

Trial Hearing  
WITNESS: MLI-OTP-P-0065

(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 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 Trial Hearing - Courtroom 1  
9 Friday, 30 October 2020  
10 (The hearing starts in open session at 9.31 a.m.)  
11 THE COURT USHER: [9:31:26] All rise.  
12 The International Criminal Court is now in session.  
13 Please be seated.  
14 PRESIDING JUDGE MINDUA: [9:31:56](Interpretation) Court is in session.  
15 Good morning to everyone.  
16 Madam courtroom officer, could you please call the case.  
17 THE COURT OFFICER: [9:32:06] Thank you, Mr President.  
18 The situation in the Republic of Mali, in the case of The Prosecutor versus Al Hassan  
19 Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, case reference ICC-01/12-01/18.  
20 For the record, we are in open session.  
21 PRESIDING JUDGE MINDUA: [9:32:29](Interpretation) Thank you very much,  
22 madam courtroom officer.  
23 As always, we shall start with the appearances. First of all, the Office of the  
24 Prosecutor, please.  
25 MR DUTERTRE: [9:32:39](Interpretation) Good morning, your Honours. Good

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1 morning, Mr President. The Office of the Prosecutor is represented today by  
2 Mousa Allafi; Sarah Coquillaud, just behind me; Lucio Garcia to my left; and myself,  
3 Gilles Dutertre.

4 PRESIDING JUDGE MINDUA: [9:33:05](Interpretation) Thank you very much,  
5 Counsel Dutertre.

6 Now I shall turn to the Defence.

7 Ms Taylor, please.

8 MS TAYLOR: [9:33:10] Good morning, Mr President, your Honours. My name is  
9 Melinda Taylor and I'm appearing today on behalf of Mr Al Hassan, together with  
10 Ms Kirsty Sutherland and Ms Dolly Chahla. Thank you.

11 PRESIDING JUDGE MINDUA: [9:33:28](Interpretation) Thank you very much,  
12 Ms Taylor.

13 And Legal Representatives for Victims, please.

14 MR KASSONGO: [9:33:44] (Interpretation) Good morning, Mr President, your  
15 Honours. It is very difficult to introduce yourself when you are all alone, as you  
16 might have noticed.

17 The Legal Representatives of Victims are suffering under these confinement measures,  
18 and due to the current circumstances, it means that my learned colleague, Mr Nsita,  
19 who should have been with you today, cannot be present and I am bound to replace  
20 him. And I believe that this situation will continue, so you might see me quite often  
21 under these circumstances. And this has been notified to you by way of a request  
22 quite recently.

23 So I'd like to introduce myself. My name is Mr Kassongo, representing the victims  
24 and I stand alone here today before you. Thank you.

25 PRESIDING JUDGE MINDUA: [9:34:28](Interpretation) Thank you very much,

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1 Counsel.  
2 The Chamber was indeed seized of this issue as to the difficulties that the Legal  
3 Representatives of Victims have been encountering in order to gain access, not only to  
4 the courtroom but also to The Netherlands, and the Chamber has already seized the  
5 Registry and arrangements are underway. The situation will be resolved very soon.  
6 Thank you very much.

7 Today, we shall be hearing the testimony of the 16th witness for the Prosecution.  
8 I would like now to turn to the witness.

9 Good morning, Mr Witness. Can you hear me?

10 WITNESS: MLI-OTP-P-0065

11 (The witness speaks Arabic)

12 THE WITNESS: [9:35:23](Interpretation) Good morning, yes, I do hear you very  
13 clearly.

14 PRESIDING JUDGE MINDUA: [9:35:28](Interpretation) Thank you very much.

15 I can hear you very well myself, too. Thank you.

16 Now, on behalf of the Chamber, I would like to welcome you. You shall be  
17 testifying with a view to assisting the Chamber in seeking and establishing the truth  
18 in the case of the Prosecutor versus Mr Al Hassan.

19 Mr Witness, protective measures have been put in place with a view to making sure  
20 that your identity is not revealed to the public. Whenever you need to provide  
21 details that might reveal your identity, we shall talk about this in public session -- in  
22 private session.

23 So this means that nobody, with the exception of those individuals present in this  
24 courtroom, will be in a position to hear what you are saying.

25 Have you understood?

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1 THE WITNESS: [9:36:40](Interpretation) Yes.

2 PRESIDING JUDGE MINDUA: [9:36:45](Interpretation) Thank you very much.

3 Thank you very much, Mr Witness.

4 Now, let us now move on to your solemn undertaking pursuant to 66(1), Rule 66(1) of  
5 the Rules of Procedure and Evidence. Before you on your table, you certainly have a  
6 piece of white paper. Can you see it?

7 THE WITNESS: [9:37:17](Interpretation) Yes, I do.

8 PRESIDING JUDGE MINDUA: [9:37:18](Interpretation) Very well. Now this is the  
9 solemn undertaking by which you undertake to speak the truth and I would request,  
10 please, that you read it out loud. Please.

11 THE WITNESS: [9:37:42](Interpretation) I solemnly undertake to say the truth, the  
12 whole truth and nothing but the truth.

13 PRESIDING JUDGE MINDUA: [9:37:54](Interpretation) Thank you very much,  
14 Mr Witness. You are now under oath. The VWS and the Office of the Prosecutor  
15 have already explained to you what this means. So I have a number of practical  
16 pieces of advice to give you. I'm mindful that the interpretation is ongoing. That's  
17 why I observe pauses. So please bear in mind that throughout your testimony,  
18 everything that is said in this courtroom is transcribed by court reporters and  
19 simultaneously interpreted into a number of languages by the interpreters.  
20 It is important, therefore, to speak clearly and slowly. Please only start to speak  
21 when the person putting a question to you has finished doing so. Please count to  
22 three in your head before you answer. This pause is essential for your statement to  
23 be properly taken down. Of course, if you have a question, please raise your hand to  
24 indicate that you would like to intervene and take the floor.

25 Have you understood correctly?

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1 THE WITNESS: [9:39:53](Interpretation) Yes.

2 PRESIDING JUDGE MINDUA: [9:39:58](Interpretation) Thank you very much.

3 We shall now hear your testimony. Questions will be put to you by the parties; first  
4 of all, the Office of the Prosecutor and then possibly by the Legal Representatives for  
5 Victims, after which the Defence will cross-examine you. It is also possible that  
6 the -- that questions will be put to you by members of the Bench.

