

Trial Hearing

(Open Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

- 1 International Criminal Court
- 2 Trial Chamber X
- 3 Situation: Republic of Mali
- 4 In the case of The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag
- 5 Mahmoud - ICC-01/12-01/18
- 6 Presiding Judge Antoine Kesia-Mbe Mindua, Judge Tomoko Akane and
- 7 Judge Kimberly Prost
- 8 Trial Hearing - Courtroom 3
- 9 Friday, 12 March 2021
- 10 (The hearing starts in open session at 9.31 a.m.)
- 11 THE COURT USHER: [9:31:47] All rise.
- 12 The International Criminal Court is now in session.
- 13 Please be seated.
- 14 PRESIDING JUDGE MINDUA: [9:32:17](Interpretation) Court is in session.
- 15 Good morning to everyone.
- 16 Court officer, please call the case.
- 17 THE COURT OFFICER: [9:32:34] (Interpretation) Good morning, your Honour,
- 18 your Honours.
- 19 Situation in Mali, in the case of The Prosecutor versus Al Hassan Ag Abdoul Aziz Ag
- 20 Mohamed Ag Mahmoud, reference ICC-01/12-01/18.
- 21 And we are in open session.
- 22 PRESIDING JUDGE MINDUA: [9:32:56](Interpretation) Thank you very much,
- 23 court officer.
- 24 As usual, we shall start with the appearances.
- 25 First, the Office of the Prosecutor.

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- 1 MR ALLAFI: [9:33:09] (Interpretation) Good morning, your Honour. Good  
2 morning, your Honours. The Office of the Prosecutor today is composed of  
3 Paola Sacchi and Gilles Dutertre and myself, Mousa Allafi. Thank you.
- 4 PRESIDING JUDGE MINDUA: [9:33:26](Interpretation) Thank you very much,  
5 Prosecutor.
- 6 I now turn towards the Defence. Counsel.
- 7 MS SUTHERLAND: [9:33:33] Good morning, Mr President, your Honours. The  
8 Defence for Al Hassan is today represented by Ms Melinda Taylor, Ms Molly Thomas,  
9 Ms Laura Ferri and myself, Kirsty Sutherland.
- 10 And we would like to take this opportunity to congratulate you, Mr President, on  
11 your new appointment.
- 12 PRESIDING JUDGE MINDUA: [9:33:53](Interpretation) Thank you very much,  
13 Ms Sutherland.
- 14 Thank you also for your kind words. Obviously the task which we have is very  
15 difficult, but we shall do our best. Thank you.
- 16 I now turn towards the Legal Representatives of Victims. Maître.
- 17 MR LUVENGIKA: [9:34:19](Interpretation) Good morning, your Honour,  
18 your Honours. The victims are today represented by Madam Prisque Biyéké and  
19 myself, Maître Fidel Nsita Luvengika. Thank you.
- 20 PRESIDING JUDGE MINDUA: [9:34:39](Interpretation) Thank you very much,  
21 Maître Nsita.
- 22 Today we are going to hear the testimony of the 26th witness of the Prosecution.  
23 This is Witness P-0595. Thank you.
- 24 So I now turn towards the witness.
- 25 Good morning, Witness. Can you hear me?

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2 (The witness speaks French)

3 (The witness gives evidence via video link)

4 THE COURT OFFICER: [9:35:12] (Via video link)(Interpretation) The witness does  
5 not have the French interpretation in the field.

6 PRESIDING JUDGE MINDUA: [9:35:17](Interpretation) Court officer.

7 THE COURT OFFICER: [9:35:21] (Interpretation) The witness does not have the  
8 French interpretation. Could the French interpreters try again to see if it works.

9 Indeed, the transmission of the words.

10 It would seem that the witness can hear you now.

11 PRESIDING JUDGE MINDUA: [9:35:54](Interpretation) Thank you very much,  
12 court officer.

13 And thank you to the interpreters.

14 Witness, good morning. Witness, once again, can you hear me now?

15 THE WITNESS: [9:36:06](Interpretation) Yes.

16 PRESIDING JUDGE MINDUA: [9:36:08](Interpretation) Thank you very much.

17 THE WITNESS: (Interpretation) Thank you.

18 PRESIDING JUDGE MINDUA: (Interpretation) On behalf of the Chamber, I would  
19 like to welcome you.

20 THE WITNESS: [9:36:17](Interpretation) Thank you.

21 PRESIDING JUDGE MINDUA: [9:36:19](Interpretation) You are going to testify

22 with a view to helping the Chamber establish the truth in the case concerning

23 Mr Al Hassan. Protective measures have been put in place so that your identity is

24 not revealed to the public. Whenever you have to give details which might identify

25 you, we shall speak about them in private session. As such, nobody, other than

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1 those present in this courtroom will be able to hear you.

2 Have you understood that?

3 THE WITNESS: [9:37:13](Interpretation) Yes.

4 PRESIDING JUDGE MINDUA: [9:37:15](Interpretation) Thank you, Witness.

5 THE WITNESS: [9:37:19](Interpretation) Thank you.

6 PRESIDING JUDGE MINDUA: [9:37:21](Interpretation) I shall now take your

7 solemn undertaking under Rule 66(1) of the Rules of Procedure and Evidence.

8 Witness, you will certainly have on your table paper upon which the solemn

9 undertaking is written. Do you have it before you?

10 THE WITNESS: [9:37:48](Interpretation) Yes.

11 PRESIDING JUDGE MINDUA: [9:37:49](Interpretation) Thank you very much,

12 Witness. I would ask you to read it aloud so that we can hear you.

13 THE WITNESS: [9:37:59](Interpretation) I solemnly declare that I will tell the truth,

14 the whole truth and nothing but the truth.

15 PRESIDING JUDGE MINDUA: [9:38:13](Interpretation) Thank you, Witness.

16 THE WITNESS: [9:38:18](Interpretation) Thank you.

17 PRESIDING JUDGE MINDUA: [9:38:20](Interpretation) You are now under oath.

18 THE WITNESS: [9:38:27](Interpretation) Yes.

19 PRESIDING JUDGE MINDUA: [9:38:28](Interpretation) The representatives of the

20 witness unit and the representatives of the Prosecution have already explained to you

21 what that means.

22 THE WITNESS: [9:38:39](Interpretation) Yes.

23 PRESIDING JUDGE MINDUA: [9:38:40](Interpretation) Indeed.

24 So I have some instructions of a practical nature to indicate to you. You should bear

25 in mind throughout your testimony that everything said in this courtroom is

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1 transcribed by court reporters and it is simultaneously interpreted into several  
2 languages by interpreters. It is therefore important to speak slowly and clearly.  
3 Please do not start speaking until the person who is putting the question to you has  
4 finished asking that question. Please count up to three in your head before  
5 answering. This pause is essential for your testimony to be duly transcribed.  
6 Of course, if you have any questions, please raise your hand to indicate that you wish  
7 to take the floor.

8 Have you understood that well?

9 THE WITNESS: [9:40:17](Interpretation) Yes.

10 PRESIDING JUDGE MINDUA: [9:40:18](Interpretation) Very well.

11 We are now going to hear your testimony. You will be questioned firstly by the  
12 Office of the Prosecutor, afterwards by the representatives of victims, and then you  
13 will finish with the cross-examination conducted by the Defence.

14 So without further ado, I now pass the floor over to the Office of the Prosecutor.

15 Prosecutor.

16 MR ALLAFI: [9:40:54] (Interpretation) Thank you very much, your Honour.

17 QUESTIONED BY MR ALLAFI: (Interpretation)

18 Q. [9:41:05] Good morning, Witness.

19 A. [9:41:07] Good morning.

20 Q. [9:41:08] Witness, we already met during the preparatory session on  
21 25 February. My name is Mousa Allafi and I am going to put questions to you on  
22 behalf of the Office of the Prosecutor. As the Presiding Judge indicated already, you  
23 should speak slowly such that the interpreters are able to follow, so you should make  
24 a pause before answering my questions.

25 Witness, if one of my questions isn't sufficiently clear - and this is something that can

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1 happen - please tell me and I will clarify my question.  
2 To start, Witness, I'm going to put questions to you which are related to your identity.  
3 As such, before doing so, I turn to the Presiding Judge to say that I'm very aware of  
4 the principle of the publicity of proceedings, but I'm also very much aware of the  
5 protective measures that have been decided on by the Chamber for this witness.  
6 And as such, I therefore request leave to now very briefly, for five to eight minutes, to  
7 go into private session to address questions of an identifying nature.

8 PRESIDING JUDGE MINDUA: [9:42:45](Interpretation) Very well, five to eight  
9 minutes. Please take us into private session, court officer.

10 (Private session at 9.42 a.m.)

11 THE COURT OFFICER: [9:42:58] We are in private session, Mr President.

12 PRESIDING JUDGE MINDUA: [9:43:07](Interpretation) Thank you very much,  
13 court officer.

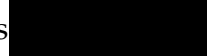
14 Prosecutor.

15 MR ALLAFI: [9:43:12](Interpretation) Thank you, your Honour.


16 Q. [9:43:14] Witness, we are now in what is called private session. As the  
17 Presiding Judge said, this means that the public cannot see you nor hear you.  
18 Could you give us, Witness, your name, without giving the name of your father, just  
19 your name.

20 A. [9:43:38] My name?

21 Q. [9:43:39] Yes.

22 A. [9:43:41] My name is 

23 Q. [9:43:46] Could you repeat that, please.

24 A. [9:43:48] 

25 Q. [9:43:56] What is your date of birth?

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1 A. [9:43:59] [REDACTED]

2 Q. [9:44:02] And in what town were you born, Witness?

3 A. [9:44:07] In Timbuktu.

4 Q. [9:44:11] Witness, on the transcript could we -- we can't see your date of birth.  
5 Could you repeat your date of birth, please.

6 A. [9:44:22] [REDACTED]

7 Q. [9:44:27] Thank you very much. So when you say the [REDACTED]  
8 [REDACTED] does it not?

9 A. [9:44:35] [REDACTED]

10 Q. [9:44:40] Thank you. Where did you grow up?

11 A. [9:44:44] [REDACTED]

12 Q. [9:44:46] And what is your religion, Witness?

13 A. [9:44:51] Muslim.

14 Q. [9:44:56] And at the time of the arrival of armed groups in Timbuktu in 2012,  
15 where were you living at that time, Witness?

16 A. [9:45:07] Timbuktu.

17 Q. [9:45:09] [REDACTED]  
18 [REDACTED]

19 A. [9:45:20] I was [REDACTED]

20 Q. [9:45:26] Could you repeat?

21 A. [9:45:41] I was [REDACTED]

22 Q. [9:45:46] Thank you very much. Were you able to continue to exercise your  
23 profession after the arrival of the armed groups in Timbuktu in 2012?

24 A. [9:46:02] Yes.

25 Q. [9:46:05] Were you in Timbuktu in 2012 for the entire duration of the occupation

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1 by the armed groups of the town of Timbuktu?

2 A. [9:46:23] [REDACTED]

3 Q. [9:46:25] I'm sorry?

4 A. [9:46:28] [REDACTED]

5 Q. [9:46:31] Could you tell us where you went?

6 A. [9:46:36] [REDACTED]

7 Q. [9:46:40] And for how long did you go -- how many times and for how much  
8 time [REDACTED]

9 A. [9:46:50] [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 THE INTERPRETER: [9:47:18] Corrects the interpreter.

13 MR ALLAFI: [9:47:21] (Interpretation)

14 Q. [9:47:21] So you said [REDACTED]

15 [REDACTED]

16 A. [9:47:26] Yes, I said [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 Q. [9:47:46] And when was [REDACTED]?

20 A. [9:47:49] This was approximately [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]



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1 Q. [9:48:35] Thank you, Witness. Now you used the word "they": They called  
2 me, they said, they [REDACTED] Who called you? Who are "they"?

3 A. [9:48:49] That was my older brother who told me.

4 Q. [9:48:56] They [REDACTED] (Overlapping speakers)

5 A. [9:48:59] [REDACTED]

6 Q. [9:49:07] Not [REDACTED]

7 THE INTERPRETER: Corrects the Prosecution.

8 MR ALLAFI:

9 Q. [9:49:08] You said they [REDACTED] who is "they"?

10 A. [9:49:12] It was my older brother who told me that the Islamists [REDACTED]

11 [REDACTED]

12 Q. [9:49:21] Thank you very much. Could you give us the name of your brother?

13 A. [9:49:27] [REDACTED]

14 Q. [9:49:42] Thank you very much, Mr Witness. Could you give us the name [REDACTED]

15 [REDACTED]

16 A. [9:49:54] [REDACTED]

17 Q. [9:50:11] I'm just waiting for the transcription.

18 I'm sorry, Witness, could you repeat the name? It's not completely --

19 A. [9:50:27] [REDACTED]

20 Q. [9:50:39] Thank you very much, Witness.

21 A. [9:50:43] Thank you.

22 Q. [9:50:46] Witness, I'm now going to ask for leave from the Chamber to go into  
23 open session, so please could you be careful not to give personal information which  
24 could reveal your identity or reveal that of your family or your friends. Is that clear  
25 for you?

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1 A. [9:51:04] I haven't understood.

2 Q. [9:51:06] We are now -- or I'm going to ask the judges for leave to go into open  
3 session. You still have protective measures on your voice and face, but we are now  
4 going to go into open session so I'm going to ask you to be careful not to give personal  
5 information, if you would be so kind.

6 A. [9:51:31] Yes.

7 Q. [9:51:32] Thank you very much.

8 MR ALLAFI: [9:51:38] (Interpretation) Your Honour, with your leave, can we go  
9 into open session.

10 PRESIDING JUDGE MINDUA: [9:51:42](Interpretation) Court officer, please could  
11 you be so kind as to take us into open session.

12 (Open session at 9.51 a.m.)

13 THE COURT OFFICER: [9:51:48] (Interpretation) We are in open session again,  
14 your Honour.

15 PRESIDING JUDGE MINDUA: [9:51:55](Interpretation) Thank you very much,  
16 court officer. Prosecutor.

17 MR ALLAFI: [9:52:00] (Interpretation) Thank you, your Honour.

18 Q. [9:52:03] Witness, do you remember having given a statement to the  
19 investigators from the Office of the Prosecutor of the International Criminal Court?  
20 Have you heard me, Witness? Do you remember having an interview or giving  
21 a statement to the investigators of the Office of the Prosecutor of the International  
22 Criminal Court?

