REDACTED]?

14 A. [14:17:20] Yes, of course. I was going between Timbuktu [REDACTED]

15 [REDACTED]

16 Q. [14:17:40] When you went to see the Office of the Prosecutor, how did you get to

17 [REDACTED]?

18 A. [14:18:07] How did I meet them [REDACTED] what do you mean how did I meet
19 them? I didn't understand.

20 Q. [14:18:26] How did you travel to [REDACTED]?

21 A. [14:19:12] It was by telephone to [REDACTED] It was on the road that we might
22 have seen people that we knew. But the way that I saw them was via telephone to

23 [REDACTED]

24 Q. [14:19:36] Were you in [REDACTED]?

25 A. [14:20:29] Yes, I was in [REDACTED] But there were people who came to Timbuktu

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1 to see us. A white gentleman and a black gentleman who came to Timbuktu and I
2 had discussions with them. When I went to [REDACTED], I don't know whether it was
3 the same individuals or not. But I can't tell you any more.

4 PRESIDING JUDGE MINDUA: [14:20:55](Interpretation) Madam Prosecutor,
5 please.

6 MS LUPING: [14:20:57] Mr President, your Honours, I'm not sure exactly where
7 the Defence is going with this line, but my particular concern is that [REDACTED]

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15 MS SUTHERLAND: [14:21:42] Mr President, your Honours, I share my learned
16 friend's concern and I'm dropping my next few questions, because ...

17 PRESIDING JUDGE MINDUA: [14:21:53](Interpretation) Yes, thank you very much.
18 I was just waiting for the interpretation.

19 Let's move forward and set that question to one side.

20 MS SUTHERLAND: [14:22:02] I agree that the witness seems in danger of being
21 confused.

22 Forgive me, one moment.

23 (Counsel confer)

24 MS SUTHERLAND: [14:23:02]

25 Q. [14:23:07] Madam Witness, [REDACTED] when you first met people from the Office of

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1 the Prosecutor, were you taken from Timbuktu -- or did you travel from Timbuktu to
2 [REDACTED]?

3 A. [14:23:44] I do not know the day.

4 Q. [14:23:57] The first time that you met members of the Office of the Prosecutor,
5 did you travel to [REDACTED] for that meeting?

6 A. [14:24:42] No, it was not an obligation for me to do so. I was --

7 THE INTERPRETER: [14:24:51] Very unclear what the Songhai interpreter said.
8 Could he please repeat it.

9 PRESIDING JUDGE MINDUA: [14:25:03](Interpretation) Ms Sutherland, that's not
10 the answer to your question, is it?

11 MS SUTHERLAND: [14:25:07] I understand there's an issue with the Songhai
12 interpretation.

13 PRESIDING JUDGE MINDUA: [14:25:21](Interpretation) Mr Assistant, could you
14 please help us.

15 THE ASSISTANT: [14:25:23](Interpretation) In fact, the interpreter omitted some of
16 the parts that the witness uttered. Maybe the question could be put in a more
17 specific manner.

18 PRESIDING JUDGE MINDUA: [14:25:41](Interpretation) Well, how are we going to
19 go about this?

20 Ms Sutherland, put the question slowly and then the interpreter can interpret it for
21 the witness, please.

22 MS SUTHERLAND: [14:25:58]

23 Q. [14:25:59] Where were you when you first met the members of the Office of
24 the Prosecution?

25 A. [14:27:09] The very first time I saw people was in Timbuktu at my house. They

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1 came to see me and they even showed me a video. I don't know whether it's
2 the same individuals that are here. But that was the first time in Timbuktu.

3 Q. [14:27:38] Do you remember when you first met members of the Prosecution of
4 the International Criminal Court?

5 A. [14:28:45] I do not remember the date, but I told you that the very first time I
6 saw people was at my house in Timbuktu. People who were both white and black.
7 I don't know whether these were the same individuals, but they showed me a video.
8 That was in Timbuktu at my home.