7 Now, let us start with the questioning, the examination-in-chief on the part of the  
8 Prosecution.

9 Mr Duterte, over to you.

10 MR DUTERTRE: [9:40:46](Interpretation) Thank you very much, Mr President, your  
11 Honours. I would like the authorisation of the Chamber to go into closed session  
12 because there is a lot of identifying material for this witness in general. We'll try and  
13 reduce this to a minimum, but this is a necessity and I would like your authorisation  
14 to go into closed session.

15 PRESIDING JUDGE MINDUA: [9:41:17](Interpretation) Now, Mr Prosecutor, I must  
16 say that this issue of closed session is very bothersome to me. I would request that  
17 you be as brief as possible, because we do have the public in the gallery and also  
18 throughout the world listening to what is going on and we would like to adhere to  
19 this publicity principle, the publicity of the proceedings. Not closed session.  
20 How long will it take you?

21 MR DUTERTRE: [9:41:52](Interpretation) Now, to say for the beginning, the first  
22 section, I have lots of questions that are identifying that touch upon the CV of the  
23 witness, his origins and this is very revealing in terms of his identity and would really  
24 annul the decision of the Chamber to provide him with a pseudonym.

25 I'm very, very aware and conscious of this need for the publicity of the proceedings.

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1 We'll try and reduce it to a bare minimum. But in view of the profile of this witness,  
2 on a number of occasions I will have to go from public session to private session. I'm  
3 also very aware of this need for publicity. I'm not doing this out of pleasure. Really,  
4 I need to underscore this. But, you know, without doing this, his identity will be  
5 revealed, unless I can use this opportunity to go from one to the other on a regular  
6 basis.

7 PRESIDING JUDGE MINDUA: [9:43:01](Interpretation) Thank you very much for  
8 your explanation, but you still haven't told me how many minutes you would need in  
9 closed session.

10 MR DUTERTRE: [9:43:09](Interpretation) To start off with, of course, it will depend  
11 on the answer, the length of the answers of the witness. But I would say I will need  
12 about 20 to 25 minutes at a bare minimum to start off with.

13 PRESIDING JUDGE MINDUA: [9:43:28](Interpretation) 25 minutes? Oh, dear.  
14 Please try and reduce that because we all have the file before us. We're aware of  
15 what's going on. Please try and reduce it.

16 MR DUTERTRE: [9:43:40](Interpretation) Yes, thank you, Mr President. If I can  
17 have please, the authorisation to move into private session please.

18 PRESIDING JUDGE MINDUA: [9:43:52](Interpretation) Madam courtroom officer,  
19 could we please move into private session.

20 (Private session at 9.43 a.m.)

21 THE COURT OFFICER: [9:44:01] We are in private session, Mr President.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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22 (Redacted)  
23 (Redacted)  
24 (Open session at 10.05 a.m.)

25 THE COURT OFFICER: [10:05:16] We are back in open session, Mr President.

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1 PRESIDING JUDGE MINDUA: [10:05:18](Interpretation) Thank you very much,  
2 madam courtroom officer.

3 Mr Duterte, please.

4 MR DUTERTRE: [10:05:26](Interpretation) Thank you very much, Mr President,  
5 your Honours.

6 Q. [10:05:30] Mr Witness, you lived in Timbuktu before the year 2012. I'd like to  
7 put to you a number of questions as to the manner in which life unfolded for you in  
8 Timbuktu before 2012.

9 Could you please describe to us what life was like for women in Timbuktu  
10 before 2012.

11 A. [10:06:14] Life in Timbuktu before 2012 and during 2012 was very different  
12 because of the difference in the city, because of the difference in the rules imposed in  
13 the city, as before 2012, the Malian government was in control, but obviously after  
14 2012 it was the -- the city was controlled by the armed groups. The difference was  
15 very clear. I think the only thing that really changed for women is the dress code, as  
16 the armed groups imposed a specific dress code, an Islamic dress code covering the  
17 whole body. While before that time, women were able to dress as they wish.

18 Q. [10:07:38] Thank you. You mentioned that after 2012 it was the armed groups  
19 who controlled the town. Can you please clarify immediately now for the Chamber  
20 which armed groups you are talking about.

21 A. [10:08:07] At the beginning the control over the city was shared by the MNLA,  
22 who are secular, and also by Ansar Dine, Al-Qaeda who had an Islamic approach.

23 Q. [10:08:55] We'll come back to the geographical extent of this, but where exactly  
24 was that based in 2012?

25 A. [10:09:14] During that year, the armed groups controlled the main, the main

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1 cities, Timbuktu and Kidal and Gao.

2 Q. [10:09:44] You have said that the MNLA and Ansar Dine shared the control of  
3 the town of Timbuktu. So my question was, where were they based, where was  
4 MNLA based?

5 A. [10:10:23] MNLA, I wasn't actually in Timbuktu at that time, but the information  
6 that I have is that when they arrived, and just a few days or a few weeks after their  
7 arrival, they controlled Timbuktu via coordinating between the Arab militia that  
8 worked with the Malian army and also by the MNLA. They actually entered the city  
9 together.

10 But after that, maybe after a few days, the Islamist groups, which consisted of  
11 Al-Qaeda and Ansar Dine, they evicted MNLA from the city and they were based in  
12 Timbuktu airport and the villages adjacent to the river.

13 Q. [10:11:42] I believe I understood, Mr Witness, but the French interpretation  
14 wasn't quite clear on this. It was said that Al-Qaeda and Ansar Dine evicted MNLA  
15 and based themselves at the airport. That was what I heard. Who was at the  
16 airport? Who was based at the airport?

17 A. [10:12:13] MNLA is the group that was based in the airport.

18 Q. [10:12:35] I'm sorry that I asked you that, but you talk the airport of which  
19 town?

20 A. [10:12:50] The airport of Timbuktu.

21 Q. [10:13:06] I'll stop that and I look at the rules that apply and this way of life in  
22 Timbuktu before 2012, but before going back to that, you mentioned the rules  
23 imposed upon women and also the dress code. How did the groups respect this  
24 dress code?

25 A. [10:13:47] There is something called Al-Hisba and they are first and foremost

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1 responsible for changing the objectionable acts, that's what they called it, and  
2 everything that they considered *haram* or not permissible in Sharia law. And there is  
3 also the Islamic police. And the main force of the group, they all had the same  
4 approach, they all worked together.

5 Q. [10:14:45] I do apologise. I ask you one question and then another question  
6 follows and you take me somewhere else. But you were saying, the main force  
7 behind the group, which group in particular are you referring to?

