

1 International Criminal Court
2 Trial Chamber X
3 Situation: Republic of Mali
4 In the case of The Prosecutor vs Al Hassan Ag Abdoul Aziz Ag Mohamed Ag
5 Mahmoud - ICC-01/12-01/18
6 Presiding Judge Antoine Kesia-Mbe Mindua, Judge Tomoko Akane and
7 Judge Kimberly Prost
8 Opening Statements - Courtroom 1
9 Wednesday, 15 July 2020
10 (The hearing starts in open session at 9.59 a.m.)
11 THE COURT USHER: [9:59:07] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE MINDUA: [9:59:40](Interpretation) The hearing is open.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:59:52](Interpretation) Thank you, your Honour.
17 The situation in Mali, in the case of The Prosecutor versus Al Hassan Ag Abdoul Aziz
18 Ag Mohamed Ag Mahmoud, reference of the case is ICC-01/12-01/18.
19 And we are in open session.
20 PRESIDING JUDGE MINDUA: [10:00:09](Interpretation) Thank you very much,
21 court officer. Thank you.
22 And good morning to everyone. I would like to welcome all the parties and
23 participants and the staff of the Chambers and the Registry who are present in this
24 courtroom as well as all people who are following us from outside.
25 I note that Mr Al Hassan is present in the courtroom. That is a very good thing.

- 1 Good morning, Mr Al Hassan.
- 2 MR AL HASSAN: [10:00:54] (Interpretation) Good morning.
- 3 PRESIDING JUDGE MINDUA: [10:00:59](Interpretation) So we will proceed
- 4 following the statements of -- following the opening statement of the Prosecutor.
- 5 Now, are there any changes in the composition of the teams, Prosecutor? Madam
- 6 Prosecutor?
- 7 MS BENSOUA: [10:01:20] (Interpretation) No, your Honour. (Speaks English)
- 8 The Office of the Prosecutor is still represented as yesterday.
- 9 PRESIDING JUDGE MINDUA: [10:01:29](Interpretation) Thank you very much,
- 10 that's very important for the transcript.
- 11 For the Defence, Maître Taylor?
- 12 MS TAYLOR: [10:01:36] Good morning, Mr President. Good morning, your
- 13 Honours. Good morning, Madam Prosecutor and colleagues. We do have some
- 14 changes. The Defence for Mr Al Hassan is represented today by
- 15 Ms Nicoletta Montefusco, Mr Mohamed Youssef, and also Ms Molly Thomas and
- 16 Mr Shan Patel. Thank you very much -- and myself. Thank you very much.
- 17 PRESIDING JUDGE MINDUA: [10:02:00](Interpretation) Thank you very much,
- 18 Ms Taylor.
- 19 Now for the Legal Representatives of Victims. Mr Nsita?
- 20 MR LUVENGIKA: [10:02:11] (Interpretation) There are no changes, it's the same
- 21 composition as yesterday. Thank you very much.
- 22 PRESIDING JUDGE MINDUA: [10:02:19](Interpretation) Thank you very much,
- 23 Maître Nsita.
- 24 And now we are going to proceed with the opening statements of the Prosecutor.
- 25 I don't know who's going to take the floor.

1 Is it Madam Prosecutor? Or is it Mr Dutertre or somebody else?

2 MR DUTERTRE: [10:02:35](Interpretation) Good morning, your Honour. It is my
3 colleague Mousa Allafi who's going to make the first presentation with the trial
4 director and the table, which was distributed by the court officer, and that will be
5 followed by an interactive presentation by Ms Sarah Coquillaud, who will finish the
6 presentations of the Office of the Prosecutor.

7 Thank you, your Honour.

8 PRESIDING JUDGE MINDUA: [10:03:01](Interpretation) Thank you for this perfect
9 distribution of the work and I would like to announce to you that you have two hours
10 available to you.

11 Now, the Chamber would like to sit without any encumberments just to the end of
12 the two hours.

13 I'm sorry, the court officer tells me that you have two and a half hours. So I hope
14 that you will manage to do it in less time, but thank you.

15 MR DUTERTRE: [10:03:40](Interpretation) Well, we've got 30 to 40 minutes and
16 50 minutes to one hour, so we should be able to have one large session and finish
17 everything in one go.

18 PRESIDING JUDGE MINDUA: [10:03:50](Interpretation) Thank you for your
19 cooperation.

20 You have the floor, Prosecutor.

21 MR ALLAFI: [10:04:03] (Interpretation) Your Honour, your Honours, good
22 morning.

23 First of all, I would like to stress that all the documents that I'm going to show in this
24 presentation can be publicly disseminated. I would also like to point out that a copy
25 of a table, which is going to figure in this presentation, has been distributed to madam

1 court officer. This table is not being tendered into evidence. It is a tool for
2 follow-up and for the understanding of this presentation.

3 Your Honours, this presentation complements and builds upon what was presented
4 yesterday by Madam Prosecutor and my colleagues, Gilles Dutertre and
5 Dianne Luping.

6 This presentation covers but a small proportion of the available documentary
7 evidence in this case. Concerning the reports of the Islamic police and the judgments
8 of the irregularly constituted Islamic court, it concerns what could be called the
9 connected cases, that is to say, the cases for which we have in evidence - the report of
10 the Islamic police drafted by the accused, the corresponding judgment of the Islamic
11 court and, if necessary, evidentiary images of the execution of the sanctions decided
12 upon. This all comes in addition to the documented participation of the accused in
13 all the different phases.

14 Now, of course we are still and always talking about Timbuktu between April 2012
15 and January 2013, the period of occupation by the armed groups, Ansar Dine and
16 AQIM.

17 Now this presentation has two objectives: To give a clear idea of the way in which
18 the Islamic police - of which the accused was the de facto commissioner - and the
19 irregularly constituted Islamic court work together and, above all, to further illustrate
20 the central role Al Hassan had in the functioning and the work carried out by the
21 police. But also his role in the work, the functioning and the decisions of the Islamic
22 court and the sanctions meted out to members of the civilian population.