23 A. [9:52:38] Yes.

24 Q. [9:52:41] So, first of all, Witness, I wish -- I would like you to take the folder that  
25 is in front of you, or the binder, and please go to tab 1 thereof, if you would be so

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1 kind.

2 Do you have it? Are you at tab 1, Witness? Thank you.

3 Now, there's a document which has the reference MLI-OTP-0058-0196. This is

4 a confidential document so it's not to be broadcast to the public.

5 Can you see it, Witness? Is this your statement that you gave to the investigators of  
6 the Office of the Prosecutor?

7 A. [9:54:00] Yes.

8 Q. [9:54:03] Thank you. Could you be so kind as to go to the last page thereof,  
9 that is page 18 thereof, with the number 0058-0213. Are you there, Witness?

10 A. [9:54:31] Yes.

11 Q. [9:54:33] Is this your signature on this page?

12 A. [9:54:37] Yes.

13 Q. [9:54:44] Thank you very much, Witness.

14 So during the preparatory session that we had on 25 February, Witness --

15 THE INTERPRETER: [9:54:54] Inaudible.

16 MR ALLAFI: [9:54:58] (Interpretation)

17 Q. [9:54:58] -- you made two corrections. We are going to start with the first,

18 which is on page 9 of your statement, 0058-0204, and this is paragraph 44. Can you  
19 see that, Witness?

20 Can you see it, Witness? Paragraph 44 thereof. Paragraph 44, second line, are you  
21 there? Do you have the paragraph before you?

22 \*In the second line, can you confirm that it should read Boumama and not Bamama.,  
23 is that correct?

24 A. [9:56:24] Yes, it's Boumama.

25 Q. [9:56:27] Thank you. Now, Witness, you can go to page 14, if the assistant

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1 could be so kind as to help you find page 14 with the page number 0058-0209.

2 Please tell me if you are on that page.

3 A. [9:56:57] Yes.

4 Q. [9:56:58] Thank you. Now, on this table on line 10 thereof, concerning  
5 MLI-OTP-0022-0473, are you there? Is it in front of you, can you see it, Witness?

6 Can you confirm that here too it should say Boumama and not Bamama; is that  
7 correct?

8 A. [9:57:45] Yes.

9 Q. [9:57:49] Thank you. Witness, these corrections have been made. Do you  
10 confirm that your statement is correct?

11 A. [9:58:04] Yes.

12 Q. [9:58:07] Could you repeat, please?

13 A. [9:58:11] I haven't understood.

14 Q. [9:58:13] Could you repeat your answer?

15 A. [9:58:15] Yes.

16 Q. [9:58:19] Thank you. Witness, we are now going to stay on this table for  
17 a moment, so this is the table that is in your statement which follows paragraph 73

18 which is on page 14 and 15 of your statement, namely page 0058-0209 and

19 page 0058-0210. And please could you tell me if you are able to see it?

20 So in this table, in this list, there are a series of photos with the MLI numbers and with  
21 your comments for each of them. Witness, could you confirm that the investigators

22 showed these photographs to you during your interview as indicated in  
23 paragraph 73?

24 Have you heard what I said? Should I repeat? Would you be so kind as to confirm  
25 that the investigators showed you these photographs during your interview?

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1 A. [9:59:53] Yes.

2 Q. [9:59:55] Thank you very much.

3 If the binder could be left with you because we are going to need it for some time and  
4 we are still looking at the witness statement in question. I would now ask you to go  
5 to page 16 of your statement, which has the number 0058-0211, and look at paragraph  
6 74 thereof.

7 Mr Witness, this paragraph mentions that the investigators showed you a video, ERN  
8 number MLI-OTP-0042-0157. Do you see that, \*line "2" of that paragraph, can you see  
9 that?

10 A. [10:01:02] Yes.

11 Q. [10:01:02] Thank you. Witness, can you confirm that the investigators showed  
12 you that video during your interview as mentioned in paragraph 74?

13 A. [10:01:16] Yes, the video? Yes, yes.

14 Q. [10:01:19] Thank you. Now, Mr Witness, let us look at the annexes to your  
15 statement and I want to invite you to turn to the next page of that table, the next  
16 page after that table, that is page 17 of your statement. Please go to page 17 of your  
17 statement, number MLI-OTP-0058-0212, and please tell me when you are there.

18 A. [10:01:56] Yes, I'm there.

19 Q. [10:01:59] Thank you. Two annexes are mentioned on that page. Can you see  
20 that, Mr Witness?

21 A. [10:02:07] Yes.

22 Q. [10:02:10] Thank you. Let us start with annex -- the first annex which is at tab 2  
23 in the binder before you. I therefore ask you to go to tab 2, please. Are you there?

24 A. [10:02:44] Yes.

25 Q. [10:02:46] \*This is a copy of the form given by the [REDACTED] It

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1 bears the ERN MLI-OTP-0058-0219 — and it is a confidential document.

2 A. [10:03:01] Yes.

3 Q. [10:03:02] Can you confirm, Mr Witness, that you are the one who indeed  
4 submitted this document to the investigators of the OTP during your statement?

5 A. [10:03:18] Yes.

6 Q. [10:03:19] Thank you. Now annex 2, which contains 11 documents, which are  
7 confidential, found between tabs 3 and 13 in the binder before you, I would like to ask  
8 you to go from tab 3 to 13 and hold it there, please.

9 Well, it's about -- please proceed. These are [REDACTED] copies thereof,  
10 which bear the number MLI-OTP-0058-0220 to MLI-OTP-0058-0230, and these  
11 documents are confidential.

12 Do you see those documents, Mr Witness?

13 A. [10:04:34] Yes.

14 Q. [10:04:40] Can you confirm that you are the one who indeed provided these  
15 documents to the investigators of the OTP during your -- during the submission of  
16 your statement?

17 A. [10:04:52] Yes.

18 Q. [10:04:53] Thank you very much, Mr Witness. I know that there are a number  
19 of numbers and figures that are being mentioned, but that's how we must proceed  
20 here in order to have a clean record.

21 Now I am done with the annexes to your statement, and I would now like to ask you  
22 to go to tab 14, please. ERN MLI-OTP-0058-0231. It's a confidential document as  
23 well.

24 Mr Witness, are you there? Tab 14. Do you have it before you?

25 A. [10:05:44] Yes.

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1 Q. [10:05:45] Can you confirm that you are the one who indeed handed over this  
2 document to the Office of the Prosecutor at a meeting after your statement?

3 A. [10:05:56] Yes.

4 Q. [10:06:00] Thank you very much, Mr Witness.

5 A. [10:06:04] Thank you.

6 Q. [10:06:06] Mr Witness?

7 A. [10:06:09] Yes.

8 Q. [10:06:09] Do you accept that your statement MLI-OTP-0058-0196, including the  
9 two corrections of the names Boumama and all the pictures in pages 73 of your  
10 statement, the video at paragraph 74 of your video (sic), and the 12 documents in the  
11 annexes 1 and 2, as well as document MLI-OTP-0058-0231, do you accept that all  
12 these documents be produced into the court file so that the judges can use all those  
13 documents?

14 A. [10:06:59] Yes.

15 Q. [10:07:01] Thank you.

16 MR ALLAFI: [10:07:09] (Interpretation) Mr President, your Honours, with your  
17 leave, I will now request a brief additional examination.

18 PRESIDING JUDGE MINDUA: [10:07:21](Interpretation) Please proceed,  
19 Mr Prosecutor.

20 MR ALLAFI: [10:07:27] (Interpretation)

21 Q. [10:07:29] Now, Witness, I again turn to you and refer to your statement  
22 MLI-OTP-0058-0196 at paragraphs \*30 and 31, you mentioned that Dédéou was  
23 taken to court for trial -- to the tribunal for trial. On that day were you present in the  
24 building at the tribunal or the court? Were you present on that day at the  
25 courthouse, at the court building?

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1 A. [10:08:14] \*On the day of his judgment?

2 Q. [10:08:19] Yes.

3 A. [10:08:20] \*Well, the...the day of his....Yes, [REDACTED] but  
4 not...I don't know... it's the... it's not the day of his judgment, huh, [REDACTED]  
5 [REDACTED], you know. He was there on that day.

6 Q. [10:08:43] Thank you. As far as you can recall, as far as you -- you remember,  
7 when Dédéou was in the courtroom facing trial, was he accompanied by anybody  
8 who could speak on his behalf and in his defence?

9 A. [10:09:10] No.

10 Q. [10:09:12] Thank you, Mr Witness.

11 MR ALLAFI: [10:09:25] (Interpretation) Mr President, I have a few questions relating  
12 to a matter that can identify the witness and touching on some very specific details  
13 relating to someone who is specifically close to the witness. These are very sensitive  
14 points and for that reason, I would like to request that we go briefly into private  
15 session and thereafter I will proceed in open session to the end of my  
16 examination-in-chief.

17 PRESIDING JUDGE MINDUA: [10:09:57](Interpretation) Okay, but when you say  
18 "briefly", how much time do you need?

19 MR ALLAFI: [10:10:04] (Interpretation) Ten minutes.

20 PRESIDING JUDGE MINDUA: [10:10:06](Interpretation) Please proceed. But  
21 before you do that, court officer, can we go into private session.

22 (Private session at 10.10 a.m.)

23 THE COURT OFFICER: [10:10:15] (Interpretation) We are in private session,  
24 Mr President.

25 PRESIDING JUDGE MINDUA: [10:10:18](Interpretation) Mr Prosecutor, please



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1 proceed.

2 MR ALLAFI: [10:10:21] (Interpretation) Thank you, Mr President.

3 Q. [10:10:24] Mr Witness, once again we are in private session and the public can  
4 neither hear you nor see you; do you understand that?

5 Did you hear me?

6 A. [10:10:34] Yes.

7 Q. [10:10:35] So we are in private session, meaning that no one, apart from  
8 those -- the parties in the courtroom, can hear or see you, so we can speak freely about  
9 personal details.

10 Now, Mr Witness, as far as you can recall, do you remember [REDACTED]

11 [REDACTED]?

12 A. [10:11:09] Yes.

13 Q. [10:11:15] Where did this happen? Where?

14 A. [10:11:19] [REDACTED]

15 Q. [10:11:22] When was that?

16 A. [10:11:30] I don't remember the year in my head.

17 Q. [10:11:40] As far as you can recall, approximately, was it \*after the departure of  
18 the armed groups from Timbuktu?

19 A. [10:11:49] Yes.

20 Q. [10:11:52] Approximately how long after that? A few days, a few weeks, a few  
21 months, a few years thereafter? Approximately.

22 A. [10:12:10] It must be about [REDACTED] I believe.

23 Q. [10:12:16] Thank you. Was [REDACTED] alone on that day, Mr Witness?

24 A. [10:12:26] I have not understood your question.

25 Q. [10:12:29] I will repeat the question: Was [REDACTED]

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1 [REDACTED], as you said, was he alone?

2 A. [10:12:40] He was with [REDACTED] I

3 [REDACTED] You see, there were [REDACTED] there.

4 Q. [10:13:02] You say that [REDACTED] is that correct?

5 A. [10:13:05] Yes.

6 Q. [10:13:08] [REDACTED]?

7 THE INTERPRETER: [10:13:13] Overlapping speakers.

8 THE WITNESS: [10:13:15](Interpretation) [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 MR ALLAFI: [10:13:55] (Interpretation)

12 Q. [10:13:55] Thank you, Mr Witness. In what language [REDACTED]

13 [REDACTED]?

14 A. [10:14:09] [REDACTED] spoke a little [REDACTED] sometimes he puts a little [REDACTED] in

15 there.

16 Q. [10:14:16] [REDACTED] on that day?

17 A. [10:14:31] No. [REDACTED] understood [REDACTED]

18 Q. [10:14:41] Thank you very much, Mr Witness.

19 Now, Witness, I would like to invite you to go to \*tab 73, please. And look at

20 a document with the number MLI-OTP-0032-0320, at tab \*63. It's a confidential

21 document.

22 A. [10:15:48] Yes.

23 Q. [10:15:51] Do you see that document, Mr Witness?

24 A. [10:15:54] Yes.

25 Q. [10:15:56] Thank you. Can you please turn to page 2 of that document,

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1 number 0032-0321, page 2 of that document.

2 A. [10:16:14] Yes.

3 Q. [10:16:17] You can see at the top of document "[REDACTED]

4 [REDACTED]". Are you there?

5 A. [10:16:25] Yes.

6 Q. [10:16:29] Can you see the name that is written there? Do you recognise that  
7 name?

8 A. [10:16:34] Yes.

9 Q. [10:16:35] [REDACTED]?

10 A. [10:16:40] Please, I have not understood. Please repeat the question.

11 Q. [10:16:47] At the top of the page --

12 A. [10:16:49] Yes.

13 Q. [10:16:50] -- you can see that "[REDACTED]". Can  
14 you see that excerpt?

15 A. [10:17:01] Yes.

16 Q. [10:17:02] After that, there is a name mentioned.

17 A. [10:17:05] Yes.

18 Q. [10:17:05] [REDACTED]?

19 A. [10:17:08] [REDACTED].

20 Q. [10:17:12] Can you tell us [REDACTED]

21 [REDACTED]?

22 A. [10:17:29] [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 Q. [10:17:52] Thank you very much, Mr Witness. I'm not going to ask you to

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1 make any comments on the content of this document, but I have a specific question

2 for you. [REDACTED]?

3 A. [10:18:10] I have not understood you.

4 Q. [10:18:13] [REDACTED]

5 [REDACTED]

6 A. [10:18:21] [REDACTED]

7 [REDACTED].

8 Q. [10:18:31] Thank you. Now, Mr Witness, I am not also going to ask you to

9 provide any details on the document, its content and what happened and who said

10 what, but simply ask you to tell us [REDACTED] Who was doing what,

11 for example, [REDACTED]?

12 A. [10:18:54] Who was doing what?

13 Q. [10:18:58] [REDACTED]

14 [REDACTED] how did it go? Who spoke, who answered, for example?