8 A. [10:15:16] I would clarify one thing. It's an important piece of information and  
9 that the control over Timbuktu was by Al-Qaeda from an executive way, but Ansar  
10 Dine were existing. It is a movement, it is an Islamist movement as far as I  
11 understand, that had a national approach. It was different from Al-Qaeda.  
12 But because of the power of Al-Qaeda, Al-Qaeda was the one that was mainly in  
13 control, and because the majority of the members of Ansar Dine were members  
14 or -- of the population of the city, they were the one that usually did the actual work  
15 on the ground. However, the decision and the real authority was for Al-Qaeda.

16 Q. [10:16:31] Thank you for that clarification. I'll come back to that a little later on.  
17 Just to finish what I started, when the women did not respect the dress code, what  
18 happened?

19 A. [10:17:00] There used to be raids and outreach towards the women. They  
20 didn't impose a specific dress. They just wanted women to cover the entire of their  
21 body. They didn't really put the condition of covering the face, but it all depended  
22 on the responsible in the *Hesbah*. They used to put the rules.  
23 Of course, the people listened to the armed groups and nobody wanted to challenge  
24 them, so almost everybody abided by the rules. However, towards the end, the  
25 dress code issue became very radical and, as far as I understand, it -- there was a new

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1 manager or director for the *Hesbah* who was quite an extremist.

2 Q. [10:18:30] Thank you. And what happened did not respect the dress code?

3 A. [10:18:49] I can't remember that there was a real challenge by any woman to this  
4 rule - and, usually, this is dealt with via the guardian of this woman - I can't really  
5 remember any cases where women were punished for that. But all what I  
6 understand is that Timbuktu is a very poor city and that the armed groups imposed  
7 this dress code, but they also given the people aid to buy clothes for women who  
8 didn't have enough money or didn't have money to buy such type of clothes.

9 Q. [10:19:47] Thank you. You talked about a dress code for women. Was there a  
10 dress code for the men as well? Was it different before 2012 and after 2012 with  
11 Ansar Dine and AQMI?

12 A. [10:20:22] Ansar Dine have changed their approach regarding imposing Sharia  
13 law. As for men, they were requested to shorten their trousers above the knee  
14 following the sunnah, which is the practice of the prophet, and they were requested  
15 also to not shave their beards. But I didn't hear about any cases where people were  
16 punished for not doing so.

17 Q. [10:21:20] And what were the relationships between men and women in public  
18 before 2012, before AQIM and Ansar Dine arrived in Timbuktu?

19 A. [10:21:47] Before the arrival, before 2012, mainly, the relation was just like -- is  
20 all over the world. Anything that is agreed between two, the two genders is actually  
21 was allowed, whether it is allowed in the Sharia law or not.

22 Q. [10:22:35] And when you say the relationships between men and women were  
23 like they are everywhere in the world, could you elaborate on that? What do you  
24 mean precisely?

25 A. [10:22:53] It means that men were able to have friends and also they were able to



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1 have intercourse together. They were able to meet outside together, to celebrate and  
2 have parties, work together and they were allowed to do anything. They were free  
3 to do anything that is not legally forbidden.

4 Q. [10:23:34] And in particular, what was the situation before Ansar Dine and  
5 AQMI in 2012? What was the situation as people who had an affair outside  
6 marriage? Who might have had a child, what was their sort of situation before 2012?

7 A. [10:24:04] Before 2012, it was all normal. If someone had a relationship with a  
8 girlfriend and they had a child, the rules and traditions only allowed the person to  
9 name that child after himself, to announce that this child is his.

10 MR DUTERTRE: [10:24:48](Interpretation) My Lord, we see that in Arab the witness  
11 talked about sexual relationships, but it wasn't said in French and perhaps is wasn't  
12 said in English either. But in Arabic, it's "sexual relationships".

13 PRESIDING JUDGE MINDUA: [10:25:06](Interpretation) Yes, indeed. I didn't hear  
14 that either. So perhaps you could ask the witness to specify.

15 MR DUTERTRE: [10:25:14](Interpretation)

16 Q. [10:25:15] Mr Witness, there might have been a slight glitch. If somebody had a  
17 relationship with a girlfriend, could you please repeat what you said?

18 A. [10:25:45] What kind of relationship are you asking about exactly?

19 Q. [10:25:53] We were talking about men/women relationships. And you  
20 said -- let me see if I can find what you said exactly. You said in French, at least:  
21 If someone had a relationship with a girlfriend and they had a child, well, the  
22 traditions and rules said that that child would have the name ...

23 It's difficult to read, but you said "relationship".

24 What type of relationship were you talking about?

25 A. [10:26:41] Sexual relationship outside marriage. This is different, of course.

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1 From one tribe to the other, from ethnic group to the other. So some ethnic groups,  
2 like Tuaregs and Arabs, for example, if a child was born outside the marriage lock,  
3 this is something that is frowned upon and the people who commit this are  
4 considered -- are frowned upon. However, if we're talking about the legal  
5 considerations here, people were allowed to have such relationships and the child  
6 would take his father's name, even if it was outside marriage.

7 Q. [10:27:46] Very well. We have five minutes. I haven't finished this topic, but  
8 I'd like to ask one question and then it's up to you.

9 PRESIDING JUDGE MINDUA: [10:27:56](Interpretation) Please proceed.

10 MR DUTERTRE: [10:27:58](Interpretation)

11 Q. [10:28:00] Mr Witness - and I'm again talking about before 2012, before AQIM  
12 and Ansar Dine arrived - how did people practice their religion, their traditions  
13 before Ansar Dine and AQIM arrived in Timbuktu?

14 A. [10:28:22] Before 2012, there was freedom, total freedom to practice any kind of  
15 religious traditions and rituals. There was no law that forbids people from  
16 practicing their religion.

17 Q. [10:29:09] Do you have any examples of religious practices which people in  
18 Timbuktu had before the armed groups arrived? Could you perhaps give us some  
19 examples?

20 A. [10:29:30] There are many examples, really. People were able to pray, would  
21 be able to celebrate and people were able to dress as they wish. Some people who  
22 had some civil disputes, they \*could go to either Sharia courts or civilian courts, or go  
23 to their leaders to sort out their disputes. They had the freedom to do whatever they  
24 wished.

25 Q. [10:30:19] Thank you for that clarification, Mr Witness.

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1 MR DUTERTRE: [10:30:22](Interpretation) Judge, perhaps this might be a good  
2 moment to adjourn.

3 PRESIDING JUDGE MINDUA: [10:30:28](Interpretation) Absolutely, Mr Prosecutor.  
4 Counsel, do you wish to speak?

5 MS SUTHERLAND: [10:30:40] I will wait until after the adjournment. Thank you.

6 PRESIDING JUDGE MINDUA: [10:30:49](Interpretation) Thank you very much.

7 Well, here we are. It's 10.30. We will adjourn and have a break as usual. We will  
8 have a 30-minute break usually, but based on recommendations of the Court doctor,  
9 we will have a break of 45 minutes.

