

Trial Hearing
MLI-OTP-P0587

(Open Session)

ICC-01/12-01/18

1 International Criminal Court
2 Trial Chamber X
3 Situation: Republic of Mali
4 In the case of The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag
5 Mahmoud - ICC-01/12-01/18
6 Presiding Judge Antoine Kesia-Mbe Mindua, Judge Tomoko Akane and Judge
7 Kimberly Prost
8 Trial Hearing - Courtroom 3
9 Wednesday, 5 May 2021
10 (The hearing begins in open session at 9.30 a.m.)
11 THE COURT USHER: [9:30:21] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE MINDUA: [9:30:44](Interpretation) The hearing is open.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:31:00] Good morning, Mr President,
17 your Honours.
18 This is the situation in the Republic of Mali, in the case of The Prosecutor
19 versus Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, case number
20 ICC-01/12-01/18.
21 And for the record, we are in open session.
22 PRESIDING JUDGE MINDUA: [9:31:22](Interpretation) Thank you very
23 much, court officer.
24 As usual, we will start with the introductions, starting with the Prosecution.
25 MR GARCIA: [9:31:38](Interpretation) Good morning, Mr President,

1 your Honours. Lucio Garcia for the Prosecution with Yayoi Yamaguchi.

2 Thank you.

3 PRESIDING JUDGE MINDUA: [9:31:45](Interpretation) Defence.

4 MS TAYLOR: [9:31:48] Good morning, Mr President. Good morning,

5 your Honours. The Defence for Mr Al Hassan is represented today by

6 Maître Sarah Marinier-Doucet and myself, Melinda Taylor. Thank you.

7 PRESIDING JUDGE MINDUA: [9:32:07](Interpretation) Thank you very

8 much, Ms Taylor.

9 The Legal Representatives for Victims.

10 MR KASSONGO: [9:32:10](Interpretation) Good morning, your Honours.

11 The victims are represented today by me, Maître Kassongo. Thank you.

12 PRESIDING JUDGE MINDUA: [9:32:18](Interpretation) Thank you very

13 much, Maître Kassongo.

14 So good morning, everyone. We will, this morning, be hearing the 32nd

15 Prosecution witness, P-0587.

16 I now turn to the witness.

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

18 WITNESS: MLI-OTP-P-0587

19 (The witness speaks French)

20 (The witness gives evidence via video link)

21 THE WITNESS: [9:32:47](Interpretation) Good morning, your Honour, I can

22 hear you very well.

23 PRESIDING JUDGE MINDUA: [9:32:51](Interpretation) Thank you very

24 much, Mr Witness.

25 On behalf of the Chamber, I would like to welcome you here today. You will

1 be testifying in order to help the Chamber find the truth in the case against
2 Mr Al Hassan. There are no particular protective measures taken for you,
3 apart from facial distortion. However, if there is any problem which arises,
4 we can at any moment move into private session.

5 I'm going to start with your solemn declaration in accordance with
6 paragraph -- with Rule 66(1) of the Rules of Procedure and Evidence.

7 On your desk, you will find a piece of paper with the solemn undertaking. do
8 you have that?

9 THE WITNESS: [9:34:16](Interpretation) Yes, I do.

10 PRESIDING JUDGE MINDUA: [9:34:17](Interpretation) Yes, good. In that
11 case, could you please read out loud what is written on this document.

12 Thank you.

13 THE WITNESS: [9:34:25](Interpretation) I solemnly declare that I will speak
14 the truth, the whole truth and nothing but the truth.

15 PRESIDING JUDGE MINDUA: [9:34:36](Interpretation) Thank you very
16 much, Mr Witness.

17 Mr Witness, you are now under oath. The representative of the section of
18 legal representatives of victims and witnesses and from Prosecution have
19 explained to you what this means, so I won't go through that again.

20 Nevertheless, I have a few practical hints for you with regard to your
21 testimony today.

22 As you have noted, we are speaking the same language, you and I, and, as does
23 some of the members of -- as do some of the members of the Prosecution, you
24 must remember throughout your testimony that everything said in this
25 courtroom is transcribed by court reporters and translated into a number of

1 languages simultaneously by interpreters. It is therefore important to speak
2 clearly, and, most importantly, slowly. Please do not start speaking until the
3 person asking you the questions has finished asking the question. It's also
4 sometimes a good idea to count up to three in your head before giving your
5 reply.

6 Of course, if you have a question, just raise your hand to indicate that you
7 would like to speak.

8 Have you understood all this, Mr Witness?

9 THE WITNESS: [9:36:44](Interpretation) Yes, I have, your Honour.

10 PRESIDING JUDGE MINDUA: [9:36:47](Interpretation) Thank you, very
11 kind.

12 In that case, without further ado, I will give the floor to the Prosecution to start
13 the examination-in-chief.

14 Mr Prosecutor.

15 MR GARCIA: [9:37:06](Interpretation) Thank you, your Honours.

16 QUESTIONED BY MR GARCIA: (Interpretation)

17 Q. [9:37:12] Good morning, Mr Witness.

18 A. [9:37:14] Good morning, Prosecutor.

19 Q. [9:37:16] We have already met. Could you, for the record, please give us
20 your name.

21 A. [9:37:27] My name is Paolo Grassi.

22 Q. [9:37:33] Thank you, Mr Witness. Initially, I won't have many questions
23 for you, around half an hour. I'm going to deal with three topics during this
24 time. I'd like to look, first of all, at your experience in your CV; secondly, the
25 *lettres de mission* that you have been sent; and finally, the expert report,

1 including the DVD. Are you happy with that?

2 A. [9:38:09] Yes, of course.

3 Q. [9:38:12] You have in front of you a file, if you could turn to tab 1,
4 MLI-OTP-0078-5416. I see you've got it. Is that your CV we can see there?

5 A. [9:38:40] Yes, indeed, that's my CV.

6 Q. [9:38:44] And I see, for the record, that you have included all your
7 diplomas and appropriate notes relevant to your CV, is that correct?

8 A. [9:38:59] Yes, that is correct.

9 Q. [9:39:02] Could you please tell us in order to see -- could you tell us what
10 your current position is?

11 A. [9:39:14] I'm a police analyst in the federal police office in Switzerland, in
12 Bern, and also I am the acting head of the unit.

13 Q. [9:39:33] You say you are an analyst, but what do you actually analyse?

14 A. [9:39:47] My work is to provide support to investigations which fall
15 under the federal police office. We support the investigators with the data
16 coming from different sorts of sources. We deal with telephone data, financial
17 data, all sorts of data gathered during the course of an investigation.

18 Q. [9:40:22] With regard to your experience to analysis, processing and so on
19 of telecommunication data, how many years' experience do you have?

20 A. [9:40:35] I have around 20 years. I did an internship in the cantonal
21 police in 2001 where I was doing training for operational criminal analysis. In
22 April 2003, I started work at the federal police office, and, since that time, I
23 have worked as an analyst.

24 Q. [9:41:05] Thank you very much for this information. We are going to
25 move in a moment to the expert report, but I'd like to look first at the mission

1 letter from the OTP, it's at tab 68, MLI-OTP-0050-0692. This is a letter,
2 a mission letter, an assignment, dated 8 December 2017.

3 Do you have it in front of you?

4 A. [9:41:55] Yes, I do.

5 Q. [9:42:04] Could you first let us know whether you -- whether you were
6 shown this letter when it arrived at the Swiss police?