15 A. [10:19:12] [REDACTED] For example, he would [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 Q. [10:19:31] Thank you very much, Witness.

19 MR ALLAFI: [10:19:34] (Interpretation) \*Mr. President, with your permission, we

20 can go back to open session. I would have a line of questions on this document in

21 question and then on [REDACTED] afterwards.

22 PRESIDING JUDGE MINDUA: [10:19:50](Interpretation) Court officer, please, open

23 session, please.

24 (Open session at 10.19 a.m.)

25 THE COURT OFFICER: [10:20:00] (Interpretation) Mr President, we are in open

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1 session.

2 PRESIDING JUDGE MINDUA: [10:20:04](Interpretation) Thank you very much,  
3 court officer.

4 Mr Prosecutor.

5 MR ALLAFI: [10:20:08] (Interpretation) Thank you very much, Mr President.

6 Q. [10:20:13] Mr Witness, can you go to the first page of the document before you,  
7 number 0032-0320.

8 Mr Witness, in the middle of the document, after the title, just below, what date do  
9 you see there, the date written on that document after the title of the document?

10 A. [10:21:11] Yes.

11 Q. [10:21:19] Do you see the date, the date written there? Please take your time.

12 A. [10:21:36] Yes.

13 Q. [10:21:39] Have you read it? When was it?

14 A. [10:21:45] The date?

15 Q. [10:21:47] The written date. It's written [REDACTED], written in letters,  
16 not in figures. Is that correct?

17 A. [10:22:13] Yes.

18 Q. [10:22:21] Thank you. Can you confirm that this is the correct date of the  
19 statement?

20 A. [10:22:30] Yes.

21 Q. [10:22:31] Thank you. Mr Witness, can you go to the last page of that  
22 document, number 0032-0322.

23 Court officer, this is confidential, not to be displayed.

24 THE COURT OFFICER: [10:22:54] (Interpretation) Yes, that is correct. And by  
25 default we do not publish.

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1 MR ALLAFI: [10:23:00] (Interpretation) Thank you.

2 THE WITNESS: [10:23:05](Interpretation) Yes.

3 MR ALLAFI:

4 Q. [10:23:07] At the very bottom of the page there are some signatures and then  
5 there is mention of [REDACTED] and a signature appended to the very right corner of  
6 the page, is that your signature, Mr Witness?

7 A. [10:23:25] Yes.

8 Q. [10:23:33] Thank you. Mr Witness, I will now show you a few images,  
9 photographs and then put some questions to you thereafter. Are we together?

10 MR ALLAFI: [10:24:10] (Interpretation) Court officer, that will be evidence unit 2, is  
11 that it?

12 THE COURT OFFICER: [10:24:17] (Interpretation) Yes, indeed, evidence channel 2  
13 for everyone.

14 MR ALLAFI: [10:24:24] (Interpretation) Thank you.

15 Q. [10:24:27] First photograph, ERN MLI-OTP-0012-1501, confidential, at tab 50.

16 Do you see that photograph?

17 A. [10:24:57] Yes.

18 Q. [10:25:03] Do you recognise the person that we see on this photograph?

19 A. [10:25:06] Yes.

20 Q. [10:25:07] Who is it?

21 A. [10:25:10] That's Mahamane Dédéou.

22 Q. [10:25:25] The second photograph, MLI-OTP-0018-2357, confidential as well, tab  
23 60. Do you see that photograph, Witness? Do you recognise the person on that  
24 photograph, Mr Witness?

25 A. [10:26:10] Yes.

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1 Q. [10:26:12] Who is he?

2 A. [10:26:15] Dédéou.

3 Q. [10:26:28] Third document is a video, MLI-OTP-0012-1568, confidential. I'm  
4 not going to play the video, but I simply want to capture a specific frame without the  
5 sound on that video.

6 Do you see that image or that photograph before you now, Mr Witness?

7 A. [10:27:30] Yes.

8 Q. [10:27:31] For the record, it is video MLI-OTP-0012-1568 at a specific image  
9 timestamp 00:00:12:07.

10 Mr Witness, do you recognise the persons on that image?

11 A. [10:28:02] Yes.

12 Q. [10:28:05] Who are they?

13 A. [10:28:09] There is Dédéou.

14 Q. [10:28:13] Let's take them one by one. You say there is Dédéou, where is he on  
15 that image?

16 A. [10:28:22] He's at the hospital in his hospital bed.

17 Q. [10:28:31] Now to be very clear, how is he dressed up?

18 A. [10:28:36] In a white boubou.

19 Q. [10:28:41] Dédéou, what colour of attire is he wearing?

20 A. [10:28:45] Blue.

21 Q. [10:28:45] Do you recognise the other persons on the image?

22 A. [10:28:47] There is a doctor, and the third person is Sanda Boumama.

23 Q. [10:29:02] You say there is a doctor and the third person is Sanda Boumama.

24 Now, let's start with Sanda Boumama, where is Sanda Boumama on this image?

25 A. [10:29:10] He is standing next -- he is next to the doctor and he is talking with

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1 Dédéou or to Dédéou.

2 Q. [10:29:22] How is he dressed, what attire is he wearing?

3 A. [10:29:28] He's wearing a white outfit with a white turban and there are two  
4 pistols, two guns with him, inside.

5 Q. [10:29:47] Thank you. You then say there is also the doctor, the third person.  
6 How is the doctor dressed?

7 A. [10:29:55] The doctor is wearing a red shirt.

8 Q. [10:30:07] Thank you very much, Mr Witness.

9 Witness, can you explain to the judges and to the parties what the physical state or the  
10 health as well as the emotional or moral state of Dédéou Maïga [REDACTED] was,  
11 having had his hand amputated? How was he physically?

12 PRESIDING JUDGE MINDUA: [10:30:57] (Interpretation) Court officer, we in open  
13 session, are we not?

14 THE COURT OFFICER: [10:31:03](Interpretation) We are in open session.

15 PRESIDING JUDGE MINDUA: (Interpretation) Please do your job, court officer.

16 Prosecutor, continue.

17 THE COURT OFFICER: [10:31:11] I would like to make sure that there is nothing  
18 missing. Do you want me redact what has just been said?

19 PRESIDING JUDGE MINDUA: [10:31:18] Yes, yes.

20 THE COURT OFFICER: [10:31:20] Exactly. And we are still remaining in open  
21 session?

22 PRESIDING JUDGE MINDUA: [10:31:23] Yes, we continue in open session.

23 THE COURT OFFICER: [10:31:26] Very well. Thank you.

24 MR ALLAFI: [10:31:34] (Interpretation) Thank you very much, your Honour.

25 Q. [10:31:39] I come back to you, Witness. So I was saying, could you explain to



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1 the judges what the physical health was, the health was, but also the emotional state  
2 or the moral state of Dédéou having had his hand amputated. And I would ask you  
3 not to give details about Dédéou -- Dédéou that could identify you.

4 Have you understood me? Have you heard me?

5 I would like you to explain to the judges and to the parties, what was the physical  
6 state or what was Dédéou's health like and his emotional state having had his hand  
7 cut off, how was his morale? How was he emotionally, having had his hand cut off?

8 A. [10:32:49] Dédéou, on the day on which they amputated his hand, he was taken  
9 to hospital, and then he was taken to a cell. And in the morning, it was okay, two  
10 days it was okay, it continued, until the fourth day everything was okay.

11

12

13

14 was fine. Everything was fine. For years, everything was fine.

15 MR ALLAFI: [10:33:51] (Interpretation) Your Honour, I'm very sorry, but I think  
16 that we will have to go into private session, your Honour, for these questions.

17 PRESIDING JUDGE MINDUA: [10:34:03](Interpretation) I indeed agree.

18 Court officer, if you would be so kind as to take us into private session.

19 (Private session at 10.34 a.m.)

20 THE COURT OFFICER: [10:34:14] (Interpretation) We are in private session.

21 PRESIDING JUDGE MINDUA: [10:34:19](Interpretation) Thank you, court officer.

22 Prosecutor.

23 MR ALLAFI: [10:34:23] (Interpretation) Thank you, your Honour.

24 Q. [10:34:25] I stopped so that we could go into private session so that nobody can  
25 hear you nor can they understand what you are saying. So you can give personal

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1 details, names, places, whatever you wanted as details, nobody will be able to hear  
2 you. So please continue.

3 A. [10:34:52] So what I was saying is [REDACTED] everything was fine.  
4 Everything was fine and he went to see his friends. It was years after, and he was  
5 able to talk to people, there were no problems. So he did all this in Timbuktu.

6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9 [REDACTED] He said nothing to me.

10 [REDACTED]

11 [REDACTED] He just said "okay, okay". He said nothing.

12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

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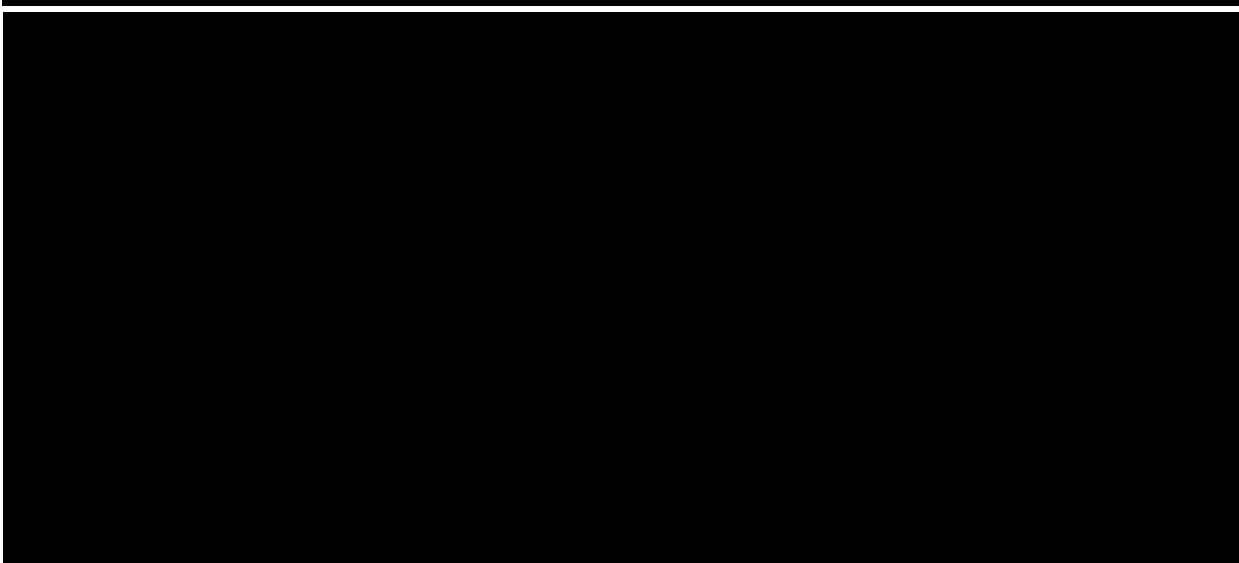
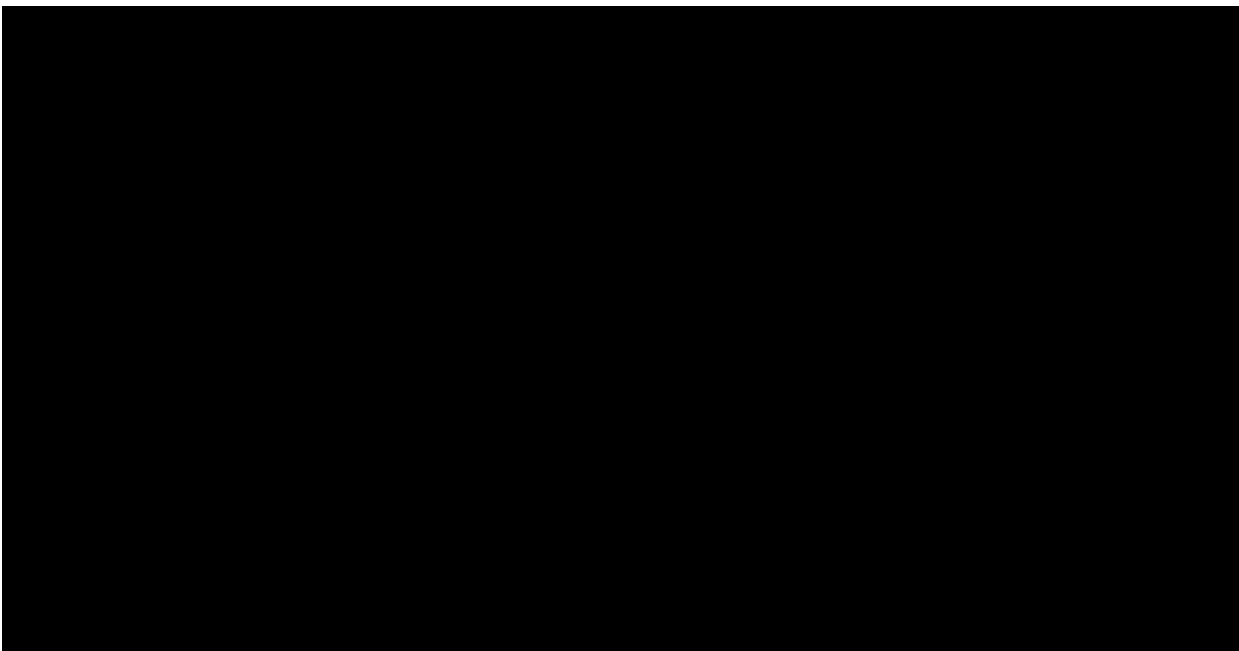
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THE INTERPRETER: Inaudible.