10 So we will resume at 11.15. All rise.

11 THE COURT USHER: All rise.

12 (Recess taken at 10.31 a.m.)

13 (Upon resuming in open session at 11.15 a.m.)

14 THE COURT USHER: [11:15:47] All rise.

15 Please be seated.

16 PRESIDING JUDGE MINDUA: [11:16:14](Interpretation) Court resumes.

17 We shall now continue with the examination-in-chief on the part of the Prosecution,  
18 but I do believe that Ms Sutherland would like to address the Court in the absence of  
19 the witness.

20 Ms Sutherland, please.

21 MS SUTHERLAND: [11:16:35] Thank you very much, Mr President.

22 Earlier today at -- and the reference is transcript page 12 at lines 13 and 14, the witness  
23 said that he lived in northern Mali in 2011 and 2012. Immediately before we  
24 adjourned my learned friend the Prosecutor asked about religious practices in  
25 Timbuktu before the arrival of the armed groups. I simply ask that the Prosecutor

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1 elicit the basis for the witness's knowledge on this point.

2 PRESIDING JUDGE MINDUA: [11:17:24](Interpretation) Thank you very much,  
3 Ms Sutherland.

4 Mr Prosecutor, I'm sure you've understood what's just been said, because the  
5 witness said that before 2012 he was in a certain location and after 2012 at another  
6 location and you put the question to him as to before 2012. Now, I'm sure you're  
7 going to react.

8 MR DUTERTRE: [11:17:45](Interpretation) Yes, these are one of the questions that I  
9 shall be putting. I shall come back to private session later on and broach that subject.  
10 I shall come back to private session, as I said, and then we'll move back into open  
11 session again.

12 PRESIDING JUDGE MINDUA: [11:18:04](Interpretation) There we are,  
13 Ms Sutherland.

14 Courtroom officer, please could you show the witness into the courtroom.

15 (The witness enters the courtroom)

16 PRESIDING JUDGE MINDUA: [11:19:15](Interpretation) Hello again, Mr Witness.

17 THE WITNESS: [11:19:23](Interpretation) Hello, your Honours.

18 PRESIDING JUDGE MINDUA: [11:19:25](Interpretation) I'm going to hand the floor  
19 back to the Office of the Prosecutor.

20 MR DUTERTRE: [11:19:34](Interpretation) Thank you, Mr President.

21 Q. [11:19:44] Mr Witness, just before we took the break, you said at page 21, lines

22 20 to 23, that there was total freedom to practice any traditions or religious rights.

23 And this was before AQIM and Ansar Dine, the armed groups, entered Timbuktu.

24 Could you, to the extent of your knowledge, tell us what the religious practices were,

25 within the mausoleums in Timbuktu, before the armed groups arrived.

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1 A. [11:20:33] I do not know much about the shrines or how they are -- or how  
2 blessings are sought from shrines because I do not belong to Sufi denominations.  
3 But I know that before 2012 there were two Islamic schools of thought, one is a  
4 traditional, and that is Sufism, especially the Tijani Tariqa and the Qadiriyya Tariqa as  
5 well. These hold beliefs in terms of seeking blessings from certain individuals whom  
6 they think can assist living beings, even when -- even when the former have died.  
7 Another trend is the Wahhabi trend, which stands against the first school of thought,  
8 and they find that such practices are a form of infidelity and that people going to  
9 shrines are asking for things they should ask from God.

10 Q. [11:22:26] Very well. That clarifies things.

11 Now, in Timbuktu, were there any members of the population who went to the  
12 mausoleums in order to be blessed by individuals within the mausoleums  
13 themselves?

14 A. [11:22:48] Certainly, but I do not know what particular practices did they follow  
15 or what exactly they did at the shrines, but I know that the Sufists and the followers  
16 of Sufism did go to these shrines seeking blessings. Even electoral candidates would  
17 go to -- would come to Timbuktu and would ask for help from the saints in these  
18 shrines, asking them for helping winning the elections.

19 Q. [11:23:37] Now that I have finished with these questions of religious practices  
20 that we shall go into in more depth later on, I did forget to ask you a question as to  
21 extramarital relations. Once AQMI and Ansar Dine had entered Timbuktu in 2012,  
22 what was AQMI and Ansar Dine's positions with regards to extramarital relations  
23 within Timbuktu itself?

24 A. [11:24:17] Their stance was clear and explicit, that a relationship between a man  
25 and a woman should be only within the framework of marriage, as instructed by

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1 Sharia.

2 Q. [11:24:49] And if individuals nevertheless had extramarital relations in 2012 in  
3 Timbuktu whilst Ansar Dine and AQMI were in the city, what would happen to  
4 them?

5 A. [11:25:14] If proven that anyone has engaged in sex outside marriage, that  
6 person would be punished and that would depend on the person's social situation as  
7 per Islamic Sharia.

8 Q. [11:25:44] And when you say that they were punished, what type of punishment  
9 are we talking about?

10 A. [11:25:55] There are three types of punishments, and this is in accordance with  
11 Islamic Sharia, the person who has previously got married or who is currently  
12 married and who has engaged in sex illegitimately, that is outside marriage, this  
13 person would be stoned to death.

14 A person who has not been married before and who is proven to have committed sex,  
15 he would be punished by a hundred lashes. I do not have a great command of  
16 Sharia matters, but that's what I think.

17 The third type is the person who is semi-proven to have committed sex, his  
18 punishment is left to the discretion of the judge, who would determine the  
19 appropriate punishment.

20 Q. [11:27:17] Previously, Mr Witness, at page 19, line 18 you indicated that before  
21 AQMI and Ansar Dine arrived in Timbuktu in 2012 the population, I quote, "was able  
22 to organise celebrations and festivities". Now, what position or place did music  
23 occupy in Timbuktu before the arrival of Ansar Dine and AQMI?

24 A. [11:27:57] Music is important in Timbuktu in a social sense especially, but also in  
25 an economic sense. In social terms, there are traditional parties held with music, you

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1 can take weddings as an example. And in economic terms, there is the biggest  
2 festival, I believe, in Africa for nomads music held annually. This festival is  
3 attended by thousands of fans and musicians from all over the world. This festival  
4 was very important and it was an important source of livelihood for many families in  
5 Timbuktu on an annual basis.