7 A. [9:42:14] Yes, I can confirm that.

8 Q. [9:42:15] Could you tell us roughly what this mission was that was
9 assigned to you by the OTP?

10 A. [9:42:25] We received a CD, which included telephonic data from Mali.
11 Our aim was to analyse this telephonic data on the basis of the request made by
12 the OTP.

13 Q. [9:42:50] And if we look at 0693, we see that there were 22 numbers.

14 A. [9:43:02] This I can initially confirm.

15 MR GARCIA: [9:43:06](Interpretation) For the record, your Honours, I don't
16 want to waste any time, but I want to have a sort of guideline so we don't get
17 lost. *The ERNs of the items that were on this CD are found on the list of materials,
18 because this is a long list, going from number 87 up to and including number 1041.

19 *So the ERNs are from MLI-OTP-0031-0658 to MLI-OTP-0031-1612. So if you look at
20 the metadata, you can see that this is what was sent to the experts and we
21 intend to submit this, but I just wanted to mention it. It's 900 Excel sheets, so I
22 don't want to go into all the detail.

23 PRESIDING JUDGE MINDUA: [9:44:09](Interpretation) Very well,
24 Mr Prosecutor, I don't think the Defence will object.

25 MR GARCIA: [9:44:15](Interpretation) Thank you, Mr President.

1 Q. [9:44:16] So Mr Witness, thank you. You see that there was a sort of
2 interruption there, but that was to make sure that this information is entered
3 into the record.

4 If you turn now to tab 69 of your binder, for the record, this is
5 MLI-OTP-0052-0004, which is dated on 17 January 2018. Am I correct, do you
6 have that in front of you, Mr Witness?

7 A. [9:45:06] Yes, I do.

8 Q. [9:45:07] Is this a letter that you saw at the time it arrived with the Swiss
9 federal police?

10 A. [9:45:15] Yes, that's correct.

11 Q. [9:45:17] And could you please explain what is the request expressed in
12 this letter?

13 A. [9:45:25] It was an addition to the mission with additional numbers and
14 a better description of the partial mission we had been assigned.

15 Q. [9:45:39] Thank you, Mr Witness. If we look at 0052-0006, which is "Page:
16 3 / 3" in this case, and you look at the fifth paragraph, talking about the
17 enclosures in the CD, can you see this?

18 A. [9:46:00] Yes.

19 Q. [9:46:01] If I understand correctly, you also received, together with this
20 letter, a forensic copy of an item of evidence, which is here called
21 MLI-OTP-0050-0716, is that correct?

22 A. [9:46:26] Yes, it is correct.

23 MR GARCIA: [9:46:28] (Interpretation) As I did before, Mr President, I would
24 like to mention for the record, this is a telephonic data which is on the
25 Prosecution list of information*. The ERNs are MLI-OTP-0051-0121 to 0160. So

1 there is an ERN for each number on the CD in the forensic copy that was sent
2 to the experts.

3 Q. [9:47:03] Thank you, Mr Witness, for this clarification. I would now --

4 PRESIDING JUDGE MINDUA: [9:47:10](Interpretation) Is everybody happy
5 with that? We just need to check that and ensure that the Defence is in
6 agreement.

7 Yes, please go ahead.

8 MR GARCIA: [9:47:19](Interpretation)

9 Q. [9:47:21] Mr Witness, I would like to move now to another mission letter,
10 which is at 71 in your binder. This is a mission letter dated 20 March 2018.

11 Can you confirm to us, first of all, that you saw this mission letter when it
12 reached the office at the time?

13 A. [9:48:04] Yes, that's correct.

14 Q. [9:48:08] Could you please give us a brief description of this mission letter.
15 We can see that we talk about -- that there is talk of setting up tables, timelines,
16 graphs and visuals. Could you give us a bit more detail on that, please?

17 A. [9:48:35] The mission from the OTP evolved over time and here, we have
18 the latest version of the missions requested with details -- more complete
19 details. And, on the basis of this letter, we were able to provide the final
20 project, so this final mission allowed us to complete our analysis work.

21 Q. [9:49:13] Thank you for this clarification, Mr Witness. If we could now
22 look at tab 70 of your binder.

23 A. [9:49:37] I have this in front of me.

24 MR GARCIA: [9:49:41] (Interpretation) Thank you, your Honour.

25 Q. [09:49:58] So tab 70, MLI-OTP-0058-0187, this is from 23 April 2018.

1 Could you please, first of all, confirm that you saw this letter at the time?

2 A. [9:50:20] Yes, I can confirm that.

3 Q. [9:50:27] And could you give us a brief explanation of the content of this
4 mission letter from the OTP?

5 A. [9:50:35] We received two additional numbers which we were to integrate
6 into our analysis work with the documents, which were also integrated into
7 a CD -- a CD, which was annexed to the letter.

8 Q. [9:51:25] And for the record, the documents included on this CD are on
9 tabs 81 and 82, MLI-OTP...

10 THE INTERPRETER: [9:51:53] Apologies from the booth. I haven't got the
11 *ERNS, sorry. *MLI-OTP-0056-0297 and MLI-OTP-0056-0298.

12 PRESIDING JUDGE MINDUA: [09:51:59](Interpretation) Thank you,
13 Prosecutor.

14 MR GARCIA: [9:52:03](Interpretation) Thank you, your Honour.

15 Q. [9:52:06] I would like to draw your attention to one of the documents on
16 this CD which you were sent, MLI-OTP-0056-0298, which is in tab 82 of your
17 binder.

18 A. [9:52:40] I have the document in front of me.

19 Q. [9:52:44] Do you recognise this document?

20 A. [9:52:53] Yes, indeed I do.

21 Q. [9:52:56] Could you tell us what information is contained in this
22 document?

23 A. [9:53:03] This is the background information for everything that was on
24 the -- all the accidents in the telecommunication lines, which took place
25 between 2012 and 2013 in the region of Timbuktu. In other words, we got lists

1 of the relays and the antennas for telecommunications which were out of
2 service, and the period for which they were out of service and the reason why.

3 Q. [9:53:44] Did you use this information in your expert report or in your
4 conclusions to the report?

5 A. [9:53:54] No. No, we did not use this information.

6 Q. [9:54:01] Could you please tell us why you didn't?

7 A. [9:54:05] We analysed the existing telephonic data that was in our
8 possession. If we knew that there was an accident, that would mean that
9 telephonic data would not be present for that particular antenna or relay, so we
10 couldn't take -- draw any conclusions on the absence of information.

11 Q. [9:54:39] Thank you for this clarification, Mr Witness.

12 I would now like to move on to your expert report, which you have at tab 2,
13 MLI-OTP-0061-1643. This is an expert report which also includes a DVD,
14 which is at tab 3.

15 I see that you've already found it.

16 A. [9:55:14] Yes, indeed.

17 Q. [9:55:16] If you look at tab 3, is that the DVD that you sent to the OTP
18 which is an integral part of the expert report?

19 A. [9:55:29] Yes, I can confirm that.

20 Q. [9:55:35] I understand that for the purposes of this expert report, you
21 were helped by Mr Peter Hostettler, who was one of our -- one of your
22 colleagues. Could you please explain what the division of labour was in
23 terms of drafting this report?