23 Please, would you allow me a moment.

24 Very well, your Honour, your Honours -- I'm sorry, court officer. Thank you.

25 Your Honour, your Honours, this table presents essential and practical information

1 on the subject of these connected cases. I'm not going to read it for the moment, but
2 for the need of this presentation I'm going to briefly explain the structure thereof, and
3 then I will take and develop two examples which you can follow on your screen.
4 But please allow me from the very outset to state that the Prosecution has a lot more
5 documentation on the Islamic police and the Islamic court than those presented in this
6 table and once again, this table contains only these so-called connected cases.
7 However, the Prosecution does possess more than a hundred documents on the work
8 of the Islamic police, approximately 70 reports were written by the accused and over
9 17 were referred to the Islamic tribunal. In addition to that, there are other
10 documents linked to the work of the Islamic police.
11 Your Honour, my colleague said yesterday - and this will be established during this
12 trial - that these reports of the Islamic police were indeed written by the accused
13 himself. Furthermore, witnesses, such as P-150 or P-626, will confirm during the
14 trial that the handwriting and the signature on these reports are those of the accused.
15 We also have over 180 documents relating to the work of the Islamic court,
16 approximately 95 -- including approximately 95 judgments, in addition to other
17 documents concerning the work of the court.
18 There are three different categories among the available documentary evidence. The
19 first category is that of the reports of the Islamic police on connected -- on cases
20 connected to the judgments of the Islamic court and that is the subject of this
21 presentation and this table.
22 The second is that of the reports of the Islamic police for which there are no
23 judgments of the Islamic court. And the third category is that of the judgments of
24 the Islamic court for which we do not have reports of the Islamic police, even if, in
25 certain cases, the judgment of the court is -- makes reference to the role of the Islamic

1 police.

2 Your Honours, these two last categories contain relevant documentary evidence
3 which you will hear during the trial, but they are not included today in this
4 presentation.

5 If you would allow me to go back to this table. This table contains 27 connected
6 cases, among which there are 17 criminal cases and 10 civil cases. The persons
7 sanctioned in the 17 criminal cases are of course among the victims of crimes for
8 which the accused Al Hassan is today being prosecuted before your Chamber.

9 Furthermore, where it concerns the 10 civil cases, we have decided to include them in
10 the table because it does show the extent to which the Islamic police and the accused
11 were involved in all the cases, whatever their nature or importance, and with the
12 desire set out by Ansar Dine and AQMI to regulate and to control all the aspects of
13 life in Timbuktu.

14 This also shows that these civil cases are managed and treated in the same way as
15 criminal cases. And furthermore, because certain civil cases can lead to criminal
16 sanctions. For example, indeed in this table, we have a case which started with an
17 application for divorce and finished with criminal sanctions. That is the case of
18 number 10 in this table.

19 Now this table, as you can see, your Honour, contains several columns in which we
20 have successively, from left to right, the report of the Islamic police and its translation.
21 Furthermore, the indication that this report was shown -- whether this was shown or
22 not to Al Hassan during his interview by the investigators of the Office of the
23 Prosecutor. Thereafter, the opinion of a handwriting expert and the opinion of a
24 signature expert, two experts, P-657 and P-620, who you will -- whose testimony you
25 will hear during the trial.

1 Furthermore, there is the judgment of the corresponding Islamic court, with any
2 observations that Al Hassan was able to make during the interview, and there is also
3 the translation of the judgment.

4 If you would allow me now, to turn to two examples of these connected cases to
5 further illustrate our position on the central role of the accused in the repressive
6 system that was in place during the occupation.

7 As you can see on the screen, this is example number 22 in the table. This is case
8 number 54, a case classified by the Islamic police - or in fact by the accused and
9 thereafter by the Islamic court - as being a case of adultery. After investigation and
10 report by the Islamic police, and drafted by the accused, the court condemned
11 the couple or convicted the concerned couple and they were flogged in public on
12 29 December 2012.

13 This is the investigative report of the Islamic police. On the left, you have the report
14 in question and the number, the ERN number is MLI-OTP-0001-7549. On the right,
15 you have the translation thereof. As you can see, this report is signed at the bottom
16 of the document. It has the stamp of the Islamic police in green and it is dated
17 26 November 2012.

18 This report was examined by a handwriting expert, as you can see here. You can see
19 the ERN of this report by the expert, and the expert concluded that the handwriting
20 on this document is identical to the handwriting of the accused.

21 So an expert report on the signature was also made in this report, as you can see, and
22 the ERN, you can see. The expert concluded that it can be established that the
23 signature in question can be traced back to the accused.

24 Furthermore, as you can see on the back of this report, this report was sent to the
25 Islamic court. On the left, you have the back of the report with the referral and on

1 the right, you have its translation. This report, as you can see, was shown to the
2 accused during his interview by the investigators of the Office of the Prosecutor.

3 And as you can see on the left, this is the report in question. On the right, you can
4 see that the accused recognised his handwriting and signature in this document.

5 Furthermore, as you can see here, Al Hassan also stated that he was the person who
6 had received the complaint and he was the person who had heard -- or interviewed
7 the father of the girl. He also confirmed, as you can see here, that his report had
8 been sent to the Islamic court.

9 Let us now go to the judgment of the Islamic court concerning this incident. On the
10 left, you have the judgment concerning this case, the ERN number is

11 MLI-OTP-0001-7426. On the right, you have the translation thereof.

12 This judgment, as you can see, is signed and stamped and dated 28 November 2012.

13 Furthermore, the Islamic tribunal court decided, as you can see here, to convict the
14 two accused of adultery and each of them to receive lashes as a main sanction, but
15 also each of them to receive a hundred additional lashes. The Islamic tribunal
16 decided that the man would also be banished from the town.

17 It's important here, your Honour, your Honours, to note the dates on these
18 documents. As you can see here, the police report is -- was written and signed by
19 the accused concerning this case on the left, dated 26 November 2012 and the
20 judgment on the right, dated 28 November 2012.

21 Your Honour, your Honours, you will see during this trial, this Islamic court tried
22 cases immediately on receipt of the police report and it based itself essentially on that
23 to decide on cases and possible sanctions. Furthermore, as you can see here,
24 Al Hassan recognised this judgment in question during his interview by investigators
25 of the Office of the Prosecutor. This is the judgment that I showed you and you can

1 see the number on the left.

2 Furthermore, as you can see here, Al Hassan also stated that the execution of such
3 sanctions happened one or two days after the judgment.

4 Your Honour, your Honours, once again, you will see during this trial that the Islamic
5 court tried cases in a summary manner, basing itself essentially on the investigative
6 reports and this was, in general, done on the same day or between one or two days
7 after receiving the report of the police drafted by the accused. You will also see that
8 the sanction in this type of case is generally executed between one or two days after
9 the judgment.

10 If we now go back to the judgment that I showed you, as you can see here, the
11 accused also recognised that this judgment had been executed.

12 Furthermore, it's important to stress here that the accused stated that he himself
13 participated in the execution of the sanction against the man in this case. And you
14 will see the picture -- extracts of the statements of the accused during his interview by
15 investigators of the Office of the Prosecutor.