THE WITNESS: [10:38:22] 



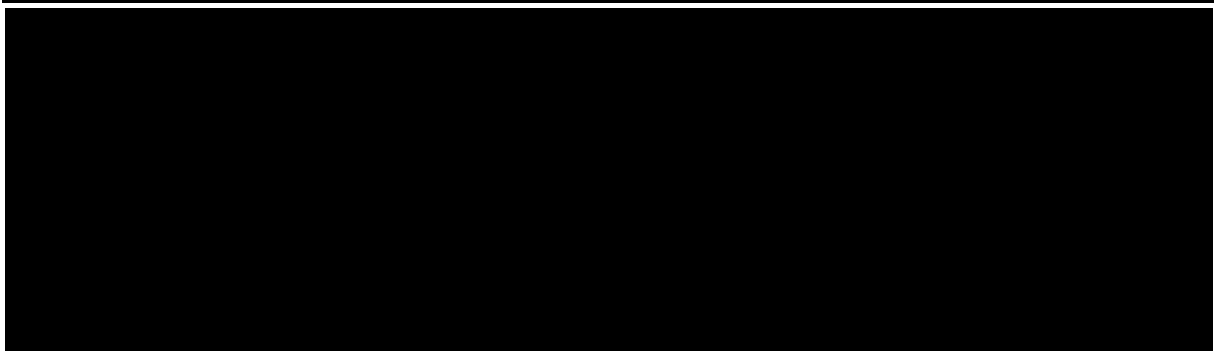
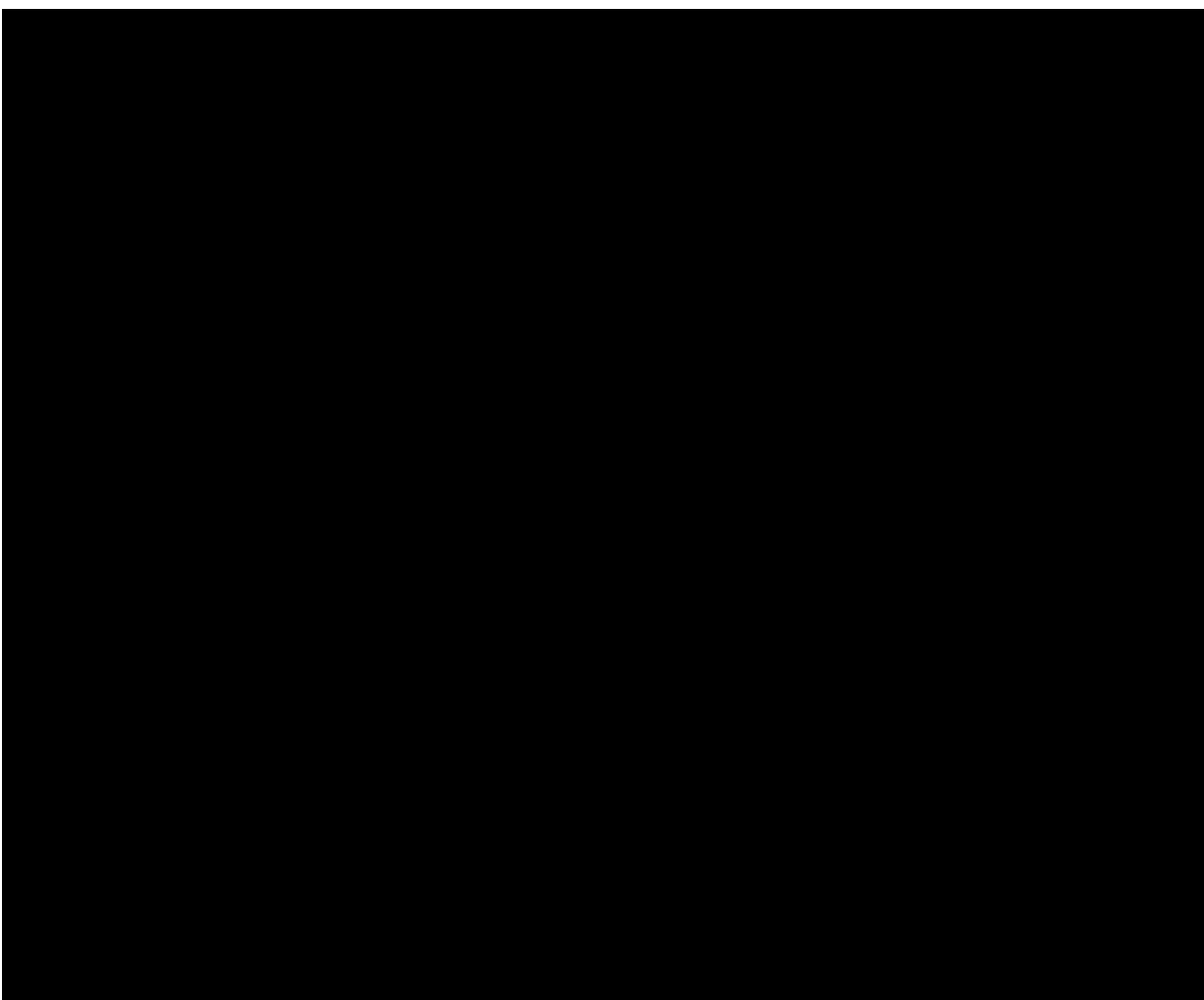
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21 Q. [10:42:27] Thank you, Witness.

22 A. [10:42:30] Thank you.

23 MR ALLAFI: [10:42:31] (Interpretation) Your Honour, I have a small final question  
24 to make and then I will have finished with my questioning. And I will have to stay  
25 in private session for that question, just for a last question.

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1 PRESIDING JUDGE MINDUA: [10:42:43](Interpretation) Please go ahead, Prosecutor.

2 MR ALLAFI: [10:42:47] (Interpretation)

3 Q. [10:42:49] Thank you very much, Witness, for your explanations which were  
4 detailed. I just have a last question to put to you, if you know, with regards to the  
5 amputation of Dédéou's hand. Did that have an effect on his state of morale? How  
6 was he emotionally? How did he feel after his hand was cut off? What was his  
7 morale?

8 A. [10:43:14] After his hand was cut off, he had a poor emotional state, his life was  
9 finished, he had a low morale after that.

10 Q. [10:43:26] \*Thank you very much Mr. Witness. What do you mean by "his life  
11 was finished"?

12 A. [10:43:32] Well, because his hand was cut off. This is somebody who worked.  
13 \*He only had one hand, because it is with his hand that he works, he only has one  
14 hand, he is a driver, he is an apprentice driver, he is also an apprentice plumber. So if  
15 the other hand is cut off, then he couldn't work just with one hand because the hand  
16 with which he worked was the hand which they cut off, so he no longer had a good  
17 morale. \*He morale was low because his hand had been cut off.

18 Q. [10:44:07] I would like to thank you immensely, Witness.

19 A. Thank you.

20 MR ALLAFI: [10:44:12] (Interpretation) Your Honour, we can now go into open  
21 session.

22 PRESIDING JUDGE MINDUA: [10:44:16](Interpretation) Court officer, would you  
23 be so kind as to take us into open session.

24 (Open session at 10.44 a.m.)

25 THE COURT OFFICER: [10:44:23] (Interpretation) We are once again in open

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1 session, your Honour.

2 PRESIDING JUDGE MINDUA: [10:44:28](Interpretation) Thank you very much,  
3 court officer.

4 Prosecutor.

5 MR ALLAFI: [10:44:32] (Interpretation) Thank you, your Honour.

6 Witness, I would like to thank you for your answers and the time you have given us.

7 I now turn to the Bench. Your Honours, I would like to thank you for the time you

8 have given the Prosecution. The Prosecution has finished with its

9 examination-in-chief for this witness.

10 PRESIDING JUDGE MINDUA: [10:44:58](Interpretation) Thank you very much,

11 Prosecutor, for your examination-in-chief.

12 I now turn towards Maître Nsita. Having heard the examination-in-chief of the

13 Prosecutor, would you still like to put questions to the witness as you have made

14 a request so to do?

15 MR LUVENGIKA: [10:45:25](Interpretation) Thank you, your Honour.

16 Having obviously heard the testimony, which was very moving, of the witness, the

17 Legal Representatives of Victims have no further questions to put. Thank you,

18 your Honour.

19 PRESIDING JUDGE MINDUA: [10:45:42](Interpretation) Thank you, Maître Nsita.

20 So I am now turning of course to Ms Sutherland. Ms Sutherland, on behalf of the

21 Defence, we have received a request -- an application to have a slight delay with the

22 cross-examination, so what do you say in this regard?

23 MS SUTHERLAND: [10:46:06] Thank you, Mr President. As we outlined in our

24 application last night, this is important disclosure which was received late.

25 Unfortunately, due to the curfew, the Defence of course cannot stay in the office as

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1 late as we might otherwise be accustomed to, we were not given courtesy copies, so  
2 we maintain the application for a short adjournment. However, in light of the  
3 relative brevity of the videos and the disclosure of an informal French transcript, we  
4 ask only for a slightly extended morning break. And could I invite your Honours to  
5 give us leave to reconvene at 12 noon?

6 PRESIDING JUDGE MINDUA: [10:46:55](Interpretation) Very well. You are  
7 therefore asking for the hearing to be suspended now to continue at midday?

8 Your application is granted. We shall suspend until 12 o'clock.

9 Court is suspended.

10 THE COURT USHER: All rise.

11 (Recess taken at 10.47 a.m.)

12 (Upon resuming in open session at 11.59 p.m.)

13 THE COURT USHER: [11:59:46] All rise.

14 Please be seated.

15 PRESIDING JUDGE MINDUA: [12:00:12](Interpretation) The hearing resumes.

16 I turn to Ms Sutherland, as the Defence continues to have the floor for  
17 cross-examination.

18 MS SUTHERLAND: [12:00:35] Thank you, Mr President.

19 QUESTIONED BY MS SUTHERLAND:

20 Q. [12:00:46] Mr Witness, in your statement to the Prosecution, which is at tab 1 of  
21 the Prosecution bundle at page MLI-OTP-0058-0196-R01, page 0199, that's  
22 paragraph 20, you told us that Dédéou had never had any quarrels with the law or  
23 the police before the events that occurred during the crisis. Could I ask you to  
24 clarify, was Dédéou ever in trouble during the crisis before this arrest?

25 Mr Witness, are you able to hear me?

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1 A. [12:02:03] Yes.

2 Q. [12:02:09] Mr Witness, I repeat, could I ask you to clarify, was Dédéou ever in  
3 trouble during the crisis before his arrest?

4 A. [12:02:26] No.

5 Q. [12:02:30] And could you tell us, was there a lot of pillaging at the beginning of  
6 the crisis?

7 A. [12:02:42] Are you asking about pillaging in Timbuktu?

8 Q. [12:02:48] Yes, Mr Witness, thank you.

9 A. [12:02:54] Yes, a lot of pillaging of offices and homes.

10 Q. [12:03:01] And was Dédéou involved in any of this pillaging?

11 A. [12:03:13] No.

12 Q. [12:03:15] Mr Witness, could I ask you to turn --

13 MR ALLAFI: [12:03:22] (Interpretation) I'm sorry, Mr President, we don't have the  
14 English version.

15 PRESIDING JUDGE MINDUA: [12:03:29](Interpretation) English version for the  
16 interpretation or transcript?

17 Court officer, please.

18 THE COURT OFFICER: [12:03:38] (Interpretation) Mr President, yes, indeed since  
19 the beginning, the English transcript is not available. I have already contacted my  
20 colleagues to identify the problem and correct it as soon as possible. But I see that  
21 the French transcript is working.

22 PRESIDING JUDGE MINDUA: [12:04:00](Interpretation) The French transcript is  
23 okay.

24 THE COURT OFFICER: [12:04:05](Interpretation) Very well, Mr President, I would  
25 therefore invite all to follow the French transcript for now, but we will try to address



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1 this technical problem for the English transcript and I will inform you as soon as we  
2 solve it.

3 PRESIDING JUDGE MINDUA: [12:04:21](Interpretation) I agree with your proposal,  
4 and in order to gain time, we will proceed as suggested. Thank you.

5 Ms Sutherland, please proceed.

6 MS SUTHERLAND: [12:04:30] Thank you, Mr President.

7 Q. [12:04:32] Could I ask you, Mr Witness, to turn to Defence binder tab 3, the  
8 reference number is MLI-OTP-0030-0390 at page 0418.

9 MR ALLAFI: [12:05:06](Interpretation) Mr President, I'm sorry.

10 PRESIDING JUDGE MINDUA: [12:05:10](Interpretation) Yes, Prosecutor.

11 MR ALLAFI: [12:05:12](Interpretation) We just want to be fair to the witness, to ask  
12 him whether he knows this document that he's been asked to look at before any  
13 questions are put to him.

14 PRESIDING JUDGE MINDUA: [12:05:27](Interpretation) I agree.

15 Ms Sutherland, please give the witness time to read the document.

16 THE COURT OFFICER: [12:05:30](Interpretation) Can the ERN for the document  
17 also be repeated by the French booth. Thank you.

18 MS SUTHERLAND: [12:05:45] I'm sorry, I didn't understand the message from the  
19 interpreters.

20 THE INTERPRETER: [12:05:52] The court officer is asking the French booth to  
21 kindly repeat the ERN for the reference document.

22 PRESIDING JUDGE MINDUA: [12:06:21](Interpretation) Ms Sutherland, did you  
23 understand? Could you reread the reference for the document.

24 MS SUTHERLAND: [12:06:26] Ah, forgive me. I understood it was from the  
25 French booth.

Trial Hearing

(Open Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 The document number is MLI-OTP-0030-0390 at page 0418 and it's at tab 3 of the  
2 Defence binder.

3 Q. [12:07:09] Mr Witness, can you see this document?

4 A. [12:07:22] Yes.

5 Q. [12:07:29] Mr Witness, have you seen this document before?

6 A. [12:07:36] Yes.

7 Q. [12:07:46] Mr Witness, this document states that it's interviews conducted by a  
8 fact-finding mission. Are you familiar with this fact-finding mission?

9 A. [12:08:00] Yes.

10 Q. [12:08:04] And this document refers to a male interviewed on 23 February 2013  
11 and it's described as a "very well-known case of the only amputation by the Islamists  
12 in Timbuktu".

13 A. [12:08:27] Yes.

14 Q. [12:08:29] Were there any other cases of amputation in Timbuktu?

15 A. [12:08:36] No.

16 Q. [12:08:39] Do you understand that this refers to Dédéou?

17 A. [12:08:49] I haven't understood you.

18 Q. [12:08:52] Do you understand that this document refers to Dédéou?

19 A. [12:09:01] Yes.

20 MS SUTHERLAND: [12:09:05] I would ask the interpreters to read and interpret the  
21 original French into the record, please.