24 A. [9:55:58] My colleague received the original data. He processed them
25 and prepared them. Once he'd completed that task, he made it

1 available -- made available the complete set of data so that I could move
2 forward with the interpretation and analysis of the data with a -- an
3 operational criminal approach mindset. With regards to the report itself, the
4 division of labour was such that my colleague wrote chapter 2, which contains
5 all the technical descriptions of processing the original information. I dealt
6 with the later parts and I wrote chapters 3 and 4, which contain the results of
7 the analysis.

8 Q. [9:57:20] If I understand correctly, if we look at the table of contents,
9 which is at MLI-OTP-0061-1644 or page 2, we see you have here, all the titles
10 here. You have 3.1, the content of the DVD, which is your conclusions, if I
11 have understood correctly; is that correct?

12 A. [9:57:55] The DVD is an integral part of the report. It contains all the
13 products that we supplied to the OTP; so it is an integral part of the report and
14 of the actual analysis.

15 Q. [9:58:14] Thank you. If we move to 0061 -- we look at 3.2.1, for example,
16 we would find 3.2.1 on the DVD itself?

17 A. [9:58:43] Yes, that is correct.

18 Q. [9:58:47] So if I've understood correctly, that would apply to all the
19 telephone numbers that you analysed and processed?

20 A. [9:58:57] Yes, that is correct.

21 Q. [9:59:01] During our preparation session, Mr Witness, you made one
22 correction and you gave us some clarification that's important, so I'd like to go
23 through them, if I may.

24 If you could please go *to page 1643, the part which says: "Attention".

25 So it says that in the -- that there are spot checks with regard to -- there are spot

1 checks with regard to this document.

2 Could you please tell us exactly what this is?

3 A. [10:00:04] This is the first time working on data from outside Europe with
4 which we were not familiar, so we had to understand how Malian telephonic
5 data was composed. This was easy because on open sources, we were able to
6 find all sorts of documentation which explained that Malian telephone
7 numbers from 2008 consist of eight figures.

8 On the basis of this knowledge, we were able to determine which telephone
9 numbers emanated from Mali. We did this work also for the other numbers
10 which had a different call number, and, on a case-by-case basis with samples,
11 we looked at open sources to see whether a number could most probably
12 emanate from a third country.

13 This is what we call "spot checks", which we refer to as the plausibility of
14 numbers, and this was the basis that we used for our work in identifying from
15 a sample whether a number was correctly noted, whether it's plausible or
16 whether there might have been an error.

17 Q. [10:02:08] And what were your conclusions when you did these spot
18 checks?

19 A. [10:02:17] We indicated each time whether there were conclusions in one
20 direction or another; so we said whether the number was correct by processing
21 it. We worked on correct numbers. If, however, we had numbers for which
22 we felt that there was an error or that the number could not be understood
23 correctly, then we also mentioned that.

24 Q. [10:02:55] Thank you for these clarifications, Witness. I'd like you now
25 to go to page *1645, MLI-OTP -0061-1645 -- it's page 3. And when we were in

1 the preparatory session, you also wanted to clarify the following sentence:

2 "Only the original data have probative value in an investigation."

3 A. [10:03:28] This is the basic rule for the work that we carry out on a daily
4 basis. We always work with copies. The original data is not modified, is not
5 touched such that the integrity of that information is not modified. Of course,
6 it isn't an exact science. We're not working in a laboratory.

7 However, with this approach, we are able to preserve the original data with the
8 data that we have processed; that gives the results in the annexed Excel tables
9 and they are annexed to the report in the DVD, and it refers to each line, it
10 refers to the original data. We used the references to the files that we received
11 in the first instance, so the names of the files could be slightly different to the
12 names that you used for the cataloging of evidence.

13 Q. [10:04:52] Thank you very much for this clarification.

14 I'd now like us to go to 1646, and you'll see just below title, 2.1, and you gave
15 a clarification or correction with regards to the sentence or the second last
16 sentence:

17 "It was necessary to program a script in Python."

18 And you said that there was a correction that needed to be made there.

19 A. [10:05:22] That is correct. Instead of Python, it has to be Java. So I
20 repeat the corrected sentence:

21 "It was necessary to program the script in Java language."

22 Q. [10:05:39] Very well, Witness. Also, by way of clarification, I would like
23 us to go to the fourth paragraph of the same page, 1646, and this starts, "For
24 calls" - it says - "under reserve of confirmation by the Malian providers."

25 Can you give us some clarifications as to what you wanted to say by that?

1 A. [10:06:10] I just wanted to confirm orally that we did not contact from
2 our -- the providers of telephone services, we didn't contact them on our own
3 behalf. This is contact that was taken up by the Office of the Prosecutor. But
4 in Switzerland, we didn't do this contact directly without the consent of the
5 investigators.

6 Q. [10:06:43] I'm now going to go, Witness - thank you very much for this
7 clarification - I'm now going to go to the last of the clarifications, and that's
8 page 1648.

9 Now, when it was about locating the antennas, this is under section 2.6, you
10 wanted to speak to us about the issue of the placing of localisation. You said
11 that this information gives an indication of the placing of the relay and you
12 wanted to give some clarifications in this regard.

13 Is that something you could do now in the courtroom?

14 A. [10:07:24] Of course.

15 Q. [10:07:25] Thank you.

16 A. [10:07:29] The information that we wanted to give -- well, we wanted to
17 give clear information which was easy to understand, both for the authorities,
18 but people who don't usually work with this type of data. And, for that
19 reason, I indicated -- or we indicated that when telephone data contained
20 geo-referential information, whether latitude or longitude, or the Cell-ID, then
21 the placing exclusively concerned the antenna, the relay itself. It is not the
22 positioning of the device -- the mobile device which was in that place.

23 Q. [10:08:34] Very well. Thank you, Witness, for this clarification, it's
24 significantly important.

25 And with regards to the location of antennas, you also spoke about the third

1 delivery of information had a list with Cell-ID and -- where it was 167 Cell-ID,
2 and you wanted to give a clarification with regards to the number of 167 with
3 regards to the number that we see on *1645 of 132 in the graph, which is
4 included there.

5 So what is the clarification that you wanted to make in this regard?

6 A. [10:09:19] This is complete data where it concerns the table which is in the
7 CD. Now this is data which is usable without a duplicate and -- and without
8 an ambiguous placement, which we have taken among the overall data which
9 was analysed.

10 Q. [10:09:58] Thank you very much, Witness. I'd now like us to go to your
11 DVD -- or the photo of the image of the DVD, which is at tab 3, and I would
12 like to look at page 1703 of your expert report.

13 If I understand well, Witness, this is a type of index or table of contents which
14 goes to page 1707 of everything that is on your DVD; is that correct?

15 A. [10:10:47] It's partially correct. The annexes A, B, C and D were annexed
16 to the report directly in paper form. Annex E contains exactly what you've
17 just said, the table of contents of all the materials which are annexed
18 thereto -- annexed and present in the DVD.

19 MR GARCIA: [10:11:17] Okay, so we've just got three or four minutes more,
20 your Honour, and then I will have finished my examination-in-chief.

21 If we could, Maître Yamaguchi is going to require use of the table in order to
22 make the presentation.

23 So for the record, the DVD is in tab 3, MLI-OTP-0061-1726.

24 Q. [10:12:43] Now, Witness, I don't know if you're able to see on your screen
25 this clearly, if not, is -- but is this the content of your DVD?