6 Q. [11:28:55] And did that festival take place when Ansar Dine and AQMI were in  
7 Timbuktu in 2012?

8 A. [11:29:08] Not in Timbuktu.

9 Q. [11:29:14] And can you explain why?

10 A. [11:29:17] In Timbuktu music was forbidden by the groups in control. All  
11 forms of music were forbidden regardless of the occasion.

12 Q. [11:29:52] On another aspect entirely, Mr Witness, what place within --

13 PRESIDING JUDGE MINDUA: [11:30:01](Interpretation) Counsel, Ms Sutherland,  
14 do you have something to say?

15 MS SUTHERLAND: [11:30:05] Yes, thank you, Mr President.

16 I'm trying to avoid having to ask for the witness to leave the room, but the Prosecutor  
17 understands the basis of my previous intervention and the same applies here.

18 Moreover, this last question asks the witness to speculate.

19 PRESIDING JUDGE MINDUA: [11:30:33](Interpretation) Mr Prosecutor, we'd  
20 already mentioned this problem.

21 MR DUTERTRE: [11:30:37](Interpretation) Yes, well, it's not speculation whatsoever,  
22 despite what my learned friend has just said. As I said, I'm go to continue with this  
23 line of questioning, then I'm going to go into private session in order to elaborate and  
24 answer what my learned colleague is looking for. But in order to avoid going from  
25 private to public session, you know, that's what I'm trying to avoid. I've got about

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1 five or six sessions more, then I'm going to go into private session. But I can do now  
2 if you want me to, your Honour.

3 PRESIDING JUDGE MINDUA: [11:31:15](Interpretation) Please continue with your  
4 line of questioning. We shall be patient.

5 MR DUTERTRE: [11:31:20](Interpretation) I'm in your hands. Thank you very  
6 much, Mr President.

7 Q. [11:31:24] Now, to come back to my question, Mr Witness, what was the place  
8 within the public sphere occupied by pictures and sketches before the arrival of Ansar  
9 Dine and AQMI in Timbuktu in 2012?

10 A. [11:31:57] With regards to saints and shrines, this is a spiritual matter of a  
11 particular Islamic trend. That trend is Sufism, Sufist Tariqas and their followers.  
12 People's lives in Timbuktu, despite the presence of the Sufist trend, to my knowledge  
13 the Sufist trend in Timbuktu was of a -- was worship focused and did not address  
14 much of the blessing asking, especially not in the community I belonged to in  
15 Timbuktu. And this may pertain to a small -- the other possibility may pertain to a  
16 small group among Sufists, whether they were the Tijani Sufists or the Qadiri Sufists.

17 Q. [11:33:13] I think I did not phrase my question properly. What I was trying to  
18 ask you was the place, in terms of advertising and sketches and pictures, of  
19 representation of faces before Ansar Dine and AQMI arrived in Timbuktu.

20 A. [11:33:46] I did not understand your question properly.

21 Q. [11:33:58] I shall repeat it. Before Ansar Dine and AQMI arrived in Timbuktu  
22 in 2012, were the representation of the images of a person's head in advertising or in  
23 frescos, was this authorised in Timbuktu?

24 A. [11:34:27] Yes, of course. All forms of representing faces, all forms of painting,  
25 or any other representations, were permissible in Timbuktu.



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1 Q. [11:34:46] And were there any statues or monuments in Timbuktu before AQMI  
2 and Ansar Dine arrived? I'm not talking about mausoleums, I'm talking about  
3 monuments, statues, et cetera.

4 A. [11:35:10] I remember there was a statue at the central roundabout in the city of  
5 Timbuktu. It was a man riding a horse, a flying horse. It used to be called the  
6 Al Farouk -- it was called the Al Farouk statue and this was demolished in 2012 as  
7 well.

8 Q. [11:35:44] Are you in a position to tell us who demolished that statue in 2012?

9 A. [11:35:55] I do not recall exactly, but I heard and I remember that it was  
10 someone with the name Abou Thar, called Abou Thar.

11 Q. [11:36:14] Could you please spell the name that you've just provided us with,  
12 Abou Thar, could you please provide us with the accurate spelling.

13 THE INTERPRETER: [11:36:44] The witness is giving the spelling in Arabic. The  
14 letters in Arabic are, as he is saying, (Speaks Arabic).

15 THE COURT OFFICER: [11:37:03] (Interpretation) Would you like us to provide a  
16 piece of paper and a pen to the witness?

17 MR DUTERTRE: [11:37:07](Interpretation) Indeed, you have been reading my mind.  
18 Could that please be done. Thank you.

19 PRESIDING JUDGE MINDUA: [11:37:15](Interpretation) Yes, please.

20 \*THE COURT OFFICER: [11:38:20](Interpretation) The document will be provided  
21 the ERN ICC-REG-0001-0004.

22 PRESIDING JUDGE MINDUA: [11:38:31](Interpretation) Thank you very much,  
23 courtroom officer.

24 MR DUTERTRE: [11:38:37](Interpretation) Of course I wasn't able to read the  
25 spelling, but it's very aesthetical, as everyone knows, Arabic spelling.

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1 Q. [11:38:48] Now, Mr Witness, could you please tell us who --

2 THE INTERPRETER: [11:38:54] The interpreter did not catch the name. Could  
3 counsel please repeat the question.

4 MR DUTERTRE: [11:39:13](Interpretation)

5 Q. [11:39:16] Did you have the interpretation of my question? I have the  
6 impression that it's not going through, Mr Witness.

7 A. [11:39:26] Yes, I heard you. I was just waiting for the microphone to be turned  
8 on. As you know, those groups act in total secrecy and make sure to hide the real  
9 identity of their members, and (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted). All I know is that Abou Thar belonged

14 to the Al Fula ethnicity. Sometimes I saw him with the Al-Hisba and other times  
15 with the Islamic police. I do not know how exactly they used to work with each  
16 other.

17 All I -- all I know is just ideas I have, sometimes from verified sources and sometimes  
18 from things I overheard while I was with them. I think that Abou Thar is from the  
19 Al Fula ethnicity and that he worked with both the Islamic police and the Al-Hisba,  
20 and I think he belonged to the Al Fourqane tribe in Al-Qaeda. Sorry, the  
21 Al Fourqane battalion in Al-Qaeda.

22 Q. [11:41:37] Thank you, Mr Witness. I'll come back to that. But I have other  
23 questions, in light of what my learned colleague requested.

24 Now, on the basis of what programme did the schools in Timbuktu work before

25 Ansar Dine and AQMI arrived in the city in 2012? When I say what programme, I'm

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1 talking about curricula.