22 This is a confidential document so I have to ask if we could do so in private session,  
23 Mr President.

24 PRESIDING JUDGE MINDUA: [12:09:25] (No interpretation)

25 (Private session at 12.09 p.m.)

Trial Hearing

(Private Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 THE COURT OFFICER: [12:09:45] (Interpretation) We are back in private session,  
2 Mr President.

3 THE INTERPRETER: [12:09:50] And the French interpreter will read the excerpt in  
4 French.

5 PRESIDING JUDGE MINDUA: [12:10:00](Interpretation) Ms Sutherland, is it the  
6 entire paragraph you want read out in French?

7 MS SUTHERLAND: [12:10:04] Yes, please, Mr President. With the English  
8 interpretation as well, please, for accuracy.

9 PRESIDING JUDGE MINDUA: [12:10:15](Interpretation) Interpreter, please  
10 proceed.

11 MS SUTHERLAND: [12:10:35] English interpretation as well, please.

12 PRESIDING JUDGE MINDUA: [12:10:46](No interpretation) (Overlapping  
13 speakers)

14 THE COURT OFFICER: [12:10:59] (Interpretation) English paragraph -- English  
15 interpreter, please, the English interpretation can be seen on channel 1.

16 THE INTERPRETER: [12:11:08] And we will now interpret into English.

17 But it is not possible to do the interpretation simultaneously while the French is being  
18 read out.

19 (Interpretation): "He had stolen a mattress during the pillaging in March 2012. After  
20 three months, a member of the MNLA came to say that the mattress belonged to him  
21 and summoned him to go to the police -- to the prison. When he arrived, he saw that  
22 the police were made up of members of Ansar Dine. They asked him to bring the  
23 material that he had stolen. He returned the" --

24 PRESIDING JUDGE MINDUA: [12:13:31] Maître Sutherland.

25 THE INTERPRETER: [12:13:33] -- "mattress which had been stolen. Then they

Trial Hearing

(Private Session)

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WITNESS: MLI-OTP-P-0595

1 asked him to pay 450,000 francs. He collected the money from his friends and family  
2 to pay the 450,000 francs. However, they asked for three times 100,000 and one time  
3 75,000 for him to be released. In total, he was held for a month and a half. On  
4 Sunday, when they said that he would be released, they took him out of the prison  
5 and took him close to the Gaddafi canal near the road in front of the members of  
6 MUJAO, AQMI, MNLA and Ansar Dine. They had him sit down on a chair. There  
7 were two syringes that were used to inject him. He lost consciousness. When he  
8 came to, he was at the hospital and his hand had been cut off. The judge of the  
9 Ansar Dine who tried the victim is known as [blank]. Another perpetrator or author  
10 is known as [blank] and was responsible for the women's prison and the  
11 mistreatments. When he left the hospital, his family took him to Bamako."

12 MS SUTHERLAND: Thank you.

13 Q. [12:15:28] Mr Witness, were you aware that he spoke to a UN fact-finding  
14 mission?

15 PRESIDING JUDGE MINDUA: [12:15:44](Interpretation) Mr Prosecutor.

16 MR DUTERTRE: [12:15:50](Interpretation) Mr President, objection. Maybe we  
17 can -- there is an assumption in the Defence question on the identity of the person  
18 who provided this information, but it doesn't emerge from the document to be that.  
19 So I hope that Ms Sutherland can put the question differently.

20 MS SUTHERLAND: [12:16:07]

21 Q. [12:16:07] Mr Witness, did you speak to a UN-fact-finding mission?

22 A. [12:16:19] UN fact-finding mission? Me? No.

23 Q. [12:16:24] Do you know whether Dédéou spoke to a UN fact-finding mission?

24 A. [12:16:33] I don't -- I don't know.

25 Q. [12:16:39] Mr Witness, can I ask to play video MLI-OTP-0077-4046, which is the

Trial Hearing

(Private Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 video that was disclosed to us last night.

2 I understand that that should be available on evidence 2.

3 PRESIDING JUDGE MINDUA: [12:17:30](Interpretation) Ms Sutherland, we are still  
4 in private session. Should we continue in private session?

5 MS SUTHERLAND: [12:17:40] I mean, technically we could ask these questions  
6 about the playing without sound to identify in public session, but then I would have  
7 to ask to return.

8 PRESIDING JUDGE MINDUA: [12:17:54](Interpretation) Proceed in private session,  
9 please.

10 MS SUTHERLAND: [12:17:58] It will be discreet, Mr President.

11 So if we could play it for a few seconds without sound, please.

12 (Viewing of the video excerpt)

13 MS SUTHERLAND: [12:18:19] And we've stopped at 08:18.

14 Q. Mr Witness, who is the person in this image?

15 A. [12:18:34] Dédéou.

16 Q. [12:18:39] Thank you.

17 MS SUTHERLAND: [12:18:40] And we have an unofficial translation, Mr President,  
18 in French, which is MLI-OTP-0077-4051.

19 Could we now please play the whole video with sound.

20 PRESIDING JUDGE MINDUA: [12:19:18](Interpretation) Prosecutor.

21 MR ALLAFI: [12:19:20] (Interpretation) Mr President, once again, we need to be fair  
22 to this witness and ask him whether he has already seen it or not and whether he  
23 knows these images or not before proceeding. Thank you.

24 PRESIDING JUDGE MINDUA: [12:19:35](Interpretation) Ms Sutherland, I agree  
25 entirely with the Prosecutor.

Trial Hearing

(Private Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 MS SUTHERLAND: [12:19:51]

2 Q. [12:19:51] Mr Witness, are you familiar with these images?

3 A. [12:19:56] Yes.

4 Q. [12:20:01] Have you seen this video before?

5 A. [12:20:09] No.

6 (Counsel confers)

7 MS SUTHERLAND:

8 Q. [12:20:32] Are you able to identify the person in the videos -- in the images?

9 A. [12:20:42] Yes.

10 Q. [12:20:44] And can you confirm who that is?

11 A. [12:20:48] Dédéou.

12 MS SUTHERLAND: [12:20:57] Mr President, with your leave, I would like to play  
13 the whole video now with sound.

14 PRESIDING JUDGE MINDUA: [12:21:15](No interpretation)

15 MS SUTHERLAND: [12:21:16] Thank you.

16 (Viewing of the video excerpt)

17 THE INTERPRETER: [12:21:18] (Interpretation of the video excerpt)

18 "*Salaam alaikum.*

19 *Salaam alaikum.*

20 What is your name?

21 My name is Dédéou Maïga.

22 We have learnt that you experienced some things and we have come to see you so  
23 that you can tell us what happened. Don't be worried, what you will see, I will not

24 show it on TV, nor to anyone, nor to any person, it will remain between you and I and

25 God. So explain to us how things happened and the people who tried to help you,

Trial Hearing

(Private Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

- 1 how they came to know and help you. *Bissimilah*. I am listening.
- 2 Well, what happened is that -- something which is already done. So I don't have
- 3 anything to clarify. Where we are, we cannot proceed without help. We are
- 4 looking for help, for those who can help us, because we are already handicapped.
- 5 We cannot do anything other than look for help, and these people can help us.
- 6 How did it happen? Where?
- 7 It happened in Timbuktu.
- 8 When did it happen, Timbuktu?
- 9 (Unintelligible), we are Malians. All that the Malian does not do, people say NGO
- 10 which collaborate with the government, which runs behind us to see how they can get
- 11 help from the white people.
- 12 Very well. Who are they?
- 13 They are the people of AQMI.
- 14 How did you know?
- 15 It's AQMI, Ansar Dine, MUJAO who were in Timbuktu, who remained in Timbuktu.
- 16 When they came to arrest you, how many of them were there? Did you see them?
- 17 Yes, I saw them. They came in a cruiser.
- 18 How many?
- 19 They came in a vehicle.
- 20 How many vehicles?
- 21 More than four vehicles.
- 22 And how many were they?
- 23 They were 25 persons.
- 24 And when did this happen? They came in April and that happened in April or in
- 25 the months after April?

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ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

- 1 On the fourth month after the month of April.
- 2 Four month after April, is that when they caught you?
- 3 Yes.
- 4 When they caught me [sic], where did it happen?
- 5 At my place, at my home.
- 6 And did they cause you harm?
- 7 Yes, they caused me harm.
- 8 Why did they catch you?
- 9 One of my acquaintances was among the MNLA people, those people.
- 10 Did he lie about you?
- 11 Yes, he lied about me.
- 12 Third person intervening: Repeat, please.
- 13 He lied about me. Yes, he lied about me.
- 14 He lied about me, that's what I wanted to hear. So if he lied about you and the
- 15 people of the MNLA took you, the people of AQMI arrested you, what did they do?
- 16 They preached to me about money, about money that I paid.
- 17 How much did you pay?
- 18 I paid 200,000 three times, that's 400,000, and 75,000 two times.
- 19 What did they do after that?
- 20 They lapidated me, they cut my hand.
- 21 Show me your arm, the arm that they cut. Which arm did they cut?
- 22 The right hand.
- 23 Now you are a San? You would like to go to Timbuktu?
- 24 Yes.
- 25 When would you like to go?



Trial Hearing

(Private Session)

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WITNESS: MLI-OTP-P-0595

1 Even tomorrow, if I find the means to travel, I would like to go back.

2 You don't have the means? If you find the means, would you go back?

3 Now, yes, I would go -- I would go to Bamako today, I will see my chief and see how  
4 things are going and what they can do for me, what they will do for me, then they  
5 will give me the means to return.

6 But if you have prescriptions now, they will reimburse you if you bring them this  
7 week.

8 For help, they may do something, maybe take three, four or six months.

9 Thank you."

10 MS SUTHERLAND:

11 Q. Mr --

12 THE INTERPRETER: [12:27:03] (Interpretation of the video excerpt)

13 "Here are the bills. Yes, go ahead sign them, sign here or there. Here, here, here.

14 Yes, here. Take that from the left. Yes."

15 MS SUTHERLAND: [12:27:20] Sorry, that was the transcript from another video that  
16 we haven't played, the last bit that was being read.

17 PRESIDING JUDGE MINDUA: [12:27:38](No interpretation) (Overlapping  
18 speakers)

19 MS SUTHERLAND: [12:27:42] Mr President, that final, final few words was from a  
20 different transcript of a different video. So they were read erroneously.

21 PRESIDING JUDGE MINDUA: [12:27:59] *Monsieur le Procureur*.

22 MR DUTERTRE: [12:28:03](Interpretation) Mr President, for clarity of the transcript,  
23 can Ms Sutherland indicate the first word and the last word of the transcript that was  
24 not supposed to be read. That way we can distinguish the beginning and the end of  
25 the transcript which was supposed to be read.

Trial Hearing

(Private Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 PRESIDING JUDGE MINDUA: [12:28:22](Interpretation) Yes, there you have it,

2 Ms Sutherland. Please proceed.

3 MS SUTHERLAND: [12:28:25] The final words of the -- of the document

4 MLI-OTP-0077-4051 are to be found on page 4052 and they are "*Merci Fin*".

5 The first words of the separate translation, which is MLI-OTP-0077-4053, are

6 "*Les factures sont là*".

7 PRESIDING JUDGE MINDUA: [12:29:21](Interpretation) Very well. It's now clear.

8 Please, Ms Sutherland, please proceed.

9 MS SUTHERLAND: [12:29:25] Mr President, may we return to public session.

10 PRESIDING JUDGE MINDUA: [12:29:32](Interpretation) Yes.

11 Court officer, open session.

12 (Open session at 12.29 p.m.)

13 THE COURT OFFICER: [12:29:44] (Interpretation) We are back in open session,

14 Mr President, your Honours.

15 PRESIDING JUDGE MINDUA: [12:29:49](Interpretation) Thank you very much,

16 court officer.

17 Ms Sutherland, please proceed.

18 MS SUTHERLAND: [12:29:53]

19 Q. [12:29:53] Mr Witness, are you aware that Dédéou made a victim application?

20 PRESIDING JUDGE MINDUA: [12:30:08](Interpretation) Mr Prosecutor.

21 MR DUTERTRE: [12:30:12](Interpretation) Mr President, a video has been played,

22 there was no question raised behind it. I don't know what the purpose of playing

23 this video is. And by the way, the witness said he had not seen this video and this is

24 not a way of placing something on the record, especially if the witness has said he's

25 not apt to react to it, and he therefore should not be questioned on it.

Trial Hearing

(Open Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 PRESIDING JUDGE MINDUA: [12:30:40] Maître Sutherland.

2 MS SUTHERLAND: [12:30:42] I am asking questions following on from playing this  
3 video, so I think, Mr President, with respect, my learned friend for the Prosecution's  
4 objection is premature. It's an open question asking if he is aware whether Dédéou  
5 applied to become a victim before this Court.

6 PRESIDING JUDGE MINDUA: [12:31:30](Interpretation) Thank you, Ms Sutherland.  
7 Let's see how we can make progress in this matter.

8 MS SUTHERLAND: [12:31:38]

9 Q. [12:31:38] Mr Witness, are you aware that Dédéou made a victim application to  
10 become a victim before this Court?

11 A. [12:31:56] Yes.

12 Q. [12:32:02] From the video that we've just seen and the document that was read  
13 earlier, do you accept that Dédéou was able to distinguish between groups operating  
14 in Timbuktu?

15 PRESIDING JUDGE MINDUA: [12:32:23](Interpretation) Prosecutor.

16 MR DUTERTRE: [12:32:25](Interpretation) This question is completely speculative,  
17 your Honour. The witness is being asked to give an opinion on what Dédéou might  
18 have thought or not. This is completely inadmissible.

19 PRESIDING JUDGE MINDUA: [12:32:37](Interpretation) Ms Sutherland, I think that  
20 the Prosecutor is right. This is speculation.

21 MS SUTHERLAND: [12:32:50]

22 Q. [12:32:50] In the video that we just watched, do you agree that Dédéou  
23 identified the MNLA as summoning him to be arrested?