9 Q. [14:29:30] How many times have you spoken to people in this way?

10 A. [14:30:01] In what way? In Timbuktu or in [REDACTED]?

11 Q. [14:30:12] Both.

12 A. [14:30:45] (No interpretation)

13 PRESIDING JUDGE MINDUA: [14:30:47](Interpretation) Madam Prosecutor, would
14 you like to intervene or is it too late?

15 MS LUPING: [14:30:52] Mr President, my only concern is that I think the line of
16 questioning is -- appears to be quite confusing for this witness and now we've had
17 a question, a compound question referring to both Timbuktu and [REDACTED] For
18 the sake of the witness, in fairness to the witness, if we could at least divide up
19 the questions.

20 At this stage we have to repeat, the Prosecution finds it very hard to understand
21 the relevance of this questioning. We're letting, you know, my learned friend go in
22 her line of questioning, but we would ask at least that the questions can be clearer,
23 because it's clear that this witness is finding it very confusing.

24 PRESIDING JUDGE MINDUA: [14:31:42](Interpretation) Ms Sutherland, I don't
25 know whether you would like to respond to that, but I think that simple questions

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1 would need to be put, sentence by sentence, to enable interpretation, and then
2 the witness will understand what we're talking about.
3 So please try to avoid loaded or compound questions. Simple questions, sentence by
4 sentence, please.

5 MS SUTHERLAND: [14:32:14] I will disaggregate the question in a way that
6 the witness did, but perhaps the witness's answer could be interpreted.

7 PRESIDING JUDGE MINDUA: [14:32:31](Interpretation) Indeed, the last reply was
8 not translated.

9 Interpreter, please.

10 THE WITNESS: [14:32:48](Interpretation) We had a lot of meetings, a lot of
11 get-togethers and that was in -- in Timbuktu it was only twice.

12 MS SUTHERLAND: [14:33:04]

13 Q. [14:33:05] You had -- does that mean you had many meetings in [REDACTED]?

14 A. [14:33:57] Before going to [REDACTED], but when I went to [REDACTED] there were a lot
15 of meetings and people came to see how we were being treated in [REDACTED] I don't
16 know how many meetings that we actually had.

17 Q. [14:34:31] Were you going back and forth between [REDACTED] and Timbuktu?

18 A. [14:35:03] No. Only twice [REDACTED]
19 [REDACTED]

20 Q. [14:35:23] Strictly sticking to [REDACTED] the two times you went to [REDACTED] can you
21 tell us how you travelled?

22 A. [14:36:11] Yes, I went from Timbuktu to [REDACTED] There are transport vehicles.
23 There are often vehicles belonging to merchants. I know how to leave Timbuktu to
24 get to [REDACTED]

25 Q. [14:36:45] In these visits to [REDACTED] did you meet people from the Office of

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1 the Prosecution?

2 A. [14:37:13] Yes. When I came, I didn't travel alone. I went with my husband
3 and we had contacts.

4 PRESIDING JUDGE MINDUA: [14:37:34](Interpretation) I'm just waiting to make
5 sure that you've got the end of the interpretation.

6 Ms Sutherland, I think that the witness has answered your question in a number of
7 ways, how often she, she met the members of the OTP, where. I think the witness
8 has already answered these questions.

9 I think we can move on.

10 MS SUTHERLAND:

11 Q. Did you --

12 PRESIDING JUDGE MINDUA: [14:38:44](Interpretation) Prosecution.

13 MS LUPING: [14:38:45] Mr President, I certainly don't want to invite this line of
14 questioning to continue, that is not my intention at all, but I just would want to note
15 for the record that I don't believe that there is clarity as to when the witness is saying
16 she met with members of the Prosecution as opposed to other individuals. And
17 the witness has actually stated that she doesn't know if these are the same people that
18 she met who are from the Office of the Prosecutor. But she has been clear at least in
19 this response that she doesn't know, and so for that reason I would state that it has
20 been asked and answered.

21 MS SUTHERLAND: [14:39:34] Indeed my next question was going to be how did
22 she know whether these were people from the Office of the Prosecutor or from
23 another organisation.