16 Your Honour, your Honours, the evidence will establish that it was
17 29 November 2012 and we have a document, which we're not going to show for
18 reasons of confidentiality and security, but which has the ERN number
19 MLI-OTP-0018-1033.

20 Now this document states that six people were flogged on 29 November 2012 and it
21 makes explicit reference to the specific case that I show in this example.

22 I would now show you, if you would allow me, some images or pictures of the
23 execution of sanctions on this 29 November 2012. First of all, you have a first picture
24 of the public execution of sanctions on that day. We can see on the right of the
25 picture a woman who is being flogged by the man on the left of the image. Members

1 of the armed group present on that day are visible on this picture and they have been
2 identified by witnesses and also by the accused himself.

3 In particular, Abou Dhar, the person on the left in the yellow circle, who is dressed in
4 black with the face covered; and Abdallah Al Burkinabé, the person in the middle in
5 the green circle dressed in black.

6 Furthermore, I will show you a second picture. Excuse me.

7 This is the second picture and this is the same picture that was shown yesterday by
8 my colleague, Dianne Luping. This picture is also a photograph taken during the
9 execution of sanctions on 29 November 2012, in which we can see Al Hassan opposite
10 a victim. And several witnesses identified Al Hassan in this image. The accused
11 did so himself in his interview. He identified himself.

12 And you can also see the same people identified in the previous picture, namely,
13 Abou Dhar on the left, in the yellow circle and Abdallah Burkinabé in the middle of
14 the green circle.

15 Your Honour, your Honours, I have finished with this example which illustrates the
16 central role of the accused in the repressive system in place. You've seen and you
17 will see, furthermore, during this trial that he intervenes at all phases - he leads the
18 investigations, he writes the reports of the Islamic police, he brings the people
19 concerned before the judges with the report which he himself writes on the case, and
20 the court base themselves essentially on that to take their decisions.

21 Furthermore, the accused Al Hassan participates - even organises in certain
22 cases - with the Islamic police the administration of the execution of sanctions.

23 And, if you would allow me, I would now like to go to the second example. And
24 this, as you can see here, is number 3 in the table and this is a case that was classified
25 as one of alcohol sale. The persons arrested by the Islamic police and detained

1 during a period of two months, interrogated and tortured, tried and convicted on
2 16 July 2012, the same day on which the accused submitted his report to the Islamic
3 court.

4 Now, this is the report of the Islamic police concerning this case. As you can see on
5 the left, you have the report of the Islamic police. The ERN number is
6 MLI-OTP-0001-7514 and on the right, you have the translation thereof.

7 This report, as you can see here, is signed at the bottom of the document and has the
8 stamp of the Islamic police in green and is dated 16 July 2012.

9 Your Honour, once again, it shall be established during the trial that this is indeed the
10 handwriting and signature of the accused. This [re]port was subject to an expert
11 handwriting review. As you can see here. And you can see the ERN number of the
12 report. The expert concluded that the handwriting in this document is identical to
13 that of the accused.

14 As you can see on the back of this report, this report was sent to the Islamic court.

15 On the left, you have the referral and on the right, you have the translation thereof.

16 Furthermore, as you can see here, this report was shown to the accused during his
17 interview by the investigators of the Office of the Prosecutor and he recognised his
18 handwriting and his signature on the document in question. It is the same report in
19 question.

20 If we now go to the judgment of the irregularly constituted Islamic court, on the left
21 you have the judgment concerning this case. The ERN number is

22 MLI-OTP-0001-7490 and on the right, you have the translation thereof.

23 As you can see here, this judgment is signed, stamped and dated 16 July 2012, and as I
24 said, the same day that the report of the police was written by the accused.

25 Furthermore, this Islamic court, which was irregularly constituted, decided, as you

1 can see here, to sentence the accused to 40 lashes and to pay a fine of 50,000 francs
2 and the closure of his shop for a period determined by the Islamic police.
3 Your Honour, your Honours, it is important here to point out that this decision - in
4 addition to the fact that it includes corporal, serious and grave corporal
5 punishment - shows the strong relation that there was between the Islamic police and
6 the Islamic court. And above all, the importance of the role of the police. And, in
7 particular, the importance of the police is also illustrated by the fact that it is
8 responsible for determining part of the sanctions for the cases presented and dealt
9 with before the Islamic court.

10 And here, this is the length of closure of the shop. And as I said, furthermore, you
11 can see here the report, the report of the Islamic police and the judgment of the
12 Islamic tribunal concerning this case. They are both dated 16 July 2012.

13 Your Honour, your Honours, however, it must be stressed that the victim was
14 detained for approximately two months, the period during which the victim was
15 interrogated and tortured in vain. And that is according to the report drafted by the
16 accused. Now, by way of conclusion, I will show you this document. As you can
17 see, it is an extract from the interview of Al Hassan with investigators of the Office of
18 the Prosecutor during which he recognised that the victim in question was indeed
19 interrogated and tortured at the hands of the Islamic police.

20 Your Honour, your Honours, I can, without any doubt, illustrate my words with
21 many other similar examples, but I will stay with these two examples. You will hear
22 more during this trial.

23 Having said that, these two examples clearly show, without any doubt, the principal
24 and central role of the accused in all phases in the treatment of the cases before the
25 irregularly constituted court and more generally in the repressive system that was set

1 up by these armed groups.

2 And you will see during this trial, your Honour, your Honours, that this tribunal
3 based itself principally in its decisions on the reports of the accused, its classification
4 of the facts, its conclusions and even on its opinions.

5 Your Honour, your Honours, I would like to thank you for the time you have
6 accorded to me and I pass the floor over to my colleague, Sarah Coquillaud.

7 PRESIDING JUDGE MINDUA: [10:35:06](Interpretation) The Chamber would like
8 to thank you for your presentation.

9 MR ALLAFI: [10:35:12](Interpretation) Thank you.

10 MS COQUILLAUD: [10:35:14](Interpretation) Thank you very much, your Honour.
11 I will need your forbearance so that I can set up my computer.

12 PRESIDING JUDGE MINDUA: [10:35:30](Interpretation) Please go ahead.

13 (Pause in proceedings)

14 MS COQUILLAUD: [10:36:44] Sorry, it's the wrong setup.

15 Good morning, your Honours. I will show you what my colleagues meant when
16 they were referring to various instances in this case and what the role of
17 Mr Al Hassan was.

18 I will now, with your permission, use an interactive platform. It's created by SITU
19 research and it's based on evidence collected by the Office of the Prosecutor. It can
20 be broadcast in and outside of the courtrooms. That shall greatly help everyone get
21 a sense of what happened in Timbuktu in 2012-2013, and it will show you various
22 crime scenes as well as other various locations mentioned by our witnesses.