24 A. [12:33:08] I haven't understood.

25 Q. [12:33:11] In the video do you agree that Dédéou identified the MNLA as

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(Open Session)

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WITNESS: MLI-OTP-P-0595

1 summoning him to be arrested?

2 A. [12:33:30] Dédéou said that it wasn't the MNLA, the MNLA who arrested him.

3 Q. [12:33:57] Summoned him to be arrested.

4 MR ALLAFI: [12:34:10] (Interpretation) I'm sorry, your Honour.

5 PRESIDING JUDGE MINDUA: [12:34:12](Interpretation) Prosecutor.

6 MR ALLAFI: [12:34:14] (Interpretation) First of all, \*we don't know where this was  
7 mentioned. And second, your Honour, the witness cannot, absolutely not  
8 speak in the place of the victim, of Dédéou, he cannot. \*And we don't know where it  
9 is written.

10 PRESIDING JUDGE MINDUA: [12:34:34](Interpretation) Ms Sutherland can help us  
11 to give us the reference or paragraph where this is indicated with regards to the  
12 MNLA who carried out the arrest of Dédéou.

13 MS SUTHERLAND: [12:34:48] It's the page -- on the transcript it's page 0077-4052  
14 and it's the sentence that says: (Interpretation) "So he lied. And the people from the  
15 MNLA took you, the people from AQMI came to arrest you."

16 PRESIDING JUDGE MINDUA: [12:35:21](Interpretation) Prosecutor.

17 MR ALLAFI: [12:35:22] (Interpretation) Your Honour, \*it is unacceptable for the  
18 present witness to testify in place of Dédéou. The question should be: "Do you  
19 know...?", but he cannot speak for this witness, this victim. We cannot try to make the  
20 witness in question testify about another person. That's something that simply cannot  
21 be done.

22 PRESIDING JUDGE MINDUA: [12:35:48](Interpretation) Ms Sutherland, it's true  
23 that I have a degree of unease with this line of questioning. Please reformulate or we  
24 should go on to something else.

25 MS SUTHERLAND: [12:36:22]

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(Open Session)

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WITNESS: MLI-OTP-P-0595

1 Q. [12:36:22] Did Dédéou tell you who sent him to be arrested?

2 Mr Witness?

3 A. [12:37:06] Yes?

4 Q. [12:37:08] Did Dédéou tell you who sent him to be arrested?

5 A. [12:37:21] He didn't tell me who had arrested him. [REDACTED]

6 [REDACTED] when they arrested Dédéou.

7 Q. [12:37:36] Mr Witness, do you know whether Dédéou had any acquaintances  
8 within the MNLA?

9 A. [12:37:49] No, I don't know.

10 Q. [12:37:55] Mr Witness, could I ask you to turn to Defence tab 1, which is  
11 document MLI-OTP-0012-1965.

12 Mr Witness, this is an article titled "*Dédéou sous la loi Islamique*". (Interpretation)  
13 "Dédéou under Islamic law".

14 Mr Witness, are you familiar with this article?

15 A. [12:39:31] I haven't understood.

16 Q. [12:39:35] Have you seen this article before?

17 A. [12:39:43] This article? No. The image or the writing?

18 Q. [12:39:54] The writing, Mr Witness.

19 A. [12:40:10] I haven't understood.

20 Q. [12:40:16] Mr Witness, I was asking if you had read this article before.

21 A. [12:40:27] Yes, I've seen it.

22 Q. [12:40:34] Mr Witness, part of this article states --

23 MR ALLAFI: [12:40:38] (Interpretation) I'm sorry, your Honour.

24 PRESIDING JUDGE MINDUA: [12:40:42](Interpretation) Prosecutor.

25 MR ALLAFI: [12:40:43] (Interpretation) \*Mr. President, I think there is some

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1 confusion. He says "Never seen" and then he said "I read it". Could we cut the sound  
2 for the witness, please.

3 PRESIDING JUDGE MINDUA: [12:40:56](Interpretation) Court officer, please  
4 would you be so kind as to cut the sound to the witness.

5 THE COURT OFFICER: [12:41:05] (Interpretation) The sound has been cut.

6 PRESIDING JUDGE MINDUA: [12:41:07](Interpretation) For the witness -- to the  
7 witness.

8 THE COURT OFFICER: [12:41:09] (Interpretation) Indeed it has.

9 PRESIDING JUDGE MINDUA: [12:41:10](Interpretation) Okay, so we're now in  
10 open session, are we not?

11 THE COURT OFFICER: [12:41:16] (Interpretation) We are still in open session,  
12 your Honour, exactly.

13 PRESIDING JUDGE MINDUA: [12:41:18](Interpretation) Very well.  
14 Prosecutor.

15 MR ALLAFI: [12:41:23] (Interpretation) \*Thank you very much, Mr. President. In  
16 transcript 50, page 50, line 3: "This article? No." He says he hasn't seen it before. He  
17 already answered this question. Afterwards, if he read it now or later, there is a  
18 confusion, in fact. And he has already said "no I haven't seen it".

19 PRESIDING JUDGE MINDUA: [12:41:51](Interpretation) Ms Sutherland, I think the  
20 Prosecutor is right. He says that he hasn't read the article and then he says thereafter  
21 that he does know it. So please could you re-put your question.

22 MS SUTHERLAND: [12:42:07] Thank you, Mr President. I'm afraid I'm still  
23 operating without the benefit of a running transcript in front of me.

24 Q. [12:42:19] Mr Witness, in this article --

25 MR ALLAFI: [12:42:25] (Interpretation) I'm sorry, the sound for the witness, please.

Trial Hearing

(Open Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 PRESIDING JUDGE MINDUA: [12:42:30](Interpretation) Court officer, sound,  
2 please.

3 THE COURT OFFICER: [12:42:45](Interpretation) The witness can now hear the  
4 debates.

5 PRESIDING JUDGE MINDUA: [12:42:47](Interpretation) Thank you.

6 MS SUTHERLAND: [12:42:54] Mr President, we have the choice of having the  
7 whole article read or I can read excerpts. I'm in your hands.

8 PRESIDING JUDGE MINDUA: [12:43:09](Interpretation) Prosecutor.

9 MR DUTERTRE: [12:43:11](Interpretation) Your Honour, I could help my colleague.  
10 The witness says that he has not seen the article before, so I think that Ms Sutherland  
11 can ask direct questions to the witness. She doesn't need to refer to an article that the  
12 witness does not know. That is the way which would correspond with the  
13 guidelines of the Chamber, if my memory serves me well.

14 PRESIDING JUDGE MINDUA: [12:43:37](Interpretation) Ms Sutherland, you can  
15 follow the advice of the Prosecutor this time.

16 MS SUTHERLAND: [12:43:45]

17 Q. [12:43:45] Mr Witness, [REDACTED]

18 A. [12:43:58] Yes.

19 Q. [12:44:00] Did you know his -- [REDACTED]?

20 A. [12:44:10] Yes.

21 Q. [12:44:11] Did you know him?

22 A. [12:44:18] [REDACTED]

23 Q. [12:44:25] This article describes two people fleeing from the prison. Do you  
24 know anything about people escaping from the prison?

25 A. [12:44:45] I haven't understood.

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WITNESS: MLI-OTP-P-0595

1 Q. [12:44:54] This article describes Dédéou and describes that he and his cellmate  
2 escaped the prison. Do you know anything about anyone escaping from the prison?

3 A. [12:45:18] Yes, he was with his friend.

4 Q. [12:45:20] What can you tell us about their escape?

5 A. [12:45:30] In the morning I was told that they had fled from the prison. So  
6 since then, we didn't know until the evening when they said they had found Dédéou  
7 and his friend who had fled.

8 Q. [12:45:52] Who told you this?

9 A. [12:45:57] I heard that in town.

10 Q. [12:46:00] Can you be more specific about who you heard this from?

11 A. [12:46:08] I heard that in town. People were speaking about that in town.

12 Q. [12:46:17] How did you know they were speaking about Dédéou?

13 A. [12:46:27] Well, I heard that they had found Dédéou with his friend, it was  
14 behind the river. So they were taking him to prison. That's what they were doing.

15 Q. [12:46:48] Did you hear any radio broadcasts?

16 A. [12:46:55] Radio broadcasts? About what?

17 Q. [12:46:59] Well, Mr Witness, can I turn to Defence tab 2, which is document  
18 MLI-OTP-0012-2060, which is an article titled: *Trois cents mille CFA pour celui qui*  
19 *verra* -- (Interpretation) 300,000 CFA for those who escaped Timbuktu  
20 prison -- "300,000 FCFA for those who see Bocar escape from the prison of Timbuktu".

21 Mr Witness, this article mentions a radio communication offering 300,000 CFA for  
22 anyone to give information on this --

23 PRESIDING JUDGE MINDUA: [12:48:16](Interpretation) Prosecutor.

24 MR ALLAFI: [12:48:16] (Interpretation) Your Honour, your Honours, once again  
25 this is the procedure. The question has to be put clearly. \*If the witness knows this



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1 document, if he's already seen it, and, thereafter, we will object later with regards to  
2 the next question, your Honour.

3 MS SUTHERLAND: [12:48:38] Mr President -- Mr President, I asked openly whether  
4 he had heard about a radio broadcast. He said he had not. I was forming the basis  
5 to clarify my question and -- or actually I'm not sure what he said, and will -- and see  
6 if he was aware of any radio broadcast that matched the description in the article.

7 THE COURT OFFICER: [12:49:09] In the meantime I wish to inform the Chamber,  
8 the parties and participants that the English transcript is now fixed and up and  
9 running. Thank you.

10 PRESIDING JUDGE MINDUA: [12:49:18](Interpretation) Very well.

11 Ms Sutherland, you have the transcription in English and, for your question  
12 a moment ago, I think that sometimes the Prosecution goes a bit too quickly. So  
13 please ask your question and then we can go ahead.

14 MS SUTHERLAND: [12:49:43]

15 Q. [12:49:44] Mr Witness, did you hear any radio broadcast offering 300,000 CFA  
16 for information on the -- Bocar and his accomplice?

17 A. [12:50:05] No.

18 Q. [12:50:10] Thank you. Mr Witness, in your witness statement at  
19 MLI-OTP-0058-0196-R01, which is Prosecution tab 1, at page 0206, paragraph 56, you  
20 state:

21 [REDACTED]

22 [REDACTED] They said they needed him. Dédéou replied that he didn't want to  
23 come alone and that he had to tell [redacted]. [REDACTED] [redacted], [REDACTED]

24 [REDACTED]

25 [REDACTED]

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[REDACTED]

2 Mr Witness, do you remember the incident you were describing?

3 A. [12:51:50] Yes.

4 Q. [12:51:56] Did you know who these people were?

5 A. [12:52:01] No.

6 Q. [12:52:05] Did you have any idea what kind of organisation they might come  
7 from?

8 A. [12:52:11] I don't even know them.

9 Q. [12:52:21] Whose phone did they contact Dédéou on?

10 A. [12:52:27] On Dédéou's phone.

11 Q. [12:52:32] And how did Dédéou have this telephone?

12 A. [12:52:37] He had a phone -- he had a telephone before the crisis, before his hand  
13 was cut off.

14 Q. [12:52:54] And was this the same telephone he had in 2016?

15 A. [12:52:58] I haven't understood.

16 Q. [12:53:09] Mr Witness, you just told us that he had a phone before the crisis, I  
17 was asking was this the same --

18 A. [12:53:15] Yes.

19 Q. [12:53:15] -- telephone in 2016?

20 A. [12:53:22] It's the same telephone.

21 Q. [12:53:28] [REDACTED]

22 A. [12:53:42] Which people?

23 Q. [12:53:48] The people to whom you were referring in this paragraph?

24 Mr Witness, [REDACTED]?

25 A. [12:54:27] [REDACTED]

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2 Q. [12:54:39]

3 MR DUTERTRE: [12:54:47](Interpretation) Your Honour.

4 PRESIDING JUDGE MINDUA: [12:54:51](Interpretation) Prosecutor.

5 MR DUTERTRE: [12:54:56](Interpretation) I don't know what capacity we have to  
6 make redactions, but there are questions and answers that are highly identifying and I  
7 wonder if it wouldn't be a good idea to go into private session.

8 PRESIDING JUDGE MINDUA: [12:55:11](Interpretation) Yes, I think so for this  
9 series of questions, it's better to go into private session.

10 Court officer, please take us into private session.

11 (Private session at 12.55 p.m.)

12 THE COURT OFFICER: [12:55:33] We are in private session and I would ask the  
13 Prosecution to give me the exact timestamp to redact, if necessary. Thank you very  
14 much.

15 PRESIDING JUDGE MINDUA: [12:55:52](Interpretation) Very well, thank you,  
16 madam court officer.

17 Ms Sutherland.

18 MS SUTHERLAND: [12:56:01]

19 Q. [12:56:02] Mr Witness,

20

21

22

23

24 A. [12:56:33]

25 Q. [12:56:39] Yes, Mr Witness, who -- you explained

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1

[REDACTED]

2

A. [12:56:51]

[REDACTED]

3

[REDACTED]

4

[REDACTED]

5

Q. [12:57:19] Mr Witness,

[REDACTED] ?

6

A. [12:57:35] I'm sorry, I haven't understood.

7

Q. [12:57:37]

[REDACTED] ?

8

A. [12:57:43] \*

[REDACTED]

9

[REDACTED]

10

11 Q. [12:58:04] In the same paragraph you said, "

[REDACTED]

12

[REDACTED]. " Did you --

13

A. [12:58:18] Yes.

14

Q. [12:58:19]

[REDACTED] ?

15

A. [12:58:27]

[REDACTED] ?

16

Q. [12:58:30] Mr Witness,

[REDACTED] are you talking about?

17

A. [12:58:36] When I --

[REDACTED].

That was the

18

[REDACTED] that I was speaking about.

19

Q. [12:58:51] And when was this? When was this?

20

A. [12:58:56]

[REDACTED].

21

Q. [12:59:07]

[REDACTED]

22

A. [12:59:19]

[REDACTED]

23

Q. [12:59:22]

[REDACTED] ?

24

A. [12:59:39]

[REDACTED]

25

Q. [12:59:40]

[REDACTED] ?