1 A. [10:12:58] Yes. I have now received the picture. It's not very well
2 focused.

3 Q. [10:13:19] We're going to try. If not, I'll just go on to the questions and
4 that will be sufficient.

5 Are you now able to see it better, Witness?

6 A. [10:13:31] No, I can't see it easily, but the structure is mine. I recognise
7 the folders that I had for the DVDs, which were annexed to the report.

8 Q. [10:13:45] Very well, we're going to use your expert report, given that it
9 contains a copy of your DVD. If you look at 1706, Witness. If you look, entry
10 226. If I understand well, this is the information that was given to you to
11 create your graphs; is that correct?

12 A. [10:14:26] That is correct. This is the official document for chapter 3.2.31,
13 and the telephone numbers analysed are -- it's the Excel file which contains all
14 the data from the analysis.

15 Q. [10:14:47] If I understand well, Witness, it's the same for each of the
16 telephone numbers that you analysed, it's still all the information is contained
17 therein in an Excel file; is that correct?

18 A. [10:15:03] That's correct.

19 Q. [10:15:04] So if we look above 226, 227 and following, 227 and following
20 to 256, you have "png" as the ending. What does this mean, "png"? What
21 does it identify?

22 A. [10:15:33] The ending, "png" indicates an image, and in this precise case
23 it's a screen capture of all the information that we were able to view in terms
24 and -- in geo-referential terms.

25 Q. [10:15:57] So we can use your DVD. If we look at 227, 3.2.31, could you

1 tell us briefly what the numbers refer to. I imagine it's a telephone number,
2 but you could explain the other figures that we see.

3 A. [10:16:18] The first number refers to the chapter of the report. The
4 number of the folder itself is, firstly, made up of the telephone number which
5 was analysed; the date -- in the second position, the date of the period of
6 reference given to us by the OTP, which we analysed; 01 means that this is the
7 first screen capture for this period; the second date is the date of creation, so
8 the number starting with 2018; the reference of the case -- the official reference
9 that we have always used for the situation in Mali; and the ending of the file,
10 png at the end.

11 Q. [10:17:30] Thank you very much for these clarifications. I would now
12 ask you to go to page 1706 to line 256. So you can see clearly that this is
13 titled -- well, what does this folder consist of?

14 A. [10:18:01] Well, we produced and we put into the file a -- well, we put
15 into the folder all the geo-referential image for this precise number. This is an
16 overall image or a global image without any time expression.

17 Q. [10:18:30] So in line 256, could you tell us what that -- sorry, 257, can you
18 tell us what that consists of?

19 A. [10:18:40] In line 257 we have a folder which was produced with a IBM i2
20 Analyst's Notebook. And in this precise case, this is a diagram which relates
21 to telephone connections of the numbers that were analysed.

22 Q. [10:19:06] And in 258, we see the indication of time. What does this file
23 consist of?

24 A. [10:19:14] Here, we are talking about a visualisation which was made
25 with the IBM i2 Analyst's Notebook. And this time, on the other hand, this is

1 a chronological diagram; so on a timescale you have the numbers that were
2 analysed.

3 Q. [10:19:33] And 259, there is an indication "20". What is this "Top20"?

4 A. [10:19:47] This is a relational diagram created with the software image
5 previously, and, in this precise case, we indicated, however, only the network
6 of the most frequent numbers in communication with the number that was
7 analysed.

8 Q. [10:20:07] Very well. I'll go to 25 -- 263, and this indicates "zoom"?

9 A. [10:20:21] These are files which depend on the other files. They -- it's
10 quite simply a picture, an image, with a particular zoom which is closer, more
11 precise, on a smaller region.

12 Q. [10:20:39] So final question, when we read your report in the section
13 "Results", these -- these are your conclusions? Are these your conclusions that
14 are in the DVD?

15 A. [10:20:55] That's correct. In chapter 3 and 4, and in the conclusions, we
16 drafted the main conclusions. These are conclusions which you can see in the
17 annexes to the DVD.

18 Q. [10:21:16] Thank you very much, Witness, for these clarifications. I have
19 no further questions for you.

20 MR GARCIA: [10:21:23](Interpretation) Your Honours, last question, my
21 colleague has kindly reminded me.

22 Q. [10:21:31] You have no objection, Witness, to us tendering your expert
23 report, which also includes the DVD, 0061-1726 into evidence?

24 A. [10:21:48] I have no objection thereto.

25 Q. [10:21:52](Interpretation) Thank you. That finishes my questions.

1 Thank you, your Honours.

2 PRESIDING JUDGE MINDUA: [10:21:57](Interpretation) Thank you,
3 Prosecutor. I would also like to thank the Prosecutor -- Madam Prosecutor,
4 but I was concerned as to how I would *declare that the conditions required
5 under Rule 68(3) have been met, but going on to the last question, you asked
6 that to our witness. So thank you very much. Now, I was also turning towards
7 the Legal Representatives of Victims. Now, you said that you had no questions
8 in principle, but you reserved your right to put questions having heard the
9 Office of the Prosecutor. So what would you say now?

10 MR KASSONGO: [10:22:39](Interpretation) Thank you, your Honour,
11 your Honours. Having heard carefully the presentation of the Prosecutor, as
12 well as the clarifications given by the witness, the Legal Representatives do not
13 wish to put questions to the witness.
14 However, we would like to thank the witness, and I have no further questions.
15 I would like to thank you.

16 PRESIDING JUDGE MINDUA: [10:23:11](Interpretation) Thank you,
17 Maître Kassongo.

18 So I now turn towards the Defence.

19 We have followed the cross-examination of -- we followed the
20 examination-in-chief of the Prosecutor, and, in accordance with Rule 68(3) of
21 the Rules of Procedure and Evidence, they have been met and the Legal
22 Representatives have no questions.

23 So you -- are you ready now to give the cross-examination, Ms Taylor?

24 MS TAYLOR: [10:23:48] Yes, Mr President.

25 PRESIDING JUDGE MINDUA: [10:23:54](Interpretation) Thank you very

1 much. So please start with your cross-examination, if you would be so kind.

2 QUESTIONED BY MS TAYLOR:

3 Q. [10:24:06] Good morning, Mr Witness. My name is Melinda Taylor.

4 I'm the counsel for Mr Al Hassan and I'll be putting questions to you today on
5 behalf of the Defence. Could you please indicate that you could hear me?

6 A. [10:24:22] I can hear you very clearly.

7 Q. [10:24:27] Well, that's an excellent start.

8 So, Mr Witness, earlier today, the Prosecutor showed you the curriculum vitae
9 that was submitted into evidence in this case and that was Prosecution tab 1,
10 MLI-OTP-0078-5416.

11 Mr Witness, is this the same curriculum vitae that you submitted to the
12 Registry to be added to the list of experts before the Court?

13 A. [10:25:00] The curriculum vitae are documents which are not static, they
14 can vary. I can't confirm that it is exactly the same document, having drafted
15 these curriculum vitae at different times. However, the content is
16 fundamentally the same.

17 Q. [10:25:42] Did the curriculum vitae submitted to the Registry have more
18 detail?

19 A. [10:25:49] I don't remember. I would have to have the document in my
20 hand in order to clearly answer this question.

21 Q. [10:26:08] Now, Mr Witness, in your day-to-day work, do you follow any
22 forensic guidelines as concerns the analysis of call data records?