23 The platform has two main components. On the one hand, you will have -- you will
24 see a 3D environment that was modelled by SITU to best recreate visuals of the city,
25 so the various buildings, streets, et cetera. And this was done of course after the

1 events. And on the other hand, there is OTP collected evidence composed of
2 materials that date back to the temporal scope of the case, so 2012-2013, such as video
3 footage which were geolocated by OTP experts and inserted in the platform by SITU.
4 Let me start with an overview of the city of Timbuktu itself. You see it now on your
5 screens. I will slowly -- is it showing?

6 (Pause in proceedings)

7 PRESIDING JUDGE MINDUA: [10:39:55](Interpretation) Perhaps you need a
8 technician, Counsel, a qualified technician to come to your assistance.

9 MS COQUILLAUD: [10:40:05] (Interpretation) It's true that I am not a qualified
10 technician.

11 It should be on evidence 2.

12 THE COURT OFFICER: [10:40:33] The technician is on her way.

13 PRESIDING JUDGE MINDUA: [10:40:36](Interpretation) Thank you very much,
14 court officer. It's much more effective to proceed in that manner.

15 (Pause in proceedings)

16 MR DUTERTRE: [10:41:45](Interpretation) Your Honours, to not -- perhaps we
17 could move to an adjournment to iron out this technical hiccup and to possibly not to
18 overextend on your patience.

19 I do apologise, but perhaps this will be a way forward.

20 PRESIDING JUDGE MINDUA: [10:42:07](Interpretation) This is exactly the
21 substance of what the court officer was saying to me.

22 So we will now have a brief pause, 10 minutes, would that suffice?

23 So we shall rise for 10 minutes.

24 We are adjourned.

25 THE COURT USHER: [10:42:41] All rise.

1 (Recess taken at 10.42 a.m.)

2 (Upon resuming in open session at 10.55 a.m.)

3 THE COURT USHER: [10:55:47] All rise.

4 Please be seated.

5 PRESIDING JUDGE MINDUA: [10:56:07](Interpretation) We shall resume.

6 Counsel, over to you.

7 MS COQUILLAUD: [10:56:13] (Interpretation) Thank you, your Honour.

8 (Speaks English) So I will restart with showing you an overview of the city of

9 Timbuktu itself. And now you really do see it hopefully on your screens with the
10 satellite view.

11 I will go slowly through the various sites that are represented during this
12 presentation. Their respective names are visible on the left side on your screen on
13 the left tab.

14 Each site is composed of various imagery, be it drone imagery or HD photographs
15 taken by experts in this case, or simply video footage taken by people who witnessed
16 the events, footage which were later on, for some, published in open source local or
17 international media. This footage includes crimes being committed.

18 Due to the size of the platform, some videos may take a few seconds to load or to
19 play.

20 Throughout the occupation, Mr Al Hassan performed his job as *commissaire*, the
21 reality being that the way he performed it meant he was regularly committing grave
22 crimes.

23 Mr Al Hassan and his men constantly patrolled in town on a daily basis, day and
24 night. Members of the police sent on dispatch by Mr Al Hassan operated checks and
25 inspections in streets, markets, stores and even people's homes.

1 I'm going to show you now two of these markets as an example. One is located
2 northwest of the city. It's here, I'm pointing at it now. It's called le petit marché or
3 Youboutao. This is a place where multiple crimes occurred, in particular, floggings.
4 Another market is located here, I'm pointing at it now and I will zoom so that you see
5 better. It's represented by this rectangle shape here. I'm hovering above it now.
6 And That's le grand marché or Yobou ber. This is also a place that is a crime scene.
7 I will get back to it later.

8 Of course I will not show you some specific stores or homes because we are in open
9 session. But what to keep in mind is that the occupation of the group is extremely
10 widespread because every time you see a circle on this map, it corresponds to an area
11 for which we have evidence in various forms of the presence of members of the
12 armed group, including the Islamic police.

13 Now I mentioned a moment ago that members of the Islamic police were patrolling in
14 streets. They did so usually by car or by motorcycle. And I will show you an
15 example of that. We're going to head to the *Gouvernorat*. You've heard it yesterday,
16 the *Gouvernorat* was the second headquarters of the Islamic police.

17 Here we are. That's the *Gouvernorat* and there is the fence around it.

18 Video footage show the accused's men patrolling around town and congratulating
19 themselves on the successful implementation of their new rules, in particular, the
20 dress code for women and the security they imposed in public places such as the
21 market, which I just showed you.

22 For this particular video, it's only an excerpt of a few seconds. I would kindly ask if
23 we could please remain in open session but not broadcast the image and the sound
24 outside of the courtroom.

25 THE COURT OFFICER: [11:00:22] I'm afraid it is not possible to not broadcast the

1 sound outside of the courtroom. We need to go into private session.

2 MS COQUILLAUD: [11:00:33] Can I please request that we go in private session?

3 It should be less than two-minutes display.

4 PRESIDING JUDGE MINDUA: [11:00:41](Interpretation) Court officer.

5 (Private session at 11.00 a.m.)

6 THE COURT OFFICER: [11:00:56] (Interpretation) We are in private session,

7 your Honour.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

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12 (Redacted)
13 (Redacted)
14 (Redacted)
15 (Redacted)
16 (Redacted)
17 (Open session at 11.04 a.m.)
18 THE COURT OFFICER: [11:04:22] (Interpretation) We are in open session, your
19 Honour.
20 PRESIDING JUDGE MINDUA: [11:04:25](Interpretation) My thanks.
21 Counsel.
22 MS COQUILLAUD: [11:04:27] The work performed by Mr Al Hassan went way
23 beyond the city limits that you see on this map. My colleague Ms Luping mentioned
24 it yesterday that Mr Al Hassan's men were going to Léré. And Al Hassan himself
25 investigated a case there in Léré, it was a murder case, and this is approximately

1 400 kilometres away from Timbuktu.

2 Another witness further tells us that Al Hassan instructed an MNLA officer to

3 intercept an ICRC stolen vehicle. They caught that vehicle in Boni, which is located

4 over 300 kilometres away from Timbuktu.

5 So what does that tell us? Simply that people listened to Mr Al Hassan and followed

6 his orders, even if they were part of another armed group and even if that goes well

7 beyond the city limits of Timbuktu.

8 When he or his men were not patrolling in the city, Al Hassan was sitting in his office,

9 his office being located at the BMS where the police was at first, or at the *Gouvernorat*,

10 the place we've just seen, where the Islamic police moved towards end of August,

11 beginning September 2012.