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1 A. [12:59:45] \* [REDACTED]  
2 [REDACTED]  
3 [REDACTED]

4 Q. [13:00:07] [REDACTED] on this occasion?

5 A. [13:00:18] At that time, [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]

10 Q. [13:01:11] Did you [REDACTED]?

11 A. [13:01:24] Yes, we [REDACTED]

12 Q. [13:01:30] Did you spend any time [REDACTED]? Or just pass through?

13 A. [13:01:40] Well, we got [REDACTED], so we couldn't get the vehicle to  
14 travel on so we spent the night there before travelling on the next day.

15 Q. [13:01:58] Did you [REDACTED]?

16 A. [13:02:09] Two weeks, two weeks [REDACTED].

17 Q. [13:02:19] And what did you do [REDACTED]?

18 A. [13:02:28] We went to a house [REDACTED] where we spent one week. The second  
19 week, I think it started on a Thursday, when we had to go [REDACTED],  
20 [REDACTED] three of us, I think, and that's where we went.

21 Q. [13:03:12] When you say "three of us", who do you mean?

22 A. [13:03:16] I haven't understood.

23 Q. [13:03:27] Mr Witness, the transcript I have in front of me says that you went "...

24 [REDACTED] three of us, I think, and that's where we went."

25 Who were the three of you?

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1 A. [13:03:42] The three persons who went there?

2 Q. [13:03:44] Yes?

3 A. [13:03:48] Well, it was not three people, there [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED].

7 Q. [13:04:23] Did each person speak independently or did you hear what each  
8 other were saying?

9 A. [13:04:36] No, we didn't hear anything. What each person spoke, no one else  
10 heard.

11 THE INTERPRETER: [13:04:50] Correction from the interpreters: \*The second week  
12 they said on a Thursday that [REDACTED]  
13 [REDACTED] and that's where we went. The interpreter apologises.

14 MS SUTHERLAND: [13:05:02] Thank you for the clarification.

15 Q. [13:05:06] [REDACTED]?

16 A. [13:05:20] I haven't understood.

17 Q. [13:05:25] Before arriving [REDACTED] did you discuss [REDACTED]

18 [REDACTED]?

19 A. [13:05:31] No.

20 Q. [13:05:39] Mr Witness, we know that from document [REDACTED]

21 [REDACTED]

22 A. [13:06:13] \*In [REDACTED]? Well, I don't know. I think, at some point, again, if I went  
23 back to [REDACTED] or I... I didn't go back to [REDACTED] Really, I don't know. I still know that I

24 [REDACTED]. I still know that [REDACTED].

25 Q. [13:06:47] How often do you go [REDACTED]

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1 A. [13:06:52] In [REDACTED], when I went to -- [REDACTED] it was only [REDACTED]  
2 within that time.

3 Q. [13:07:14] [REDACTED]

4 A. [13:07:24] [REDACTED]  
5 [REDACTED]

6 Q. [13:07:44] Sorry, Mr Witness, could I clarify -- [REDACTED]  
7 [REDACTED]

8 A. [13:07:52] [REDACTED]  
9 [REDACTED]

10 MS SUTHERLAND: [13:08:20] Mr President, I do still have some further  
11 questioning, but I'm mindful of the time. I will take your guidance as to whether to  
12 break for lunch now or ...

13 PRESIDING JUDGE MINDUA: [13:08:45](Interpretation) We resumed at 12, it's one  
14 now, and we have been sitting for only one hour so far. Counsel, is that your wish?

15 MS SUTHERLAND: [13:08:59] No, no, I'm asking you, Mr President, whether you  
16 wish to break for lunch at what would be roughly the normal time or -- or continue  
17 until 1.30?

18 PRESIDING JUDGE MINDUA: [13:09:29](Interpretation) I asked -- because your  
19 request is little bit strange. Normally we sit for an hour and a half for each session,  
20 so we need -- we normally would sit now till 1.30.

21 MS SUTHERLAND: [13:09:44] Yes, Mr President, it's just we normally break at  
22 11.30 -- return at 11.30. That's fine. I'll carry on.

23 PRESIDING JUDGE MINDUA: [13:09:57](Interpretation) Yes, please proceed.

24 MS SUTHERLAND: [13:09:59]

25 Q. [13:10:01] Mr Witness, do you remember [REDACTED]

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[REDACTED]

2 A. [13:10:24] No.

3 Q. [13:10:29] Were you aware -- well, did you see Dédéou receive a new telephone  
4 in 2017 -- 2016, 2017?

5 A. [13:10:53] No, I don't remember.

6 PRESIDING JUDGE MINDUA: [13:11:13](Interpretation) Ms Taylor -- rather,  
7 Sutherland, should we go into open session now?

8 MS SUTHERLAND: [13:11:23] Mr President, I'm happy to return to open session.  
9 See how we go.

10 PRESIDING JUDGE MINDUA: [13:11:37](Interpretation) Thank you very much.  
11 Court officer, open session, please.

12 (Open session at 1.11 p.m.)

13 THE COURT OFFICER: [13:11:47] (Interpretation) Mr President, your Honours, we  
14 are in open session.

15 PRESIDING JUDGE MINDUA: [13:11:58](Interpretation) Thank you very much,  
16 court officer.

17 Ms Sutherland, please proceed and be cautious.

18 MS SUTHERLAND: [13:12:11]

19 Q. [13:12:11] Mr Witness, could I ask you to turn to Defence binder tab 5, which is  
20 document MLI-OTP-0062-2962.

21 Mr Witness, can you see the document?

22 A. [13:12:47] Yes.

23 Q. [13:12:53] Mr Witness, this is an investigation note authored by the Office of the  
24 Prosecutor of this Court. It's dated 8 February 2017. At page 2962, it states:

25 "[...] it was decided to provide" Dédéou "with a phone, so the team could be in direct



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1 contact with him."

2 A. [13:13:45] Well, I'm not aware of that and -- and I did not see that telephone.

3 Q. [13:13:54] Mr Witness, over the page, on page 2963, this document reports that  
4 the team asked Dédéou:

5 "[...] whether it was possible for him to travel to Bamako." He "was very enthusiastic;  
6 however he said [...] he had to talk to [...] before confirming his travel."

7 It then explains --

8 PRESIDING JUDGE MINDUA: [13:14:41](Interpretation) Mr Prosecutor.

9 MR DUTERTRE: [13:14:45](Interpretation) Yes, Mr President, I think we need to be  
10 fair with this witness and put simple questions to him and at the -- on the previous  
11 page, there's a mention of a date; otherwise, if we don't mention that date, the witness  
12 may be confused because the contact does not concern him.

13 Questions can be put to him around that, but at least give him information on the  
14 temporal context in which the question is being asked.

15 MS SUTHERLAND: [13:15:16] So the date that -- the date of that is the 24th of  
16 January 2017. It then explains that on 30th of January 2017, Dédéou "confirmed that  
17 he received the text message confirming the name and address of the hotel [...]  
18 booked for him in Bamako."

19 Q. [13:15:57] Do you remember [REDACTED]

20 [REDACTED]?

21 A. [13:16:16] [REDACTED] No, no. I don't remember. [REDACTED]

22 [REDACTED].

23 Q. [13:16:27] Do you remember [REDACTED]

24 [REDACTED]?

25 A. [13:16:43] \* [REDACTED]

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3 PRESIDING JUDGE MINDUA: [13:17:09](Interpretation) Yes, Prosecutor.

4 MR ALLAFI: [13:17:11](Interpretation) Two things. First of all, the initial question  
5 was not clarified, and then the second one is that we are in open session.

6 PRESIDING JUDGE MINDUA: [13:17:11](Interpretation) Ms Sutherland, I hope  
7 you've understood the points.

8 MS SUTHERLAND: [13:17:33] We may have to return briefly to private session,  
9 your Honour.

10 PRESIDING JUDGE MINDUA: [13:17:53](Interpretation) Court officer, private  
11 session, please.

12 (Private session at 1.17 p.m.)

13 THE COURT OFFICER: [13:18:00] (Interpretation) We are in private session,  
14 Mr President.

15 PRESIDING JUDGE MINDUA: [13:18:09](Interpretation) Thank you, court officer.  
16 Ms Sutherland.

17 MS SUTHERLAND: [13:18:15]

18 Q. [13:18:15] Mr Witness, I asked you [REDACTED]

19 [REDACTED]

20 A. [13:18:35] I never saw him.

21 Q. [13:18:39] I'm sorry, Mr Witness, what do you mean?

22 A. [13:18:43] I am saying that I never heard that. [REDACTED]

23 [REDACTED] but you keep coming back to that question.

24 Q. [13:18:57] Mr Witness, I'm trying to elucidate [REDACTED]

25 [REDACTED] We've already discussed the document,

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1 you discussed it with the Prosecution, a document [REDACTED]

2 [REDACTED]. You've described to us [REDACTED]. [REDACTED]

3 [REDACTED]?

4 A. [13:19:48] [REDACTED].

5 Q. [13:19:57] And is this -- is this the incident that you referred to when you

6 described to the Prosecution that people asked [REDACTED]

7 [REDACTED]

8 A. [13:20:25] \*I told you that [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 PRESIDING JUDGE MINDUA: [13:21:07](Interpretation) Ms Sutherland, that's clear

15 enough now, isn't it?

16 MS SUTHERLAND: [13:21:13]

17 Q. [13:21:16] Mr Witness, there's the investigation note that we put in front of you

18 just now, details conversations between the Office of the Prosecutor and Dédéou.

19 Did Dédéou travel to Bamako in January 2017?

20 PRESIDING JUDGE MINDUA: [13:22:02](Interpretation) Mr Prosecutor.

21 MR DUTERTRE: [13:22:05](Interpretation) Mr President, objection. The witness is

22 not in a position to testify on contacts between the OTP and Dédéou Maïga. And I

23 believe the issues relating to travel have been addressed repeatedly over and over

24 again, and so the question is, I believe, asked and answered.

25 MS SUTHERLAND: [13:22:29] Mr President --

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1 PRESIDING JUDGE MINDUA: [13:22:32](Interpretation) No, you see, I just said  
2 a short while ago that we have the questions and the answers on the trips -- on the  
3 travel. What else do you want to add, please?

4 MS SUTHERLAND: [13:22:48] I wasn't asking him about the content of the  
5 discussions between the Office of the Prosecutor and the -- and Dédéou. I was  
6 asking about this journey, which appears to be documented and whether he's aware  
7 whether Dédéou travelled in 2017. It sounds like he didn't, but to be fair to this  
8 witness, I have to put before him the evidence to the contrary.

9 PRESIDING JUDGE MINDUA: [13:23:23](Interpretation) Yes, but for the travel, he  
10 has already provided his answers relating to Dédéou's travels. He has already  
11 answered. But I don't think we need to go further.

12 Please move on, Ms Sutherland.

13 MS SUTHERLAND: [13:23:44]

14 Q. [13:23:49] Mr Witness, previously you mentioned that [REDACTED]

15 [REDACTED]?

16 A. [13:24:09] In [REDACTED]?

17 Q. [13:24:14] In [REDACTED] Anywhere?

18 A. [13:24:20] No. [REDACTED] But [REDACTED]

19 [REDACTED]

20 Q. [13:24:38] [REDACTED]

21 A. [13:24:42] [REDACTED]

22 Q. [13:24:51] Mr Witness, can you be specific about where you were going, "[REDACTED]

23 [REDACTED]', can you very precise, please?

24 A. [13:25:03] [REDACTED]

25 [REDACTED]

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1 Q. [13:25:16] Who was [REDACTED] to whom you referred?

2 A. [13:25:22] I do not know her name. But I know that she was a woman from or  
3 in Timbuktu -- in Timbuktu and on that day, I saw her [REDACTED]

4 Q. [13:25:46] And what did she do?

5 A. [13:25:54] What? What?

6 Q. [13:26:00] I'm trying to understand why you mentioned her. You said that

7 [REDACTED].

8 A. [13:26:11] Yes.

9 Q. [13:26:13] \*Are you saying that [REDACTED]?

10 A. [13:26:27] \*No, what she said, she doesn't understand French. That what she  
11 said, [REDACTED] That's all.

12 Q. [13:26:39] What language did she speak?

13 A. [13:26:50] Songhai.

14 Q. [13:26:53] And what languages did [REDACTED] speak?

15 A. [13:27:00] The others spoke Songhai.

16 Q. [13:27:11] [REDACTED]?

17 A. [13:27:17] [REDACTED].

18 Q. [13:27:26] Were all of the -- [REDACTED]?

19 A. [13:27:52] Timbuktu. [REDACTED]

20 Q. [13:28:03] Did you ever hear of [REDACTED]?

21 A. [13:28:28] [REDACTED]

22 PRESIDING JUDGE MINDUA: [13:28:41](Interpretation) Yes, OTP.

23 MR DUTERTRE: [13:28:45](Interpretation) Mr President, what is the relevance of the

24 [REDACTED]? I want to point out that it is important for the witness to go back

25 today; otherwise, we'll be extending his stay for some more time.

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1 PRESIDING JUDGE MINDUA: [13:29:10](Interpretation) Ms Sutherland, you've  
2 heard what the Prosecutor has said.

3 MS SUTHERLAND: [13:29:14] I'm not sure I understand the relevance of it being  
4 important for the witness to return today. We haven't made it to lunch. We have  
5 plenty of time. We have three hours afforded to us, we're going to be well under  
6 that.

7 PRESIDING JUDGE MINDUA: [13:29:48](Interpretation) Yes, it is the time for the  
8 lunch break, and so Prosecutor, why are you talking about the witness going back?

9 MR DUTERTRE: [13:29:54](Interpretation) Because he has to go back to his home.  
10 So if there is a re-examination and there will be a need to spend more time that  
11 I'd -- that we need to deal with questions that may not be relevant, but then are just  
12 issues relating to his testimony. So I just wanted to point this out to the learned  
13 colleague opposite that, you know, in all respect, we must be mindful of this issue of  
14 time.

15 PRESIDING JUDGE MINDUA: [13:30:29](Interpretation) Ms Sutherland, you've  
16 heard what the Prosecution has said. So far you have taken one hour and 20 minutes.  
17 How much more time do you need for your cross-examination?