23 A. [10:26:23] Yes, we apply a standard which is valid for all countries -- or
24 for all Switzerland, which is taught to us and which is taught during training in
25 criminal investigations, operational criminal analysis training.

1 Q. [10:26:53] What is the name of these standards?

2 A. [10:26:57] This standard doesn't have a name.

3 Q. [10:27:11] Is it publicly available?

4 A. [10:27:15] No, it's not. It's an internal document, an internal police
5 document.

6 Q. [10:27:29] Would you be willing to provide it to the Prosecution?

7 PRESIDING JUDGE MINDUA: [10:27:36](Interpretation) Court officer, I have
8 the impression that the witness can no longer be seen.

9 THE COURT OFFICER: [10:27:44](Via video link) There is no video anymore
10 in the courtroom apparently.

11 THE COURT OFFICER: [10:27:55] Your Honour, we will try to re-establish
12 the connection.

13 PRESIDING JUDGE MINDUA: [10:27:58](Interpretation) Please do, court
14 officer.

15 THE COURT OFFICER: [10:28:07](Via video link) We can see you, we can
16 hear you, but you can't see or hear us? Okay.

17 (Pause in proceedings)

18 THE COURT OFFICER: [10:30:05] Your Honours, I do apologise for this
19 delay. We do have a technician looking into the issue. We do hope that
20 within the next minute or two, it will be resolved.

21 PRESIDING JUDGE MINDUA: [10:30:22](Interpretation) Thank you, court
22 officer. We will remain in the courtroom and wait.

23 (Pause in proceedings)

24 THE COURT OFFICER: [10:31:50] Your Honour, we also appear to have lost
25 Mr Al Hassan. Then the connection is being re-established as we speak.

1 PRESIDING JUDGE MINDUA: [10:32:15](Interpretation) Very good. In that
2 case, let us continue.

3 Mr Witness, can you hear me now?

4 THE WITNESS: [10:32:25](Interpretation) Yes, I can hear you very well.

5 PRESIDING JUDGE MINDUA: [10:32:28](Interpretation) Thank you very
6 much, Mr Witness.

7 In that case, I give the floor to Ms Taylor for the continuation of the
8 cross-examination.

9 Ms Taylor.

10 MS TAYLOR: [10:32:40]

11 Q. [10:32:42] Mr Witness, after the conclusion of your testimony, would you
12 be willing to provide a copy of these standards to the Prosecution in this case
13 for transmission to the Defence?

14 A. [10:32:56] These are police internal documents, so this would have to be
15 requested directly to my superiors.

16 Q. [10:33:23] In the framework of your daily work, are you required to
17 respect any laws concerning the privacy protections for personal data?

18 A. [10:33:35] Absolutely, yes.

19 Q. [10:33:47] What are those laws?

20 A. [10:33:51] We can use personal data only as part of investigations for
21 a particular mission given by a judicial authority or in the case of an open
22 criminal investigation.

23 Q. [10:34:25] If data has been obtained in a manner which contravenes those
24 requirements, are you permitted to use it in your analysis?

25 A. [10:34:39] Those in charge of the instruction decide on the validity of the

1 data to be used. We do not have the power to determine whether the data
2 was collected legitimately. That's not a choice that we make.

3 Q. [10:35:18] Turning to the issue of relational information, is it correct that
4 a call data record can show contacts by or between numbers, but it doesn't
5 show who was using a number at a particular point in time?

6 A. [10:35:38] Yes, that is correct. This is technical telephone data. We
7 don't know who was using the number at any given moment.

8 Q. [10:36:02] And is it also correct that a person identified as a subscriber is
9 not necessarily the user of a number at a particular time?

10 A. [10:36:16] That is correct.

11 Q. [10:36:24] In effect, it's possible that numbers can be used by multiple
12 persons at different times?

13 A. [10:36:36] That is entirely possible.

14 Q. [10:36:45] So when we read your report, should we bear in mind that we
15 cannot assume that references to a particular number refer to a particular
16 person?

17 A. [10:37:00] That is correct. And it is indeed mentioned in the report.

18 Q. [10:37:16] Do you have any experience in analysing call data records to
19 establish the existence of a network of phone numbers?

20 A. [10:37:26] Could I please ask you to clarify your question. What exactly
21 do you mean by that?

22 Q. [10:37:54] In your work as a criminal analyst, have you been asked
23 previously to examine call data records from different numbers in order to
24 establish whether any of these numbers could be considered to be a criminal
25 network of phones?

1 A. [10:38:18] Thank you, Ms Taylor.

2 Yes, every day. This is an approach we use every day on the basis of the data
3 we have available. There are various variants that we can use. The primary
4 variant or approach is to analyse the information from the telephone
5 equipment itself using the IMEI number -- the IMEI number.

6 Q. [10:39:08] In your experience, is there a distinction between the usage of
7 phone numbers or call patterns between criminal networks as compared to
8 social networks?

9 A. [10:39:26] I'm sorry. Once again, I'm going to have to ask you to clarify
10 your question.

11 Q. [10:39:49] If I can perhaps provide an example then.

12 Would one of the characteristics of a criminal network of phones be the
13 existence of a closed network of contacts; that is, the use of specific numbers
14 and devices just for communications within this network as compared to
15 contacts with family or friends?

16 A. [10:40:16] Thank you very much. This is a very rare phenomenon. We
17 have almost never here in Switzerland had dealings -- we have never
18 encountered a closed network. The people being monitored, generally
19 speaking - and, this is based on my work experience - these people being
20 monitored don't normally pay much attention to that and use their mobile
21 phone numbers for all types of activity.

22 Q. [10:41:11] Do you have experience in monitoring the call patterns of
23 terrorist organisations?

24 A. [10:41:21] No, I have none. I have no experience in that.

25 Q. [10:41:34] Bearing that in mind, please feel free to say if you don't have

1 the experience in answering this question, but would a characteristic of
2 a criminal network be the extent to which the user tries to remain covert? For
3 example, by not using accurate subscription information or not using
4 voicemails?

5 A. [10:42:12] This is quite possible. However, there is one thing we should
6 not forget, and that is the fact that this is a fairly recent technology. The
7 technology of Malian telecommunications is fairly elderly. I can't confirm that
8 this is the case, but I doubt it. I doubt that it would be exclusively as you have
9 mentioned.

10 Q. [10:42:56] Now, your work involved analysing the data that was
11 provided to you, and, in doing so, I think you mentioned earlier in today's
12 transcript at page 11 that you relied on the data provided to you by your
13 colleague, P-617, as we refer to him. That's correct?

14 A. [10:43:24] That is correct.

15 Q. [10:43:29] And P-617 relied on data coming from Malian service providers.
16 So would you accept that the reliability of your analysis depended on the
17 reliability of the data that was provided to you?

18 A. [10:43:49] This is an approach which we need -- have to use every day.
19 We take into consideration the possibility of errors, malfunctions on the
20 network, spelling errors, for example. However, given the -- for the mass of
21 data, we try to eliminate errors by the spot checks of plausibility of the
22 numbers.

23 Q. [10:44:37] Now, Mr Witness, if these errors had not been eliminated, if the
24 data provided to you had errors concerning the numbers of contacts received
25 by a particular phone number, is it correct that that would affect the accuracy

1 and reliability of the graphs and diagrams that you created using this data?