24 PRESIDING JUDGE MINDUA: [14:39:53](Interpretation) In that case, please go
25 ahead.

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1 THE WITNESS: [14:40:07](Interpretation) I couldn't know that, because they spoke
2 to my husband. They were in contact with him. And then when we came, then
3 they said who they were.

4 MS SUTHERLAND: [14:40:50] Forgive me.
5 (Counsel confer)

6 MS SUTHERLAND: [14:41:18]

7 Q. [14:41:18] Did the Prosecution show you photographs when they questioned
8 you?

9 A. [14:41:43] When?

10 Q. [14:41:47] When they -- when you met them.

11 A. [14:41:57] You mean when we met in [REDACTED]?

12 PRESIDING JUDGE MINDUA: (Interpretation) Prosecutor.

13 MS LUPING: [14:42:09](Overlapping speakers) in fact the witness did ask for
14 clarification herself because at the moment it's not clear where, because of course
15 there has been witness preparation as well. So again to avoid confusing the witness,
16 if we can have clarity as to when and where we're referring to.

17 MS SUTHERLAND: [14:42:29]

18 Q. [14:42:30] When you met the Prosecution in [REDACTED] did they show you
19 photographs?

20 A. [14:42:48] What sort of photos?

21 Q. [14:42:52] Either photographs or videos.

22 A. [14:43:21] I -- all that I can remember is that they introduced themselves. They
23 said that they were going -- what they were going to do. They told me everything
24 they could do for me. They told me what sort of work they did. They did an
25 awful -- they said an awful lot of things and I don't remember all that much of it.

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1 Q. [14:43:51] What do you mean by "everything they could do for me"?

2 A. [14:44:13] They said their names, their work, and they introduced themselves,
3 they said what work they did, and that was it.

4 Q. [14:44:49] Did they show you photographs?

5 A. [14:45:01] I don't recall. I don't know whether they showed me photos. I
6 know that they had papers. I don't know.

7 Q. [14:45:32] Have you had any contact with Malian authorities?

8 A. [14:45:52] No, I don't know anything about that.

9 Q. [14:45:58] And you've never spoken to the Malian police?

10 A. [14:46:12] The Malian police?

11 Q. [14:46:16] Yes, for example.

12 A. [14:46:32] I don't recall having spoken to the Malian police. I have never
13 spoken to the --

14 THE INTERPRETER: Inaudible.

15 THE WITNESS: (Interpretation) -- Malian.

16 MS SUTHERLAND: [14:47:13] Your Honours, I think this is an opportune moment
17 to conclude today's hearings and pick up tomorrow morning.

18 PRESIDING JUDGE MINDUA: [14:47:29](Interpretation) Thank you,

19 Ms Sutherland.

20 Prosecution.

21 MS LUPING: [14:47:32] Yes, Mr President. Just to note for the record, in case it

22 does arise in questioning tomorrow morning, but just to note that in the English

23 transcript where it states "everything they can do for me" it is not reflected in

24 the French transcript. So again we appear to have an error in the English transcript

25 versus the French. In the French it doesn't state that. Thank you.

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1 MS SUTHERLAND: [14:47:56] I am grateful to my learned friend. Thank you.

2 PRESIDING JUDGE MINDUA: [14:48:10](Interpretation) I think that's in
3 the question from Ms Sutherland, but it's not in the reply, in the witness's reply.

4 MS LUPING: [14:48:19] In the French we appear to have *comme boulot*, so what we
5 do -- everything we do as a job, which is not what was then translated in the English.
6 Instead in the English it says "what we can do for you". Whilst in the French it's
7 *comme boulot*, as a job.

8 PRESIDING JUDGE MINDUA: [14:48:46](Interpretation) This will be checked
9 afterwards.

10 I was -- I've been told by the court officer that it was correct, because I followed it in
11 French, but we can't sort it afterwards. But in Ms Sutherland's question it says "what
12 they could do for me", for her. But this is something I think that needs to be verified.
13 Court officer, we can return to public session.

14 (Open session at 2.49 p.m.)