12 He would receive people there. Mr Al Hassan dealt with numerous complaints

13 coming from the population. We have documentary evidence of no less than 70 of

14 them that he either signed and/or drafted. You will see it during the course of the

15 trial and you just had a sneak-peak preview with Mr Allafi before.

16 Mr Al Hassan would also provide interviews from his office.

17 So let me show what I mean. And we're going to go first with the BMS to illustrate

18 what I'm saying.

19 We're entering now the premises of the BMS to go all the way to the office that you

20 see here. That's how it looked after the events. And you should see in a moment

21 how it looked where Mr Al Hassan was in it.

22 So you see him here. He's sitting at his desk. He has his walkie-talkie. And there

23 are two men sitting next to him and weapons on the table.

24 What is discussed on that day is a case about an arm deal between these two men and

25 the problem is that allegedly the buyer failed to pay the money. So Mr Al Hassan is

1 mediating on that day and he's deciding on the way to proceed.

2 The next video I will show you, we're going to go to the second headquarters so we're
3 going back to the *Gouvernorat*.

4 Again we're inside of the building now and you will see people entering the building
5 and people waiting for their turn to be received in an office. And I will ask you to
6 have a specific look at one of the armed member of the Islamic police that you will see
7 on this video who is sitting on a chair and you can easily recognise him because he's
8 wearing that specific blue vest of the Islamic police. And I will ask you please to pay
9 specific attention to the yellow folder that he's holding in his hands.

10 (Viewing of the video excerpt)

11 MS COQUILLAUD: [11:09:17] So this is the man I was describing before I played
12 the video. And the yellow folder he is holding is important why? Because those
13 are the folders that were retrieved in 2013 from the Hotel la Maison, which was *le siège*
14 of the -- the headquarters of the Islamic tribunal. And those are -- they contained the
15 reports that were drafted and/or signed by Mr Al Hassan and that would then be sent
16 to the tribunal for sentencing. So you will see them later as well in videos of the
17 Islamic tribunal.

18 The next video I would like to show you is a video interview of Mr Al Hassan.

19 And for the benefit of the interpreters, the translation is available at

20 MLI-OTP-0069-7539. The video is in Arabic.

21 THE INTERPRETER: [11:10:39] (Interpretation of the video excerpt)

22 "How are you both?

23 May the peace and mercy of Allah be upon you!

24 How are our dear policemen? All right?

25 Can you tell us about what you do here in Timbuktu?

1 By Allah ...

2 May the peace, mercy, and blessings of Allah be upon you!

3 May the peace and mercy of Allah be upon you!

4 How are our dear policemen?

5 By Allah, everything's fine -- praise be to Allah! Just great!

6 How are you? Well?

7 By Allah, praise be to Allah! Thankfully as Allah willed it.

8 What are you going to tell us about the police's mission here in the town of

9 Timbuktu?

10 By Allah, the work done by the police -- the work done by the Islamic police is just

11 ordinary work.

12 We do have a lot of work, and the type of work done by the Islamic police is well

13 known; what I mean is the type of work we do.

14 Such as what? What's ...?

15 Of course, it involves patrols within the town, and correcting" --

16 THE INTERPRETER: [11:12:09] The Arabic booth is signifying that she is unable to

17 hear the substance of the video and therefore unable to interpret. Message relayed

18 from the Arabic booth through the English booth to the floor.

19 THE COURT OFFICER: [11:12:39] (Interpretation) Message to interpreters: You

20 simply need to read the text that you have been given. There's no need to provide

21 interpretation per se.

22 THE INTERPRETER: [11:13:13] (Interpretation of the video excerpt)

23 "How are you both?

24 May the peace and mercy of Allah be upon you!

25 How are our dear policemen? All right?

1 By Allah, thankfully, everything's just perfect and fine.
2 How are you all? You're well?
3 Yes, thankfully. Praise be to Allah! Blessed is Allah.
4 What are you going to tell us about the type of work the police do here in the town of
5 Timbuktu?
6 By Allah ...
7 May the peace, mercy, and blessings of Allah be upon you!
8 May the peace and mercy of Allah be upon you!
9 How are our dear policemen?
10 By Allah, everything's fine -- praise be to Allah! Just great!
11 How are you? Well?
12 By Allah, praise be to Allah! Thankfully as Allah willed it.
13 What are you going to tell us about the police's mission here in the town of
14 Timbuktu?
15 By Allah, the work done by the police -- the work done by the Islamic police is just
16 ordinary work.
17 We do have a lot of work, and the type of work done by the Islamic police is well
18 known; what I mean is the type of work we do.
19 Such as what? What's ...?
20 Of course, it involves patrols within the town, and correcting objectionable acts; any
21 type of reprehensible act which has been forbidden by Allah -- praise and glory be to
22 him! -- we ...
23 such as drinking alcohol, smoking, and a woman adorning herself, and other such
24 acts -- praise be to Allah! It involves running the town's affairs, particularly with
25 respect to traf ... traffic, the market, and elsewhere, and ensuring the whole town's

1 security, day and night.

2 How can it be understood from this? Is theft widespread, or ...?

3 No, praise be to Allah! Thankfully, theft's on the decline; it's become very limited.

4 How many thieves do you have in prison at the moment?

5 We don't have a single thief in prison at the moment.

6 You don't have any thieves in prison?

7 No, just one: a drug dealer. He was arrested, praise be to Allah!

8 Praise be to Allah! How about ... erm ... the ... the bandits? Have they disappeared,

9 or are they still around?

10 No, praise be to Allah, the Cherisher and Sustainer of the Worlds! Once the hudud

11 punishments were implemented, everything stopped, apart from minor

12 things - praise be to Allah! - and those are being dealt with.

13 With respect to the rural areas and the remote desert zones, do you have a committee

14 which sends out vehicles or patrols periodically?

15 Yes, we're always dispatching vehicles and missionary expeditions. Praise be to

16 Allah, the Cherisher and Sustainer of the Worlds.

17 The people do have weapons [unintelligible].

18 By Allah, weapons are available.

19 However ... there was no ...

20 There's no problem. Weapons are available. The people are all armed. Anyone

21 who has enough money to buy a weapon does so.

22 How many ... erm ... how many thieves have had their hands chopped off in this

23 town?