2 A. [10:45:06] This is partially correct. In a relational approach, the fact that
3 two telephone numbers are in communication is not disrupted by the presence
4 of errors because there is communication. If we take a chronological approach
5 and we look at the individual communications one by one, then errors could
6 disrupt the overall visualisation.

7 Q. [10:46:00] Would an assessment as to a relation between numbers depend
8 on knowing whether the -- both numbers successfully received the contact?

9 So, for example, if you're assessing a relationship between phone A and phone
10 B, is it necessary to know not just that phone A initiated the contact, but that
11 phone B received the contact?

12 A. [10:46:31] There are two ways in which this can be checked. The first
13 hypothesis is that if the two numbers together are both being monitored and
14 we have the data for both, we can compare and verify whether there was
15 indeed a communication between the two. The second hypothesis would be
16 based on using information on the length of a call or a message. And my
17 experience is that when the length is positive, so greater than zero, we assume
18 that there was communication, which of course does not necessarily mean that
19 the two users actually spoke to each other.

20 Q. [10:47:54] Is it correct that the frequency of contacts between different
21 numbers could be impacted by issues of network coverage? For example,
22 person A might contact person B six times in a row because the call keeps
23 dropping out?

24 A. [10:48:20] Generally speaking, if there is a cut in the communications, no
25 data appears. However - and this comes back to my work experience to

1 date - a person who can't reach another person will continue to try. So the
2 breaks are an image in time, but everything before and after continues to be
3 truth -- true and exists.

4 Q. [10:49:23] Or, for example, we could also have a situation, couldn't we,
5 that someone's on the phone, made a successful connection, but the call fails.
6 The person, therefore, has to re-establish the connection. Could that not also
7 be the case?

8 A. [10:49:46] This is a very normal situation in a communication network.
9 It happens very often that there's a moment when there's an interruption in the
10 communication, therefore, there has to be a new attempt to communication
11 and these new attempts are registered in the telecommunication data.

12 Q. [10:50:27] So multiple contacts could reflect the fact that a person is in an
13 area of poor reception, is that possible?

14 A. [10:50:37] This is possible with the length of calls and by eliminating
15 duplications, it is possible to define this situation -- to demarcate this situation.

16 Q. [10:51:15] You just referred to length of calls, but could length of calls also
17 be impacted by coverage, that is, the phone call could be longer because one
18 person is having difficulty being heard?

19 A. [10:51:29] From my experience with problems of communication, what
20 we tend to do is to stop and to try again, so the problem doesn't usually resolve
21 itself.

22 Q. [10:52:04] When you refer to your experience of communication, are you
23 referring to your analysis of Swiss intercepts or records?

24 A. [10:52:13] The vast majority of my experience is indeed based on Swiss
25 data.

1 Q. [10:52:39] Mr Witness, how would pocket dials be registered in call data
2 records, that is, if someone's contacting someone multiple times because it's the
3 last number?

4 A. [10:52:56] Could you please repeat your question?

5 Q. [10:53:17] Do you know how a Malian call data record would potentially
6 register pocket dials, that is, when you have your phone in your pocket and
7 you accidentally keep hitting the phone button such that it keeps calling the
8 last number?

9 A. [10:53:37] The telephonic data is registered in Mali as it would be in
10 Switzerland. If you accidentally call a number, this communication would
11 appear in the list of telephonic data.

12 Q. [10:54:23] Turning to the issue of the importance of particular numbers in
13 a network, was your analysis based on the number and frequency of contacts
14 by particular numbers?

15 A. [10:54:40] That's part of our everyday work, yes.

16 Q. [10:54:54] Would you accept that even if one number is used more often
17 than another number, that does not necessarily mean that the user is more
18 important? For an example, an administrative assistant might make and
19 receive more contacts than their supervisor?

20 A. [10:55:21] I completely agree with you, that is correct.

21 Q. [10:55:36] Would you also accept that in order to make reliable
22 assessments of the importance of a number within a network based on the
23 number of contacts, it would be necessary to know whether other individuals
24 in that network used multiple numbers to make contacts.

25 And, I can give an example. If person A uses one number and has 50 contacts

1 with person B, but person C has two numbers and makes 40 contacts with
2 person B with one number, and 40 contacts with person B with another number,
3 can we conclude that person A is more important than person C?

4 A. [10:56:46] The interpretation of telephone data is used to give a basis for
5 the understanding of a network. Other information has to be
6 included -- other sources have to be included in order to validate or confirm
7 certain observations. The frequency alone does not allow one to determine
8 the importance of a person in the network. However, the network of contacts
9 linked to a high frequency does give some indications. Operational criminal
10 analysis provides working hypotheses, indications, observations, which, in
11 very specific cases - and this could be one of them - would need to be
12 corroborated by other sources.

13 MS TAYLOR: [10:58:15] Mr President, I'm just looking at the time. I think
14 this might be an appropriate time to break, as my next question would take us
15 over.

16 PRESIDING JUDGE MINDUA: [10:58:28](Interpretation) You are quite right,
17 Ms Taylor. We have two minutes left officially, but we can suspend the
18 hearing now.

19 We will now take a break and return at 11.30.

20 The hearing is suspended.

21 (Recess taken at 10.58 a.m.)

22 (Upon resuming in open session at 11.30 a.m.)

23 THE COURT USHER: [11:30:09] All rise.

24 Please be seated.

25 PRESIDING JUDGE MINDUA: [11:30:25](Interpretation) Court is in session.

1 Ms Taylor, you have the floor for the follow-up of your cross-examination.

2 MS TAYLOR: [11:30:47]

3 Q. [11:30:48] Good morning, Mr Witness. Can you please confirm that you
4 can hear and see me?

5 A. [11:30:55] Good morning, I can hear you and I can see you.

6 Q. [11:31:05] Excellent, that's another good start.

7 So, Mr Witness, before the break we were discussing this issue of assessing
8 importance based on the frequency of contacts. Now would this assessment
9 of importance also be impacted by whether you have a complete record of
10 contacts made by each number in the network? And, to give an example, if
11 you received more complete records for number A than number B, could that
12 artificially make number A seem more important than number B?

13 A. [11:31:54] The tendency to start with is to think what you have just
14 explained. However, in our daily work, that consists of interpreting the -- all
15 the data that is available. And what that means is that we have to verify the
16 times -- time zones, the days of the week, and all the different additional
17 information to be able to come with a definitive answer.

18 Q. [11:32:42] Well, perhaps I can put it more simply. If you have 50
19 contacts for number A and only 30 contacts for number B, but you don't know
20 if number B is complete or not, does that affect your ability to judge the relative
21 importance of the numbers?

22 A. [11:33:04] No. To start with, the numbers are all dealt with in the same
23 way. These are individual observations on a case-by-case basis, which can
24 vary with regards to our interpretation. But at the outset of the analysis, there
25 isn't a differentiation that is made necessarily by us.

1 Q. [11:33:38] So should I take from your answer that a higher number of
2 contacts wasn't determinative or isn't determinative to importance?

3 A. [11:33:51] That is correct.

4 Q. [11:33:58] Are the existence of pre-existing family, tribal or social
5 connections relevant to an analysis of contacts between persons in an alleged
6 network? And, I'm going to give an example. If person A and person B are
7 in regular contact with each other in 2010 and 2011, and person B joins the
8 network in 2012, is it correct that we can't necessarily classify contacts between
9 person A and person B as network contacts?