15 THE COURT OFFICER: [14:49:45] We are back in open session, Mr President.

16 PRESIDING JUDGE MINDUA: [14:49:54](Interpretation) Thank you very much,
17 court officer.

18 Ms Sutherland.

19 MS SUTHERLAND: [14:50:01] And to correct the misunderstanding from earlier, it's
20 transcript [REDACTED] that we were referring to, not transcript [REDACTED]

21 PRESIDING JUDGE MINDUA: [14:50:19](Interpretation) That is now clearer.
22 People were clearly talking at cross-purposes there. Thank you very much,
23 Ms Sutherland.

24 So, this brings us to the end of today's hearing. The Defence will continue for a short
25 time tomorrow morning.

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1 Madam Witness, the Chamber would like to thank you once again for having replied
2 so kindly and patiently to the questions that have been put to you today.

3 Unfortunately, your testimony has not yet been completed, you will be back here
4 tomorrow morning at 9.30.

5 In the meantime, please do not forget that you must not talk about your statement to
6 anybody at all.

7 THE WITNESS: [14:51:49](Interpretation) I don't have anyone that I could discuss it
8 with. I am alone where I am spending the time.

9 PRESIDING JUDGE MINDUA: [14:52:02](Interpretation) Thank you. We
10 understand.

11 I would simply like now to thank everybody here in the courtroom and out with
12 the courtroom who have been part of this hearing. I'm thinking particularly of the
13 parties and participants, the court reporters, the interpreters, the security officers, of
14 course. And I would thank also our public. I wish all of you a very pleasant
15 evening and we will meet again tomorrow morning at 9.30.

16 The hearing is adjourned.

17 THE COURT USHER: [14:52:42] All rise.

18 (The hearing ends in open session at 2.52 p.m.)

19 CORRECTIONS REPORT

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

22 Page 4 lines 2-6:

23 "Q. [9:38:58] Yesterday I asked you something about the rules of the Islamists, as
24 you called them, and your answer was, on page 15 of the record from yesterday:

25 People were asked to -- ask -- full garments. We also didn't allow them to

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1 put -- wear creams or have any celebrations during a wedding. "

2 Is corrected to

3 "Q. [9:38:58] Yesterday I asked you something about the rules of the Islamists, as you
4 called them, and your answer was as follows, page 15 of the transcript, line 13: People
5 were not allowed to wear suits, and they were not allowed to have hair extensions
6 either. They were not allowed to put on creams. They were not allowed to have any
7 celebrations during marriages. The grins were forbidden as well."

8 Page 4 line 15:

9 "A. [9:41:09] What I could see myself." is corrected to

10 "A. [9:41:09] That is what I could see myself."

11 Page 4 lines 20-21:

12 "A. [9:42:14] When they left, [REDACTED] and I was hoping when the military
13 arrived and the Islamists left." is corrected to

14 "A. [9:42:14] When they left, [REDACTED] and what I heard was that the next day,
15 people were saying that the military had arrived and those people had left.

16 Page 5 lines 2-6:

17 "Q. [9:44:29] Thank you, Madam.

18 Just to be clear, that those things that were banned, did you just hear them? Did you
19 hear of any other things that were banned?

20 A.[9:44:54] I didn't hear of any others. I can't recall of any others. I didn't leave
21 anymore."

22 Is corrected to

23 "Q. [9:44:29] Thank you, Madam. Just to be clear, you said that you those things
24 that had been banned that you had seen. Did you hear --- not see, but did you hear
25 about other things that had been banned?

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1 A. [9:44:54] I didn't hear about any other things. I didn't even ... I didn't even go out
2 anymore."

3 Page 7 lines 7-11:

4 "A. [9:53:46] What I say the people -- saw is that the people got together and there
5 was a flogging going on.

6 Q. [9:54:06] Besides yourself, did you recognise anyone else on that video?

7 A. [9:54:19] No, I don't recognise anyone other than my husband.

8 Q. [9:54:38] You talked about being whipped. Who was being flogged? "
9 is corrected to

10 "A. [9:53:46] What I see is what happened there. People ... people gathered, and ...
11 there was a flogging going on.