24 In Timbuktu, only one hand has been chopped off. Only one hand has been

25 chopped off, and only one murderer has been executed. And two or three

1 perpetrators have been flogged -- I think it was three - as well as the alcohol ... two
2 alcohol drinkers who were flogged.
3 And that was the end of the ... now, praise be to Allah ...
4 Praise be to Allah, alcohol-related cases have stopped: we don't have any at all. And
5 the same goes for theft and for murder, too. Ever since the day that one murderer
6 was executed, there haven't been any more cases.
7 Praise be to Allah! With respect to the inhabitants, are they complying and
8 cooperating with you?
9 Oh, indeed, yes. There are crowds of inhabitants in front of the police station every
10 day. There are debt-related issues, social issues, and so forth, divorce, and all sorts
11 of issues every day.
12 As far as debts are concerned, have they all been paid back? Do people settle their
13 debts?
14 Yes, some are paid back on schedule, and some require ... because most people are
15 poor here. That's why we give them a little time limit of one or two months, and
16 some are referred to the court.
17 May Allah bless you! How many ... what are the salaries of the Islamic police?
18 It is for the sake of Allah's cause.
19 May Allah bless you!"
20 MS COQUILLAUD: [11:17:04] So Al Hassan is being asked how things in Timbuktu
21 are, and by listening to him you would think that all is well in the best of worlds.
22 But what is he really saying here? Mr Al Hassan justifies the actions of the police in
23 this interview dating from November 2012 where he confirms that the Islamic police
24 applied physical punishments and practised floggings and execution and an
25 amputation, that of Dédéou Maiga.

1 Mr Al Hassan not only justifies these actions sitting comfortably in his office, he takes
2 part in them. He arrested and detained Dédéou Maiga before the poor man got
3 amputated in public following a judgment by the Islamic tribunal. He flogged
4 several victims in public. He took part in the execution.

5 Mr Al Hassan is correct, only one execution took place during the occupation by the
6 groups. One man was shot dead because he had been convicted for murder and the
7 family of the victim claimed his blood.

8 Although not specifically charged, this shows yet again Mr Al Hassan's role very well.

9 I will show you where it happened. So we're going now again northwest of the city
10 in a place that is located between two hotels, the Hotel Bouctou and the Hotel Azalai.

11 I will show you on the panoramic view.

12 So we are now at the Hotel Bouctou and if I turn a little bit, that's the hotel. Now we
13 have our backs against the hotel and if you look further than the three trees that you
14 see in front of the -- in front of you, that's the other hotel. And this sandy area
15 between these two hotels is the place where the amputation took place and it's also
16 the place where the execution took place.

17 Regarding this execution, Mr Al Hassan was present on that day. Mr Al Hassan
18 drove the man to the execution site. Mr Al Hassan took him out of the car of the
19 Islamic police. And Mr Al Hassan participated in the execution. Mr Al Hassan
20 waited several hours for the man to die because the man did not immediately pass
21 away from the bullet that missed his heart. He was in agony for several hours on the
22 sand that you see here on your screen.

23 Mr Al Hassan, together with others, were discussing what to do about the situation
24 when the man did not immediately pass away, if they could shoot another bullet or
25 not. Meanwhile, the man was dying on that sand. Following his death, it's

1 Mr Al Hassan who brought his corpse back to the morgue.

2 At every key event where his idea of justice is served, Mr Al Hassan is present or

3 actively participates in some way, be it an execution, an amputation or a flogging.

4 Mr Al Hassan's work was not confined within the four walls of his office. His work

5 did not only consist in dispatching me and writing reports at his desk. He took it

6 outside in open spaces and preferably places where his idea of justice could be seen

7 and taught to everyone.

8 From that moment we can no longer talk about complainants and respondents

9 addressing a police officer, we can only talk about victims of extreme violence being

10 tortured, humiliated, mutilated in public by Mr Al Hassan and his men.

11 Rapes, torture, floggings, amputation, detentions in inhumane conditions,

12 persecution of the population based on gender and religion and destruction of what

13 the population believed in and worshipped for centuries.

14 This is what Mr Al Hassan is involved in and willingly got himself into.

15 Let's talk about the responsibility of Mr Al Hassan, starting with the crime of torture,

16 cruel treatment, other inhumane acts and outrages upon personal dignity. These are

17 counts 1 to 5.

18 Several floggings took place in Timbuktu in 2012-2013.

19 One important aspect to point out in relation to these floggings is that not everyone

20 could flog. Witnesses tell us that it was seen for the group as a privilege, as an

21 honour to be the one allowed to flog the victim.

22 You will see such evidence during trial and you will now see that Mr Al Hassan was

23 personally involved in several of these floggings. I will show you some examples of

24 that.

25 We are heading now to the Sankoré square. You see it now on your screens.

1 The first example of flogging I will mention is the flogging of June 2012. Al Hassan
2 is present on that square, together with other members of the Islamic police, such as
3 Abou Dhar and Adama, at the first public flogging organised in Timbuktu against a
4 couple for alleged adultery.

5 Several witnesses identify Al Hassan in video images dressed in his Islamic police
6 vest. He too identified himself and confirmed his presence during this flogging.

7 But even if he did not, he is hard to miss on the video footage.

8 Let me show you what happened. I will only play very short excerpts.

9 (Viewing of the video excerpt)

10 MS COQUILLAUD: [11:24:15] Every time the platform is moving because it's
11 geolocating where exactly the video was taken.

12 You see already that they are heavily armed and some of them are obviously wearing
13 the vest of the Islamic police.

14 (Viewing of the video excerpt)

15 MS COQUILLAUD: [11:24:58] And the last video I will show you for this particular
16 flogging is the following. I don't even need to play it. You see already here that
17 this man who is wearing the Islamic police vest and who is having a phone
18 conversation while the woman is being flogged, this is Mr Al Hassan standing there.

19 Second example of flogging, this will take us to another location, which is the petit
20 marché or Youboutao. It occurred in July 2012.

21 Al Hassan led and physically participated in the public flogging of two young men
22 for drinking alcohol at the Youboutao marketplace, which you see now.

23 Al Hassan conducted the operation on the ground from beginning to end with other
24 members of the Islamic police such as Abou Dhar and Abdallah Al Burkinabé.

25 Al Hassan himself acknowledged being one of the persons who flogged the two

1 victims. But yet again, even if he did not, he's hard to miss on the video footage.

2 For that flogging I will only show you one video excerpt.

3 (Viewing of the video excerpt)

4 MS COQUILLAUD: [11:27:11] What you see here is these two men walking in front

5 of us now. They're handcuffed. Those are two victims and they are being escorted

6 to the place where they will be sentenced by several members of the Islamic police,

7 which you can easily identify because, yet again, they are wearing their vests. And

8 the man who is on the right side of the screen now who is holding the whip and

9 following the escort, this man here, this is Mr Al Hassan, on the right side of your

10 screen.

11 (Viewing of the video excerpt)

12 MS COQUILLAUD: [11:28:24] It's him again here that you see holding the whip.

13 And it's also him who's in charge of the handcuffs. So he has the keys and he's about

14 to give them to another member of the Islamic police so that he removes the

15 handcuffs from the two men.