10 A. [11:34:51] The presence of persons in a network is not something that was
11 asked of me to verify. We don't have personal data. We have telephone data.
12 And on the basis of telephone data, we have been able to observe the
13 importance and the frequency or the presence of telephone numbers in
14 a network. This is dynamic. It's not static. There are a lot of reasons why
15 an image of the reality could change from one moment to another and this is
16 the reason why the observations in data -- telephone data analysis remain an
17 inductive analysis, where you have to take the risk of giving hypotheses which
18 are not verified.

19 Q. [11:36:13] Is an analysis concerning the relationship between different
20 numbers impacted by the question as to whether the numbers were being used
21 by a single or multiple users throughout a time period?

22 A. [11:36:35] We process the numbers individually. We make a network
23 between them and if we are able to observe particular usage, then that's
24 something that we mention. However, a typical case, which is absolutely
25 normal, but if we lack personal information, we cannot deduct therefrom

1 anything by a hundred per cent.

2 Q. [11:37:24] Now, to give an example, if we have a number that can be
3 accessed and used by various persons in an office, and there are contacts
4 between this number and another number attributed to a father of a person
5 working in that office, is it possible to make a reliable determination as to
6 whether contacts between these two numbers are network connections or
7 family connections if we don't have information about the context or content of
8 the calls?

9 MR GARCIA: [11:38:18](Interpretation) Your Honour.

10 PRESIDING JUDGE MINDUA: [11:38:19](Interpretation) Prosecutor.

11 MR GARCIA: [11:38:20](Interpretation) So I didn't intervene previously,
12 given that the expert is able to answer the questions, but this is quite
13 complicated. Here, you have the question about a father -- I don't know what
14 that has to do in this story, but I don't know how the expert can answer this
15 type of question.

16 You talk about an office, the fact that there's a father there. I understand that
17 the Defence has the right to put hypothetical questions to a witness, but here,
18 we are going into advocacy. They were -- they're trying to verify a Defence
19 line of questioning, and I don't see how the expert witness can reply to this
20 type of question.

21 This is an expert witness who has come to explain the expert report he drafted
22 and the questions have to come within the framework of his expert report and
23 the hypothetical questions too, here. And it's -- I've let a certain amount of
24 time pass, but we are getting to questions which are hypothetical, with
25 different people, a father, an office. I don't see how this is going to continue.

1 We're not within the framework of the experience of the expert here.

2 PRESIDING JUDGE MINDUA: [11:39:32](Interpretation) Ms Taylor, the
3 Prosecutor says that your last question is rather hypothetical and that, in reality,
4 you want to plead.

5 How would you respond to that?

6 MS TAYLOR: [11:39:47] Thank you, Mr President. This is an expert witness,
7 not a fact witness. Now, we are perfectly entitled to put hypotheticals to this
8 witness so that we can better understand the work products that have been
9 transmitted by this witness which have been based on analysis of contacts.
10 Now the purpose of this hypothetical - which the witness is free to answer or
11 not answer - is to understand what conclusions can reasonably be drawn from
12 contacts. In particular, whether the fact a number can be used by different
13 persons impacts upon questions of relationships within a network.

14 Now having produced these diagrams, the Defence should be entitled to test
15 the methodology employed to create this data.

16 I can reformulate the question, but I do believe it's for the witness to provide an
17 answer as to whether he's capable of answering it and not for the Prosecution,
18 because it's not the Prosecution who's testifying as an expert today.

19 PRESIDING JUDGE MINDUA: [11:41:13](Interpretation) Prosecutor, I have
20 a tendency to be in favour of the Defence on this because the witness is not
21 a fact witness. This is an expert witness. And I think that the line of
22 questioning of the Defence is to try to understand the methodology using
23 hypotheses which it is presenting.

24 So what would you say in this regard?

25 Please go ahead.

1 MR GARCIA: [11:41:53](Interpretation) Certainly, your Honour, and I agree
2 with you, and that's the reason why I didn't object until now. But there is
3 a line that shouldn't be crossed. If Ms Taylor is simply asking questions in the
4 way that she said it, namely, to see if there's a relationship between different
5 people who are communicating and whether that could affect the notion of
6 a network, then I wouldn't have objected. But if you start going into issues of
7 a person, an office, the father, another person, then we have a tendency of
8 going out of the field of the expert's -- of the ...
9 This is quite subtle, but I just want to point it out. I don't need to object every
10 time and I wouldn't object unless there are legal questions, and it's the work of
11 the Prosecution.

12 PRESIDING JUDGE MINDUA: [11:42:41](Interpretation) Very well.
13 Ms Taylor, I think that we're more or less in agreement. Please try not to
14 make pleadings, but really focus on the work of the expert report and the
15 methodology which you want answers to. Thank you.
16 So please reformulate the question and continue.

17 MS TAYLOR: [11:43:00]

18 Q. [11:43:01] Mr Witness, earlier today you referred to the word "network"
19 and you created work product that analysed contacts between a network.
20 Now, if we have a phone number that can be used by various individuals in
21 principle, is it possible to make inferences as concerns the nature of contacts
22 between a phone number and another phone number in the network - the
23 "network" - if we don't know who is accessing the phone and we don't know
24 the content or context of the call?

25 A. [11:43:55] I have to repeat once again, the analysis is based on telephone

1 data which has no direct relationship with people. We observe
2 communication between two telephone numbers. The communication is
3 interesting because it takes place within a period -- within the reference period
4 or because the number used on several occasions; that's additional information
5 that makes me think that this number is important.

6 On the basis of one communication, there is no observation that can be made or
7 no conclusion that can be drawn.

8 Q. [11:45:01] Now, Mr Witness, earlier today during the questioning of the
9 Prosecution, you discussed this distinction between displacements and relays
10 of connections. Now it's correct, isn't it, that a phone will not necessarily ping
11 the antenna of the tower that's closest to it?

12 A. [11:45:31] That's correct. It's the strongest antenna within the sector or
13 where the signal is sufficiently strong in order to draw the communication with
14 the mobile phone.

15 Q. [11:46:01] Can you please explain what factors might impact upon signal
16 strength?

17 A. [11:46:09] Yes. The sector of coverage is the first factor, if we are in
18 a region -- in an urban region or in a rural region, there is completely different
19 coverage; the density of the network -- the telecommunications network, if the
20 network is saturated or if there are very few calls, the signal can be weaker or
21 stronger; and the strength of the mobile phone, so the question is -- or the
22 power within the mobile phone. So how far the battery is charged, the age of
23 the model and other elements as well, which I cannot present here, given that
24 I'm not a telecommunications technician.

25 However, the elements that I mentioned do have an influence and those were

1 stated on various occasions in the literature.

2 Q. [11:47:35] Now I'm just going to turn to one of the maps that you created
3 for the report.

4 That's OTP tab 2, MLI-OTP-0061-1643 at 1694. If we could bring that up on
5 evidence channel 1.

6 Now, Mr Witness, is it correct if we look at this diagram in front of us, that this
7 shows the relay of connections between a certain period and not the
8 movements of a phone?

9 A. [11:48:43] That's correct. The telephone in theory can be immobile and
10 change antenna. This is what we've drawn and annexed to the report.
11 We've -- it's the change of antenna. However, in a sector -- in a large sector,
12 for example, in a town, the relays are at shorter distances than they are in
13 a rural area. The density is higher. There are a lot more users on the
14 network.