12 Q. [9:54:06] Besides yourself, did you recognise anyone else on that video?

13 A. [9:54:19] No, I didn't recognise anyone other than my husband.

14 Q. [9:54:38] You talked about a flogging. Who was being flogged?"

15 Page 7 lines 24-25:

16 "Q. [9:57:12] Is it the same van that you mentioned yesterday when you talked
17 about Sankoré square that took you to the bureau of the judges?"

18 Is corrected to

19 "Q. [9:57:12] Is it the same van that you mentioned yesterday that took you from the
20 judge's office to Sankoré square?"

21 Page 8 lines 12-13:

22 "Q. [9:59:27] Does this represent the incident that you talked about, what you see
23 in this image? " Is corrected to

24 "Q. [9:59:27] Does this video footage that we just saw represent the incident that you
25 talked about yesterday?"

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1 Page 9 line 2:

2 "in tab" is corrected to "at tab"

3 Page 9 line 3:

4 "MLI-OTP-0069-1880" is corrected to "MLI-OTP-0078-1880"

5 Page 10 lines 2-12:

6 "*" (Translation of transcription of video MLI-OTP-0018-0284, without any changes or
7 alterations by the English Court Reporters)

8 00:00:00. Beginning of the recording. Shot of a group of people standing around a
9 number of men who are wearing turbans. One of the men is wearing a vest for
10 carrying ammunition. The shot includes a woman who is being flogged by one of the
11 men.

12 Unidentified Speaker: Eighteen, nineteen, twenty, twenty one, twenty two, twenty
13 three, twenty four, twenty five...

14 Unidentified Speaker: It's finished. It's finished. It's finished.

15 Unidentified Speaker: (incomprehensible, 00:00:16 - 00:00:19)

16 (00:00:19. End of the recording)" is transcribed and added.

17 Page 11 line 23:

18 "additional medicine" is corrected to "traditional medicines"

19 Page 12 lines 18-21:

20 "A. [10:16:03] Members of my family didn't see it. It was my family and -- it was
21 my friends and those close to me who saw it. And my husband took me somewhere,
22 but I don't know where he was able to take me with his key, but it was my husband
23 who did that.

24 THE INTERPRETER: [10:16:35] Correction from the interpreter: My husband had
25 it on a key which he was -- and I don't know where I was able to see that. "

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1 Is corrected to

2 "A. [10:16:03] Members of my family didn't see it. It was mostly my friends and other
3 people around me who saw it. For a while I had it on a memory stick. It was my
4 husband who got the stick from somewhere. I don't even know where he might have
5 got it from, but he had it on a stick that he gave me."

6 Page 14 lines 15-16:

7 "And until up to two years ago, there were people who would usually wear such
8 clothing, even up to this day." is corrected to "And up to this very day, there are
9 people who usually wear such clothing."

10 Page 15 lines 11-12:

11 "Q. [10:28:35] Yesterday you spoke about the marriage of Adama with a woman.
12 That was in open session. We're in open session now, so I'm not going to say
13 the name, nor how you know her. "

14 Is corrected to

15 "Q. [10:28:35] Yesterday you spoke about the marriage of Adama with a woman.
16 We're in open session now, so I'm not going to say the name, nor how you know her."

17 Page 16 line 24 to page 17 line 4:

18 "THE WITNESS: [10:34:44](Interpretation) What I could see myself is what
19 happened in the market. They were beaten immediately in front of me and
20 the person ran away. I was sufficiently covered with my clothing and you only saw
21 my eyes. So that's how I entered the market. If they took people away for
22 sentencing, I don't know, but I know that they beat someone in front of me when
23 I was in the market. But I immediately left."

24 Is corrected to

25 "THE WITNESS: [10:34:44](Interpretation) What I could see myself is what happened

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1 in the market. The only person who they beat in front of me and the person ran away.
2 It just so happened that I was sufficiently covered with my clothing and you only saw
3 my eyes. So that's how I entered the market. If other things happened, if they took
4 people away to put them on trial, I am not in a position to know that. I just know that
5 they beat someone there, in front of me, and the person fled.”
6