2 A. [11:42:30] Before 2012, there was the official curriculum of the Malian  
3 government in all schools, in the French language principally. There were also other  
4 curricula in Arabic language schools, and in these schools it's flexible. There wasn't  
5 a particular Arabic curriculum imposed, so it was flexible and these schools had  
6 much leeway in deciding their own curricula.

7 Q. [11:43:12] Thank you. I have a follow-up question.

8 The curriculum, the Malian government curriculum that was applied in all the  
9 schools as you've just said, was it secular, was it religious? Can you please enlighten  
10 us on this aspect.

11 A. [11:43:33] I think it was a secular curriculum that did not focus on any aspect of  
12 religion.

13 Q. [11:43:56] Now, still in 2012 before Ansar Dine and AQMI arrived in Timbuktu,  
14 what was the legislation like within the school system in Timbuktu?

15 A. [11:44:14] Before 2012 alcohol was just like any other drink, there were bars  
16 everywhere and people had the freedom to drink whenever they wanted and  
17 wherever they wanted.

18 Q. [11:44:39] And when the armed groups were in Timbuktu in 2012, what was the  
19 situation concerning alcohol?

20 THE INTERPRETER: [11:44:47] Correction from the English booth: not school  
21 legislation, alcohol associated legislation.

22 THE WITNESS: [11:44:59](Interpretation) The first thing they did was to set on fire  
23 all the alcohol they found in Timbuktu. They completely prohibited any alcohol  
24 drinking and they imposed a penalty of 50 lashes, if my memory serves me well, for  
25 anyone who is caught drinking alcohol.

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1 MR DUTERTRE: [11:45:38](Interpretation)

2 Q. [11:45:38] Two more points, then I'll go into private session.

3 What was legislation on cigarettes, Mr Witness, before Ansar Dine and AQMI arrived  
4 in Timbuktu? What was the situation? The legislation before they arrived?

5 A. [11:46:03] Smoking before the advent of the groups was a matter of personal  
6 freedom. People were free whether to smoke or not. It's up to every individual  
7 people.

8 PRESIDING JUDGE MINDUA: [11:46:17](Interpretation) On the French channel we  
9 are hearing the Arabic version. What's going on, please?

10 THE COURT OFFICER: [11:46:40] A technician will assist us on this issue,  
11 Mr President. In the meantime, I'm inviting the interpreters in the booth to lower the  
12 volume of the witness's voice. Thank you.

13 PRESIDING JUDGE MINDUA: [11:47:34](Interpretation) I'd like to point out that  
14 things seem to be in order now.

15 Please proceed, Mr Prosecutor.

16 MR DUTERTRE: [11:47:42](Interpretation) Thank you. I would like to explain this  
17 part. I haven't had my answer to the question I put. I will repeat the question.

18 \* Q. [11:47:51] There was a technical problem, so we didn't get your last answer.

19 Would you be so kind as to repeat your answer to the question as to the situation  
20 regarding smoking in Timbuktu prior to the arrival of Ansar Dine and AQMI in 2012?

21 A. [11:48:11] Smoking was a matter of personal choice, whoever wanted to smoke  
22 had the freedom to do so. It was all up to the individual. There was no law to  
23 forbid it.

24 Q. [11:48:36] And once Ansar Dine and AQMI arrived, what was the situation as  
25 regards cigarettes?

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1 A. [11:48:48] It became prohibited. They decided that smoking is not permissible  
2 according to Sharia.

3 Q. [11:49:05] And if this was broken, if the rule was broken, what happened then?

4 A. [11:49:13] I don't know much about this, but I saw before someone who was  
5 smoking, and a member of the armed groups told him that he had to stop. I can't  
6 remember exactly, but I think he gave him a deadline and told him that if he repeats it,  
7 he will be punished.

8 Q. [11:49:58] My last question in open session.

9 In the case of theft, what penalty was imposed before the arrival of Ansar Dine and  
10 AQMI in Timbuktu?

11 A. [11:50:12] I don't know exactly. I am not aware really of the Malian legislations  
12 regarding this.

13 Q. [11:50:32] Thank you. And after the arrival of Ansar Dine and AQMI, what  
14 sort of penalty was imposed?

15 A. [11:50:49] Theft was punished by cutting off the hand of the thief.

16 MR DUTERTRE: [11:51:04](Interpretation) I would like to ask for permission to go  
17 into private session to explore further questions.

18 PRESIDING JUDGE MINDUA: [11:51:15](Interpretation) For how long?

19 MR DUTERTRE: [11:51:22](Interpretation) I think it will be a question of chronology,  
20 so I think it will be probably less than 10 minutes.

21 PRESIDING JUDGE MINDUA: [11:51:34](Interpretation) Please, court officer, move  
22 us into private session.

23 Mr Witness, you wish to speak?

24 (Private session at 11.51 a.m.)

25 (Redacted)

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16 (Recess taken at 12.14 p.m.)  
17 (Upon resuming in open session at 1.31 p.m.)  
18 THE COURT USHER: [13:31:35] All rise.  
19 Please be seated.  
20 PRESIDING JUDGE MINDUA: [13:32:01](Interpretation) Court is in session once  
21 again.  
22 We shall continue with the examination-in-chief on the part of the Prosecution. But  
23 before so doing, I would like to ask the courtroom officer to correct the number that  
24 she attributed this morning to the document that was drafted by the witness.  
25 Madam courtroom officer, please.  
26 30.10.2020

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1 THE COURT OFFICER: [13:32:31](Interpretation) Yes. Thank you very much,  
2 Mr President. In fact, the document reference will be MLI-REG-0001-0003.

3 PRESIDING JUDGE MINDUA: [13:32:50](Interpretation) Thank you very much,  
4 courtroom officer.

5 Mr Prosecutor, please, over to you.

6 MR DUTERTRE: [13:32:57](Interpretation) Thank you very much, your Honour.

7 Q. [13:33:11] Mr Witness, previously you mentioned the beginning of the war  
8 between the Malian army and the armed groups in the north of Mali, and then the  
9 invasion of Timbuktu and the MNLA that set up at the airport, and Ansar Dine that  
10 set up in the city itself of Timbuktu.

11 And what I would like, in order to shed light on the matter for the Chamber, is for  
12 you to tell us or describe to us the salient events of that war between the beginning  
13 and the time at which AQMI and Ansar Dine took over Timbuktu. Could you please  
14 tell us, according to your knowledge, everything that you know and then we'll go into  
15 how you know these details in closed session.

16 Could you please tell us what are the main events that unfolded during that time of  
17 war?

18 A. [13:34:42] The beginning of the war was -- it happened actually after the fall of  
19 al-Gaddafi and his regime. There were a lot of routes open for thousands  
20 of -- thousands of numbers of weapons that were available in Libya. And, of course,  
21 there are various movements and different trends and everyone was in Libya,  
22 including those insurgents who had a secular approach and also the fighters who had  
23 an jihadist approach, and everyone was in Libya and everyone was bringing weapons  
24 back.