18 MS SUTHERLAND: [13:30:47] Maybe 10 minutes. Although, I would note that we  
19 are meant to be afforded three hours, we are going to come in well under that. I don't  
20 think Mr -- my learned friend for the Prosecution has a proper basis to be  
21 making -- making -- or this attempt to curtail our cross-examination time.

22 PRESIDING JUDGE MINDUA: [13:31:16](Interpretation) Yes, it is true that you are  
23 entitled to three hours, but I appreciate your understanding. Thank you. You need  
24 10 minutes as you have said, is that correct? To wrap up?

25 MS SUTHERLAND: [13:31:32] (Overlapping speakers) Yes, Mr President.

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1 PRESIDING JUDGE MINDUA: [13:31:46](Interpretation) Ms Sutherland, in 10

2 minutes you would have been done with your cross-examination, is that it?

3 MS SUTHERLAND: [13:31:54] Yes, Mr President. Would you like me to continue

4 now?

5 PRESIDING JUDGE MINDUA: [13:32:00](Interpretation) Yes, that's why I have put

6 that question to you.

7 Can we continue for another 10 minutes, court officer?

8 THE COURT OFFICER: [13:32:08] (Interpretation) Yes, let me consult the

9 interpreters and they've all given me positive signs and I think we can proceed.

10 Thank you, Mr President.

11 PRESIDING JUDGE MINDUA: [13:32:20](Interpretation) I thank the interpreters for

12 their understanding.

13 So Ms Sutherland, please continue.

14 MS SUTHERLAND: [13:32:26] Do I understand that we will be coming back for

15 re-examination after lunch?

16 PRESIDING JUDGE MINDUA: [13:32:35](Interpretation) Prosecutor?

17 MR DUTERTRE: [13:32:36](Interpretation) Necessarily not at this stage,

18 your Honour.

19 PRESIDING JUDGE MINDUA: [13:32:39](Interpretation) Very well. Very good.

20 MS SUTHERLAND: [13:32:42]

21 Q. [13:32:42] Mr Witness, you mentioned your interactions with [REDACTED].

22 You said - and the real-time transcript reference is transcript 70, page 22, lines 8 to 10:

23 My role was to say that everything we had been asked had been handed over to

24 [REDACTED]

25 When did you meet [REDACTED]?

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1 A. [13:33:13] \*We met [REDACTED] when w [REDACTED]

2 [REDACTED]

3 Q. [13:33:28] Where did you meet him?

4 A. [13:33:31] I met [REDACTED] A house, I  
5 don't remember the name. It was a building.

6 Q. [13:33:46] In what capacity did you meet him?

7 A. [13:33:51] I'm sorry? [REDACTED]

8 Q. [13:34:07] In what capacity did you meet him? What was your role?

9 A. [13:34:17] I saw him because I saw him [REDACTED]  
10 [REDACTED]

11 Q. [13:34:34] Did you do any --

12 A. [13:34:36] -- and [REDACTED]

13 Q. [13:34:38] Did you [REDACTED] at this time?

14 A. [13:34:43] [REDACTED]  
15 [REDACTED]

16 [REDACTED]

17 Q. [13:35:01] Was this in your meetings with [REDACTED]?

18 A. [13:35:08] Yes.

19 Q. [13:35:11] And was that [REDACTED]? This maybe (Overlapping speakers)

20 A. [13:35:16] \*Yes, it was [REDACTED] he came  
21 to where we were staying. [REDACTED] That's it.

22 Q. [13:35:36] Did you [REDACTED] when you were at the house that you met  
23 him in?

24 A. [13:35:44] No, \*we didn't say anything there to him. It was only when [REDACTED]  
25 [REDACTED] that's when we said everything that we'd experienced. What [REDACTED]



Trial Hearing

(Open Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 [REDACTED].

2 Q. [13:36:06] And Mr Witness, my final question, when did you last meet

3 [REDACTED]?

4 A. [13:36:15] [REDACTED]

5 MS SUTHERLAND: [13:36:31] Mr President, I have no further questions.

6 Thank you, Mr Witness, for answering all of my questions and for enduring a long  
7 session.

8 THE WITNESS: [13:36:43](Interpretation) Thank you.

9 PRESIDING JUDGE MINDUA: [13:36:46](Interpretation) Thank you very much,

10 Ms Sutherland. The Chamber is very grateful to you. Obviously the Prosecutor

11 already promised that there would be no additional questions. Everything is in

12 order, the conditions for the procedure for Rule 68(3) have been fulfilled, and I think

13 that we can release the witness.

14 Witness, the Chamber would like to thank you again for having helped in answering

15 in a very clear way with a lot of courage to the questions that were put to you. Now,

16 after your testimony -- your testimony has now finished, I would like to wish you all

17 the best for the future.

18 THE WITNESS: [13:37:53](Interpretation) Thank you.

19 PRESIDING JUDGE MINDUA: [13:37:55](Interpretation) Court officer, are we in

20 open --

21 THE COURT OFFICER: [13:38:04](Interpretation) We are in private session, yes.

22 PRESIDING JUDGE MINDUA: [13:38:09](Interpretation) We have to go back into

23 open session.

24 (Open session at 1.38 p.m.)

25 THE COURT OFFICER: [13:38:14] (Interpretation) We are in open session,

Trial Hearing

(Open Session)

ICC-01/12-01/18

WITNESS: MLI-OTP-P-0595

1 your Honour.

2 PRESIDING JUDGE MINDUA: [13:38:18](Interpretation) Thank you very much,  
3 court officer.

4 Witness, I was thanking you for your testimony and now you are free again and you  
5 can continue with your usual occupations; so thank you.

6 THE WITNESS: [13:38:38](Interpretation) Thank you.

7 (The witness is excused)

8 PRESIDING JUDGE MINDUA: [13:38:39](Interpretation) I would like to thank the  
9 parties and the participants. I would also like to thank the court reporters and the  
10 interpreters. Today it's been particularly difficult. Of course, I'd like to thank the  
11 security guards, and, of course, our public. I have to admit that there were a lot of  
12 sessions which occurred in private session, but our objective is always to hold our  
13 hearings publicly. That's it.

14 Prosecutor, so our next meeting, when will it be and with which witness?

15 MR DUTERTRE: [13:39:29](Interpretation) Your Honour, it will be on Monday, with  
16 a witness for whom there are protective measures, and that should be 27th witness,  
17 with witness P-0636, the 27th witness.

18 PRESIDING JUDGE MINDUA: [13:39:47](Interpretation) Okay, so we will back on  
19 Monday with the 27th Prosecution witness, which will be P-0636.

20 We are now going to adjourn.

21 Court is adjourned.

22 (The hearing ends in open session at 1.40 p.m.)

23 CORRECTIONS REPORT

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

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WITNESS: MLI-OTP-P-0595

1 Page 8 lines 21-24

2 " [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 " Is corrected to " [REDACTED]

6 [REDACTED]

7

8

9 Page 11 lines 22-23

10 "So the second line states -- can you confirm that it's Boumama and not Bamama; is  
11 that correct?" Is corrected to "In the second line, can you confirm that it should read  
12 Boumama and not Bamama., is that correct?"

13 Page 13 line 8

14 "line 12" Is corrected to "line "2""

15 Page 13 line 25 to Page 14 line 1

16 "This is a copy of the form from the original copy, Timbuktu, reference 0058-0219,  
17 and it's a confidential document." Is corrected to "This is a copy of the form given by  
18 [REDACTED]. It bears the ERN MLI-OTP-0058-0219 — and it is a  
19 confidential document."

20 Page 15 line 22

21 "20 (sic)" Is corrected to "30"

22 Page 16 line 1

23 "On the day of his trial?" Is corrected to "On the day of his judgment?"

24 Page 16 lines 3-5

25 "On the day of his trial -- I was there, but maybe not on the day of his trial. [REDACTED]

Trial Hearing

(Open Session)

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WITNESS: MLI-OTP-P-0595

1 [REDACTED] and I was there on that day."

2 Is corrected to "Well, the...the day of his...Yes, [REDACTED] but

3 not...I don't know... it's the... it's not the day of his judgment, huh, [REDACTED]

4 [REDACTED] you know. He was there on that

5 day."

6 Page 17 line 17

7 "before" Is corrected to "after"

8 Page 18 lines 14-15

9 "[REDACTED] sometimes spoke [REDACTED] and a little bit of [REDACTED] as well." Is corrected to

10 "[REDACTED] spoke a little [REDACTED], sometimes he puts a little [REDACTED] in there."

11 Page 18 line 19

12 'tab 73, tab 73, please.' Is corrected to 'tab 73, please.'

13 Page 18 line 20

14 "73" Is corrected to "63"

15 Page 20 line 14

16 "[REDACTED] who did what? Who spoke, for example?" Is corrected to

17 "[REDACTED], how did it go? Who spoke, who answered, for example?"

18 Page 20 lines 19-21

19 "Mr President, with your leave, we can return to open session. I have a few questions

20 on this document and then thereafter will proceed in open session to the end of my

21 examination." Is corrected to "Mr. President, with your permission, we can go back to

22 open session. I would have a line of questions on this document in question and then

23 on Dédéou Maïga afterwards."

24 Page 26 lines 12-13

25 '[REDACTED]' Is corrected to '[REDACTED]

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(Open Session)

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WITNESS: MLI-OTP-P-0595

1 [REDACTED]"

2 Page 26 line 14

3 "Dédéou said okay" Is added

4 Page 26 lines 23-24

5 '[REDACTED]." Is added

6 Page 28 lines 19-20

7 "[REDACTED]." Is corrected to '[REDACTED]

8 [REDACTED]"

9 Page 29 lines 10-11

10 "Thank you very much. What do you mean by his -- it was finished for him?" Is  
11 corrected to "Thank you very much Mr. Witness. What do you mean by "his life was  
12 finished"?"

13 Page 29 lines 13-14

14 "He only had one hand. He was a driver, he was learning to be a driver and a  
15 plumber as well." Is corrected to "He only had one hand. because it is with his hand  
16 that he works, he only has one hand, he is a driver, he is an apprentice driver, he is  
17 also an apprentice plumber."

18 Page 29 line 17

19 "He wasn't happy anymore because of that. Is corrected to "He morale was low  
20 because his hand had been cut off."

21 Page 44 lines 6-7

22 "we don't know whether this witness mentioned it." Is corrected to "we don't know  
23 where this was mentioned."

24 Page 44 line 8

25 "And" Is added

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WITNESS: MLI-OTP-P-0595

1 Page 44 lines 17-21

2 "it's unacceptable for the witness to take the place of Dédéou. The question should be  
3 "Do you know ...?" But he can't speak in place of the victim. He can't try to get  
4 the -- this person to testify for another person. That's something that simply cannot be  
5 done." Is corrected to "it is unacceptable for the present witness to testify in place of  
6 Dédéou. The question should be: "Do you know...?" ", but he cannot speak for this  
7 witness, this victim. We cannot try to make the witness in question testify about  
8 another person. That's something that simply cannot be done."

9 Page 45 line 25 to Page 46 line 2

10 "Your Honour, I think that there's confusion. I've seen it, not seen it -- could we cut  
11 the sound for the witness, please." Is corrected to "Mr. President, I think there is some  
12 confusion. He says "Never seen" and then he said "I read it". Could we cut the sound  
13 for the witness, please."

14 Page 46 lines 15-18

15 "Thank you very much, your Honour. In transcript 50, page 50, line 3: "This article?  
16 No." He says he hasn't seen it before. He already answered this question. And  
17 afterwards, if he read it now or later, there's confusion there. And he already said no."  
18 Is corrected to

19 "Thank you very much, Mr. President. In transcript 50, page 50, line 3: "This article?  
20 No." He says he hasn't seen it before. He already answered this question. Afterwards,  
21 if he read it now or later, there is a confusion, in fact. And he has already said "no I  
22 haven't seen it"."

23 Page 48 line 25 to Page 49 line 1

24 "If the witness knows," Is corrected to " If the witness knows this document,"

25 Page 52 lines 8-10

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[REDACTED]

Page 53 lines 1-3

[REDACTED]

Page 54 lines 11-13

“ [REDACTED]

[REDACTED]” Is corrected to “The second week they said on a Thursday that [REDACTED]

[REDACTED] and that's where we went.”

Page 54 lines 22-24”

“In [REDACTED], I don't have a clear recollection whether I went back in [REDACTED] or not. All I

know is that [REDACTED] in [REDACTED]. In [REDACTED], well, I know that [REDACTED]”

Is corrected to “In [REDACTED]? Well, I don't know. I think, at some point, again, if I went

back to [REDACTED] or I... I didn't go back to [REDACTED]. Really, I don't know. I still know that [REDACTED]

[REDACTED] in [REDACTED]... I still know that [REDACTED]”

Page 57 line 25 to Page 58 line 1

“ [REDACTED]

[REDACTED]’ Is corrected to ‘ [REDACTED]

[REDACTED]

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1 [REDACTED]."

2 Page 59 lines 8-13

3 "I told you that [REDACTED] following the  
4 amputation of his hand and four days after being in the hospital. [REDACTED]

5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]

8 [REDACTED] " Is corrected to

9 "I told you that [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]"

15 Page 61 line 9

16 "Are you saying that she wa [REDACTED]?" Is corrected to "Are you saying that she

17 [REDACTED]?"

18 Page 61 lines 10-11

19 "No, she did not understand French, that's what she -- so what she said, [REDACTED]

20 [REDACTED] That's it." Is corrected to "No, what she said, she doesn't

21 understand French. That what she said, [REDACTED] That's all."

22 Page 64 lines 1-2

23 "I met [REDACTED]." Is corrected to "We met

24 [REDACTED] when [REDACTED]"

25 Page 64 line 10



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1 "[REDACTED] Is corrected to "[REDACTED]"

2 Page 64 lines 14-16

3 "[REDACTED]

4 [REDACTED]" Is corrected to '[REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Page 64 lines 20-21

8 "[REDACTED] He

9 showed us where he was staying." Is corrected to "[REDACTED]

10 [REDACTED]

11 [REDACTED]."

12 Page 64 line 24

13 "we didn't find anything there" Is corrected to "we didn't say anything there to him."

14 Page 65 line 1

15 "[REDACTED]." Is corrected to '[REDACTED]"