16 (Viewing of the video excerpt)

17 MS COQUILLAUD: [11:28:57] Here it's also him who's in charge of telling the

18 victims how to position themselves for the sentence.

19 (Viewing of the video excerpt)

20 MS COQUILLAUD: [11:29:56] And this is Mr Al Hassan's turn to whip the first

21 victim.

22 (Viewing of the video excerpt)

23 MS COQUILLAUD: [11:31:02] And this is Mr Al Hassan whipping the second

24 victim.

25 (Viewing of the video excerpt)

1 MS COQUILLAUD: [11:32:00] As you can see, those sentences were really carried
2 out in public, including in front of very young children. And as demonstrated by
3 this video and several witness statements, they were really meant to scare the
4 population as a whole.

5 The third and last instance of flogging that I will show you occurred in January 2013.
6 It's at the Youboutao market as well. Al Hassan is also present during the public
7 flogging of three different couples at the Youboutao marketplace. An eyewitness
8 recalled that Al Hassan was present on that day and he identified him in video
9 footage.

10 I will show very short excerpts.

11 Already just from the screenshot of the video, you can tell that the flogging has
12 already started and the man is already bleeding on his back and you can see it
13 through his T-shirt.

14 (Viewing of the video excerpt)

15 MS COQUILLAUD: [11:33:29] The second video is the continuity of the sentence
16 occurring. So this man has just been flogged. He's been brought back to the vehicle
17 of the Islamic police to be replaced by another victim, this woman, who will be told
18 how to position herself and where.

19 (Viewing of the video excerpt)

20 MS COQUILLAUD: [11:33:56] And you notice again that this was a painful sentence
21 to endure.

22 I would like to show one last excerpt, and for this I would please request that we go
23 very shortly into private session.

24 PRESIDING JUDGE MINDUA: [11:34:12](Interpretation) Court officer, private
25 session, please.

1 (Private session at 11.34 a.m.)

2 THE COURT OFFICER: [11:34:28] (Interpretation) We are in private session now,
3 your Honour.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Open session at 11.35 a.m.)

21 THE COURT OFFICER: [11:36:02] (Interpretation) We are back in open session,
22 your Honour.

23 PRESIDING JUDGE MINDUA: [11:36:04](Interpretation) My thanks.

24 Prosecution counsel may continue.

25 MS COQUILLAUD: [11:36:10] (Overlapping speakers) I will move now to another

1 crime, which is the passing of sentences without due process. That's at count 6.

2 People who failed to strictly follow the newly imposed rules were subjected to
3 sentences passed extrajudicially by members of the organisation, in particular, the
4 Islamic police and the *Hesbah* or by the Islamic tribunal.

5 The evidence will show that the Islamic tribunal was a tool created to impose the
6 groups' ideological and religious vision by all means, including through imposing
7 harsh sanctions such as corporal punishments and amputation.

8 The Islamic tribunal was located at Hotel la Maison. I will show you this place now.

9 It's in the north of the city. It's this building modelled here that you see. The judges
10 attended the proceedings of the tribunal with their weapons in an intimidating
11 manner. They lacked proper judicial qualifications and they had loyalties and
12 affiliations to parties in the cases.

13 Let me show you what I mean.

14 So this is the video of the tribunal in session. This man here, is the presiding judge.

15 That's Houka Houka and you see the weapon above his head. Others have the
16 weapons on their laps. You will notice also the yellow folders that I was discussing
17 earlier next to them, folders that are containing the police reports, the reports they're
18 basing themselves on to sentence the victims.

19 So in this video you will see Houka Houka, who was the judge, the presiding judge.

20 You will see Ahmad Al Faqi Al Mahdi, who was the head of the *Hesbah* and also a
21 judge in that tribunal. They are both from the Tuareg Kel Ansar tribe. And you
22 will see Radwan - it's this man here, you see him already wearing a black outfit - who
23 is an AQIM member. And they're all armed.

24 (Viewing of the video excerpt)

25 MS COQUILLAUD: [11:38:50] This is Radwan in black. And this is Mr Al Mahdi,

1 and you see he's holding his weapon and Radwan is having his weapon on his lap.

2 And that's the tribunal in session.

3 The second short excerpt I would like to show you is also the tribunal sitting, but in
4 another session. And here you see, maybe a bit clearer, that they have their weapons
5 on their lap and you will also get a clearer look at those yellow folder I mentioned
6 already.

7 (Viewing of the video excerpt)

8 MS COQUILLAUD: [11:39:41] So you see them there.

9 You will see extensive photographic evidence in relation to these files during trial.

10 Just to make you notice that on many of them, you also had some writings on top of
11 the cover. This is simply to say what the case is about, if it's a criminal case or if it's a
12 social case, and the case number.

13 The next crime I will discuss is the crime of attacks on protected objects, and that's
14 count 7.

15 As you know this crime occurred between 30 June 2012 and mid-July 2012. A short
16 period in itself, but long enough to destroy no less than 10 different sites and create
17 irreversible damage. Some of these places could indeed be rebuilt, but others, such
18 as the sacred door of the Sidi Yahya mosque that, according to well-known legend,
19 was never ever meant to be opened, will never be the same.

20 And needless to say that even for these sites that have been gradually built anew,
21 witnesses will testify that the psychological damage to the population does remain
22 irreversible. All sites were destroyed to the grounds. They were only ruins to be
23 seen.

24 I will simply show you one image to demonstrate my point. It's at the Three Saints
25 cemetery. So you see the circle on the satellite view. It's in the west of the city and

1 as the name suggests, there were three saints being represented in that cemetery.
2 They each had a mausoleum.
3 And I will show you two of these mausoleums. They are called El Micky and
4 Attouaty. I will slowly turn so you see them better on the panoramic view. This is
5 what's left of the El Micky mausoleum. It's clearly to the ground and has been
6 completely destroyed. A few metres away was the Attouaty mausoleum in the same
7 cemetery. And this is what's left of it after destruction.
8 It was quite a task to destroy all these Holy places, and, Mr Al Hassan agreed to have
9 some of his men giving a hand to the *Hesbah* to destroy these places.
10 You will see and hear extensive evidence during trial on the presence of the Islamic
11 police on all of these sites during the destruction.
12 The next crime I will discuss is persecution based on gender and religious grounds.
13 It's count 13.
14 In relation to religious persecution, the list of prohibitions is endless. You already
15 heard numerous examples yesterday by Madam Prosecutor and by the senior trial
16 lawyer. I will not repeat. What is there to keep in mind is that no part in town was
17 exempt from it.
18 On top of the persecution on religious grounds there was a specific targeting based on
19 gender. Women were hunted down in the streets of Timbuktu. In schools, in
20 hospitals, and sometimes in their own homes. They were harassed on a daily basis.
21 They were harassed by police officers and members of the *Hesbah*. Police officers
22 patrolling armed around town. Police officers reporting back to HQ. We've seen it
23 earlier before in my presentation and you will see it in the evidence.
24 And again, it was Mr Al Hassan who was the man dispatching these men. And he
25 was the man in charge on the ground.