25 When they arrived, of course the force was huge and the numbers were really big,

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1 and they were in a position that allowed them to fight Mali. Of course, there wasn't  
2 a lot of agreement between these groups who had a secular way of thinking and those  
3 who had an Islamist or jihadist way of thinking, they were contradicting and  
4 disagreeing. But there was this strategy of an enemy, an enemy which is a friend.  
5 So of course there were secret agreements between MNLA and Ansar Dine, that was  
6 obviously founded by Iyad, during the same period which was a cover. We can say  
7 it was an -- there was an alliance between them and Al-Qaeda.  
8 So the war started and it seems that there were other forces, external forces that  
9 helped the start of this war because, in fact, the Malian army was not defeated in real  
10 terms or from military terms.

11 THE INTERPRETER: [13:37:14] Microphone, please. Microphone.

12 PRESIDING JUDGE MINDUA: [13:37:19](Interpretation) I can hear the  
13 interpretation. No microphone, Counsel. I have channel 2 in French.  
14 Madam courtroom officer, please.

15 MR DUTERTRE: [13:37:32](Interpretation) I'm very sorry for this technical event.  
16 It's working again.

17 Q. [13:37:40] I do apologise, Mr Witness. Please carry on.

18 A. [13:37:49] So the environment was really ready and the force was huge. There  
19 was obviously attempts of reconciliation by the Malian president, but unfortunately it  
20 all failed. But also there was some kind of cooperation between the Islamist groups.  
21 The Islamist groups played a very important role in showing this kind of force that  
22 they had, especially in the battles of Tessalit and Aguelhok where tens of soldiers  
23 were killed and a huge number of weapons were seized. All of that had a very  
24 negative effect on the Malian army and it also affected the groups from another  
25 perspective.

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1 There was of course this secret cooperation between the different -- between the  
2 different armed groups. The MNLA announced that they have control over  
3 Aguelhok, but after revealing this massacre that happened in Aguelhok by the armed  
4 groups, MNLA took back this kind of announcement, they retracted it.  
5 There are many examples that this war was not really a military war as such, it was  
6 more of a psychological war and a strategic war, because of the effect that was  
7 planned for it even in Bamako. And that's why taking over Timbuktu was not a  
8 military one, because MNLA was already putting a blockade around the city. They  
9 didn't know that they have the power to control the city at the time, but the Arab  
10 militia that was working with the Malian army were exactly in the same position.  
11 But overnight Gao fell and the Malian army withdrew from it and the military system  
12 collapsed completely, and suddenly there was a complete absence of the state in the  
13 north.  
14 It seems that the control over Bamako and Timbuktu was not a military, they shot few,  
15 few bullets here and there, but it seems that what happened is that the Malian army  
16 just withdrew. There was a complete collapse of the state and complete collapse of  
17 the military institution.  
18 And during the control of the armed groups I think that was the main obstacle,  
19 because MNLA wanted to have this project of a secular democratic state independent  
20 from Mali, and of course the MNLA had their own partners who was supporting this  
21 kind of approach, while the ideology of the armed groups, the jihadist groups was  
22 completely contradictory to this. They say, we were fighting the Malian state  
23 because of the secularism, and that's where the disagreement came.  
24 I don't know how the sovereignty was distributed over the different cities, but I know  
25 that the MNLA was evicted from Gao in a manner that showed that there is some

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1 kind of an external force that wanted MNLA to be out of Gao.

2 As for -- or, according to my knowledge, the MNLA was superior when it comes to  
3 military power. And Al Mokhtar left the Al-Qaeda and, as far as I understand, he  
4 didn't have a lot of -- they accept a little of -- a small number of vehicles, but MNLA  
5 was evicted completely from Gao.

6 In Timbuktu, I arrived one day and I saw that there was a protest march. I asked  
7 what's going on and I was told that the people are protesting because they are  
8 requesting or demanding Ansar Dine not to leave the city because the people prefer  
9 the rule of Ansar Dine rather than the rule of MNLA.

10 At the beginning, it seemed that the disagreement was very clear between MNLA and  
11 the rest of the jihadist or the other jihadist groups. It was very clear that there was  
12 some kind of disagreement between the jihadist groups themselves. There were  
13 three movements or three trends, or maybe four, we can say four if we considered  
14 Ansar Dine as a group that had two separate approaches. So, for example, for  
15 example, there was MUJAO that was founded in Gao.

16 Q. [13:44:32] I have questions that follow on from this, but my first question is how  
17 did you get all this information, all these details which you've just shared with us?

18 A. [13:44:59] I was there since the beginning of taking over the city, and before that,  
19 actually, until the end of the occupation. I was in Timbuktu. I was in Gao.

20 (Redacted)

21 (Redacted)

22 MR DUTERTRE: [13:45:37](Interpretation) Mr President, could we please go very  
23 briefly into private session. This will just be for a minute for a follow-up question  
24 with regard to what the witness just said, and I think it should be redacted, in fact.

25 PRESIDING JUDGE MINDUA: [13:45:54](Interpretation) Private session, please,



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1 madam courtroom officer.

2 (Private session at 1.46 p.m.)

3 THE COURT OFFICER: [13:46:07] We're in private session, Mr President.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

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- 23 (Redacted)
- 24 (Open session at 1.58 p.m.)

25 THE COURT OFFICER: [13:58:33](Interpretation) We are in open session,

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1 Mr President.

2 PRESIDING JUDGE MINDUA: [13:58:37](Interpretation) Thank you very much.

3 Over to you, Mr Prosecutor.

4 MR DUTERTRE: [13:58:41](Interpretation) Thank you, Mr President.

5 Q. [13:58:43] Mr Witness, I shall be harking back to the information that you have  
6 already provided us with because there has been a great deal.

7 You mentioned Aguelhok. Could you please explain in further detail which group  
8 took over the town of Aguelhok.

9 A. [13:59:20] In my knowledge, I know that it was taken over by Ansar Dine and  
10 Al-Qaeda together.

11 Q. [13:59:31] Thank you. And according to the information in your possession,  
12 you talked about a massacre. Could you provide us a bit further -- further details on  
13 this point, please.