1 Sanctions that were imposed in case of alleged breach of the newly imposed rules
2 were systematic and harsh. The persecution suffered by women and girls resulted
3 among other things in multiple arrests, inhuman and degrading detentions, floggings,
4 sexual slavery and rape.

5 Just imagine that's the daily life of a woman or a girl in Timbuktu at the time of the
6 events. This is not a one off. It's happening every day. It's happening in front of
7 everybody. No one can ignore it.

8 I talked about the BMS before. This is the place where Mr Al Hassan had his office
9 and it later became the headquarters of the *Hesbah*.

10 Well, at the BMS, there were not only offices with desks and chairs to receive
11 complaints, there was also an ATM room. Normal, since it used to be a bank. But
12 witnesses will testify that what is far from normal and human is that the groups
13 Mr Al Hassan was a part of used this ATM room as a cell for women. Or, as it was
14 nicknamed by the inhabitants themselves, the nightmare cell for women.

15 I will show you this ATM now.

16 There we go. So you see the BMS here, and I'm pointing now at the ATM room, it's
17 here. That's this, only this part here. When it comes to detention, evidence shows
18 that these women could remain in detention for up to 72 hours in that little part of the
19 bank, in that cell of 2 square metres only. And, 2 square metres is rather small, and
20 it feels even smaller when there are up to 13 women in there at the same time in
21 oppressive heat, without access to any care and in deplorable sanitary conditions.

22 Women had to relieve themselves on the ground there. Photographic evidence will
23 be provided during trial to show you the inside of this ATM room and witnesses will
24 testify to the awful smell emanating from this room and the suffering of many women
25 who were detained in it.

1 I will provide you with one final example that is very telling of this crime of
2 persecution and combines many of the crimes that I previously mentioned.
3 A woman was chased in the courtyard of a house and arrested for not being properly
4 covered. The armed men who arrested her whipped her on the spot. There was no
5 police report there. They just whipped her on the spot. They threatened her when
6 she refused to be taken to the prison cell there at the BMS. She was, nevertheless,
7 taken to the BMS by these armed men and she was raped there during her detention.
8 Needless to say that being flogged in front of your family, arrested and raped for
9 wearing a veil the wrong way is a highly disproportional price to pay and extremely
10 humiliating. And it is above all a crime.
11 There is simply no valid justification whatsoever for such acts and the application of
12 such rules and harsh sanctions in Timbuktu. Yet, when he had the chance,
13 Mr Al Hassan would explain that, yes, it was justified. You previously heard him in
14 one interview today. Witnesses will also testify to that.
15 And, I will provide you one extra example. An inhabitant tells us that one man was
16 arrested and detained by Mr Al Hassan for having smoked cigarettes. He was
17 severely beaten during his arrest, and again, severely beaten during his detention.
18 When asked if this man could be released, Al Hassan said that the man deserved
19 what was happening to him.
20 The next and final type of crime I will discuss is rape, sexual slavery and forced
21 marriage as other inhuman acts. Those are counts 8 to 12.
22 These crimes took place in various places in town and cover at least five of the main
23 districts in the city. Understand by that, the whole town. The evidence will
24 abundantly show that there were numerous cases of forced marriage and that the
25 Islamic police was involved.

1 I will now move away from the platform to use a map of the city centre of Timbuktu.
2 And on purpose, I will refrain from using P numbers for security reasons, but all the
3 cases that I will mention now are related to forced marriage.
4 To help -- one moment.
5 To help identify the locations, I've added two arrows. One is for the BMS, you see
6 it here, and the other one is for the *Gouvernorat*. It's over there.
7 Victim 1 was held captive in a hotel in the Koira Tao district. You see it all the way
8 up on the map. Then, her husband forced her to come with him in a house located
9 in the Sans-fil/Hamanbagou district. She was raped there.
10 Victim 2 was also detained in that same house in the Sans-fil/Hamanbagou district.
11 She was raped there.
12 Victim 3 was raped in a house located behind the big market in Timbuktu. You will
13 remember that I showed you this market. It was in this specific rectangle shape.
14 I'm pointing at it now.
15 Victim 4 was gang raped at the *Gouvernorat* in the administrative district.
16 Victim 5 was raped in a house in the Sankoré district.
17 Victim 6 was raped several times in a house in the Djingareyber district close to the
18 Djingareyber mosque.
19 And finally, victim 7 was raped several times in the house in the Abaradjou district.
20 She was only 12 years old at the time. She said that her breasts had not even
21 developed yet. She was just a kid.
22 Mr Al Hassan was aware of the existence of the marriage system leading to cases of
23 non-consensual sexual relations as well as sexual slavery and other inhuman acts in
24 the context of forced marriage. He himself supported this system. He admitted
25 that he helped draft request for financial support and that he helped negotiate a

1 marriage for men who wished to get married.

2 But who can really negotiate anything? Which weight and which value do you

3 attribute to the so-called wife or her family's consent when they cannot say no?

4 When they are being threatened in their own house by at least three or four men

5 armed with Kalashnikovs?

6 Under this highly coercive system of so-called marriages, it was - unfortunately for

7 the victim - almost impossible to avoid getting raped.

8 Thank you, your Honours. That concludes my presentation.

9 PRESIDING JUDGE MINDUA: [11:54:18](Interpretation) Thank you very much.

10 Mr Duterte, whose turn is it now?

11 MR DUTERTRE: [11:54:29](Interpretation) This does indeed bring to a close the

12 presentation of the Prosecutor's statements and -- with regard to the crimes and the

13 alleged responsibility of the accused in these facts.

14 Thank you.

15 PRESIDING JUDGE MINDUA: [11:54:46](Interpretation) Thank you very much.

16 This marks the end of the second day of the hearing. We shall therefore adjourn and

17 we should reconvene on 25 August with the examination of the first OTP witness.

18 The Chamber would like to thank the interpreters, the court reporters, and the

19 security officers for their cooperation.

20 Take care of yourselves during the judicial recess. And once again, thank you

21 to you all.

22 Court is adjourned.

23 THE COURT USHER: [11:56:13] All rise.

24 (The hearing ends in open session at 11.56 a.m.)