14 A. [14:00:01] When it was announced that they took over the Aguelhok camp,  
15 information and -- were spread that everybody that was in the camp was killed.  
16 And some people who were taken as prisoners were slaughtered later. According to  
17 my information that I gathered, but I can't obviously be sure of totally, my  
18 understanding is that the two groups attacked Aguelhok separately. They came  
19 from two different directions. Of course this happened after the officer responsible  
20 for the camp refused to give in. Ansar Dine came from one direction and Al-Qaeda  
21 came from another direction.

22 According to the information that were available, the entire camp was destroyed and  
23 some soldiers were taken prisoners from both sides.

24 Ansar Dine, according to the information, they have handed over those soldiers, they  
25 released them, and they have already broadcast a video of releasing about 500

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1 soldiers from Aguelhok.

2 As for Al-Qaeda, that was led at the time by Nabil Abou Alqama, they slaughtered  
3 the prisoners outside the camp. It wasn't available or possible for me to verify this  
4 information though.

5 Q. [14:02:14] In a private session we'll go back to the source of your information.  
6 But you talked about the impact on the MNLA of this massacre. What was the  
7 impact on the Malian army of this massacre in Aguelhok?

8 A. [14:02:39] When information was received regarding Aguelhok and the  
9 massacre that took place there, when such information was received in Bamako and,  
10 more precisely, when the information was received by the Malian army's biggest  
11 barracks in Kati, a military location close to Bamako, when the information reached  
12 the families of army service members, the families of army service members, they  
13 did -- they carried out sort of an uprising and protests that were violent. These  
14 protests targeted anyone who was light skinned. They set on fire a pharmacy that  
15 belonged to a pharmacist with the name Al Mahdi, as far as I remember.

16 I also received information that they killed a Moroccan person, thinking he was a  
17 Tuareg. So there was this violence and these protests propagating among army  
18 service members and in this -- in these barracks quite at the core of the Malian army.

19 Q. [14:04:22] So what was the impact on the barracks in the northern part of Mali?

20 A. [14:04:43] As far as what I have heard, and I have not verified this information  
21 myself, Iyad Ag Ghaly, when they took over the Aguelhok facility and killed the  
22 soldiers there, it was allowed for a Malian general with the name Nago (phon), he  
23 was allowed in the barracks and was allowed to take photos. And these photos were  
24 published and the information was published. And that this piece of information,  
25 along with the threats of killing, damaged the morale among the Malian army, so

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1 much so -- or, this was intensified with the uprising that families of Malian service  
2 members did.

3 There was also information shared among -- or, there was information circulating  
4 among the service members that the northern part of Mali can be now referred to as  
5 the slaughterhouse. Or in French, *abattoir*.

6 Q. [14:06:16] Thank you, Mr Witness.

7 A further clarification. You said that the -- they were allowed to go to the barracks  
8 and to take the photos. Are you referring to what, photos of what?

9 PRESIDING JUDGE MINDUA: [14:06:36](Overlapping speakers)

10 MS SUTHERLAND: [14:06:40] Forgive me for the interruption, it's another issue  
11 with the translation.

12 The English transcript at page 56, line 8 says, "I also received information that they  
13 killed a Moroccan person." And I understand that the Arabic says something else, so  
14 I was hoping that that could be clarified by the witness, please.

15 It says in addition, Moroccan and Tuareg -- sorry, in addition. A reason for the  
16 killing being that he was Tuareg, apparently, so there's obviously a confusion.

17 PRESIDING JUDGE MINDUA: [14:07:38](Interpretation) That's what I also  
18 understood, but perhaps the witness could clarify the position. Have you  
19 understood the question? Could you specify in greater detail.

20 THE WITNESS: [14:08:01](Interpretation) When the information received -- was  
21 received regarding Aguelhok, there were protests by families of military service  
22 members. These protests were violent, as I said, and they set on fire a pharmacy,  
23 also a medical practice. Their purpose was to target the Tuareg by killing them or by  
24 whatever. They were bent on retaliating against any Tuareg in retaliation for what  
25 the groups committed against the army. And according to this information, these

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1 families were carried out by -- these protests were carried out by the families of the  
2 army service members. But my understanding also is that actual service members  
3 did take part in these protests. Some information that I have not been able to verify  
4 indicate that these protests ran into a Moroccan person whom they thought was a  
5 Tuareg because of his light skin and so they killed him.

6 PRESIDING JUDGE MINDUA: [14:09:30](Interpretation) Thank you. That's  
7 clearer.

8 Mr Prosecutor, please continue.

9 MR DUTERTRE: [14:09:38](Interpretation) That's what I understood the first time in  
10 French, but perhaps the English didn't reflect that.

11 If you don't mind, I'd like to go into closed session to verify the knowledge of the  
12 person.

13 PRESIDING JUDGE MINDUA: [14:09:56](Interpretation) Yes, please proceed, court  
14 officer, to go into private session.

15 (Private session at 2.10 p.m.)

16 THE COURT OFFICER: [14:10:09](Interpretation) We are now in private session.

17 (Redacted)

18 (Redacted)

19 (Redacted)

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- 15 (Open session at 2.34 p.m.)
- 16 THE COURT OFFICER: [14:34:38] (Interpretation) We are in public session,
- 17 Mr President.
- 18 PRESIDING JUDGE MINDUA: [14:34:44] (Interpretation) There we are.
- 19 Mr Prosecutor, I can see that we need to adjourn here now for today.
- 20 Mr Witness, the Chamber would like to thank you for having answered the questions
- 21 put to you today. On Monday, 2 November, you shall continue with your
- 22 testimony.
- 23 Is that correct, Mr Prosecutor?
- 24 MR DUTERTRE: [14:35:20] (Interpretation) Absolutely, Mr President.
- 25 PRESIDING JUDGE MINDUA: [14:35:23] (Interpretation) There we go.

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1 So from now until Monday, please do not forget that you are not allowed to speak  
2 about your testimony to whom whatsoever -- or to whomsoever. Neither to any  
3 members of your family, neither to any of your friends were you to come into contact  
4 with them during the weekend.

5 Do you understand?

6 THE WITNESS: [14:35:54] (Interpretation) Yes, very clearly, sir.

7 PRESIDING JUDGE MINDUA: [14:36:00](Interpretation) Very well. So please rest  
8 well over the weekend and we shall see you again on Monday.

9 Now, before we conclude our session today, I would like as always to thank all the  
10 parties and participants. I would like to thank the court reporters and the  
11 interpreters and I would also like to express my gratitude, my great gratitude to the  
12 security officers and the members of the public in the public gallery and further  
13 afield.

14 I would like to wish all of you a very good weekend. And take good care. We shall  
15 see you again on Monday.

16 Court is adjourned.

17 THE COURT USHER: [14:36:57] All rise.

18 (The hearing ends in open session at 2.37 p.m.)