15 So the change of antenna, from our experience, also means that there was
16 movement, movement on the part of that mobile phone.

17 Q. [11:50:09] Mr Witness, you've just referred to your experience, what do
18 you mean by that?

19 A. [11:50:18] Every day we work with Swiss data. Switzerland is a country
20 with strong urban regions, with rural regions, and, in particular, with
21 mountainous regions and moving the signal -- or moving mobile phones and
22 the use of certain antennae, rather than others, are through this territorial and
23 geographic nature. That is what I would say is part of the experience of work.
24 These are observations that we make every day. That's what I mean by
25 "experience," which I stated.

1 Q. [11:51:27] Now, Mr Witness, without having information about the
2 specific powers of the different antennae, the different congestion at
3 a particular point in time, the particular line of sight between different points,
4 is it correct that you are not in a position to say whether the phone moved
5 between one antenna and another?

6 A. [11:51:55] I am able to say that the telephone data shows a change of
7 antenna. Where it concerns movement, this is a supposition within the
8 coverage sector. Again, through my professional experience, the two things
9 coincide mostly.

10 Q. [11:52:33] So Mr Witness, is it correct that you did not have the antennae
11 direction for these towers?

12 A. [11:52:41] That's false. In the third letter, the third mission letter in the
13 second addendum, we received a list of antennas, which was complete with all
14 the information, the direction, the angle of coverage, and this is the azimuth,
15 and we have that information.

16 Q. [11:53:16] Mr Witness, your colleague testified on Monday and Tuesday
17 that you did not have the azimuth. It is your testimony today that you had
18 the azimuth?

19 A. [11:53:36] We had the azimuth. However, we didn't use it because in the
20 work that we do on a daily basis, this is not indispensable. The movements
21 between antennas have an indirect relationship with regards to the sector or
22 zone of coverage. So if you go from above to below, you can understand that
23 the mobile phone is in a region which is close to these two antennae, and that is
24 the aim of this expert analysis. We quite simply had to verify or check whether
25 the information on the geolocation was available and we had to provide

1 indications which were relevant.

2 MR GARCIA: [11:54:47](Interpretation) If you would allow me, your Honour.

3 PRESIDING JUDGE MINDUA: [11:54:50](Interpretation) Prosecutor.

4 MR GARCIA: [11:54:41](Interpretation) Quite simply for the record so that it's
5 clear, if the Defence counsel could give us the reference concerning the
6 testimony of the previous witness.

7 PRESIDING JUDGE MINDUA: [11:55:04](Interpretation) Concerning the
8 azimuth.

9 MR GARCIA: [11:55:08](Interpretation) Indeed, the question of azimuth. If
10 we could just have the -- we have to have the reference of where this was
11 stated.

12 PRESIDING JUDGE MINDUA: [11:55:17](Interpretation) Ms Taylor.

13 MS TAYLOR: [11:55:18] We will certainly find it and provide it to the Court,
14 but I will respectfully say we were slightly taken aback by the witness's
15 response.

16 PRESIDING JUDGE MINDUA: [11:55:36](Interpretation) Very well,
17 Ms Taylor.

18 Prosecutor, is that okay?

19 MR GARCIA: [11:55:43](Interpretation) The statement of the
20 lawyer -- because the Prosecutor is asking for the reference and not
21 a commentary from the Defence with regards to its reaction.

22 PRESIDING JUDGE MINDUA: [11:55:53](Interpretation) No, that's fine.

23 MR GARCIA: [11:55:54](Interpretation) No, no, we'd just like the reference.
24 And furthermore, there are areas of -- in the dossier where you can see the
25 information.

1 PRESIDING JUDGE MINDUA: [11:56:06:](Interpretation) Ms Taylor, the
2 Office of the Prosecutor needs the reference on the question of the azimuths, of
3 course, with regards to your assessment of the previous witness.

4 MS TAYLOR: [11:56:21] As I mentioned, Mr President, we are finding it and
5 we are providing it.

6 PRESIDING JUDGE MINDUA: [11:56:31:](Interpretation) Very well. Please
7 continue.

8 MS TAYLOR: [11:56:35]

9 Q. [11:56:37] Now, Mr Witness, can cell site analysis be used to consider
10 a hypothesis that a phone is not in a general area?

11 A. [11:56:52] It's clear that if we find indicators that indicate the presence of
12 a mobile phone in a region, then the fact that we do not have this information
13 constitutes an -- an element of information. The fact that the mobile phone
14 cannot be directly linked to a relay does not, however, that doesn't contradict
15 the fact that the mobile phone is in the region because if I take my mobile
16 phone and I switch it off, then I've got it with me. Physically, it's with me. It
17 is there, but it is not transmitting.

18 Q. [11:58:00] Can we use cell site analysis to determine whether it's more
19 likely or consistent with an hypothesis that a phone is in one area -- one general
20 area as compared to another general area that is physically distant?

21 A. [11:58:21] If the data make that possible, yes.

22 Q. [11:58:33] I'm going to bring up Defence tab 8, it's MLI-D28-0004-7966. It
23 should be showing on evidence channel 1. And I believe you should have
24 a physical copy with you.

25 Mr Witness, can you confirm that you have a physical copy with you?

1 A. [11:59:18] Yes, I confirm that.

2 Q. [11:59:26] This concerns a hypothetical model of various contacts
3 occurring over the course of two days in different locations between Bourem
4 on the right and Timbuktu on the left. And at the bottom of the map, you
5 should see a yellow line to give some indication of scale. But we can also with
6 Google Earth show specific distances between the blue dots.

7 Now if you look to the far right of the map, we have eight contacts occurring
8 consecutively between 9:31 in the morning on 19 June and between 10:21 on 19
9 June, and these contacts are all pinging the same tower in Bourem.

10 Now are these contacts consistent with the hypothesis that the phone is located
11 during this specific period in this general area closer to Bourem rather than
12 Timbuktu on the far left of the map?

13 A. [12:01:14] On the basis of my experience in dealing with this type of
14 information, yes, I can confirm that. However, I am unfamiliar with the actual
15 territorial characteristics of the region, and, antennas in desert regions or fairly
16 uninhabited areas, the relays can be transmitted over several hundreds
17 of kilometres. But to give you a simple answer to your question, yes, I could
18 agree with the observation that the portable phone is more likely to be in
19 Bourem than Timbuktu.

20 Q. [12:02:25] Now, if we then move further left, we then see six consecutive
21 contacts occurring between 1:20:48 and 1:45:39, all occurring on 19 June. Now
22 are these contacts consistent with a hypothesis that the phone is located at this
23 specific point in time in a general area that is close to Agadeche?

24 A. [12:03:13] I repeat my previous reply, the mobile phone at that particular
25 point in time is in the area covered by the antenna in Agadeche.

1 Q. [12:03:45] And if we move over to the left, we now see five contacts
2 occurring between 14:43 and 16:42 on 19 June in the area of Zorhou. Are these
3 contacts consistent with the hypothesis that the phone is now in the general
4 area covered by this antenna?

5 A. [12:04:25] I confirm my previous replies that at that particular time, the
6 mobile phone is in the area covered by the antenna in Zorhou.

7 Q. [12:04:42] Now if we then move further left, we see a blue dot at Benguel
8 and we have five contacts occurring between 5:34 on 19 June and 6:45 on 19
9 June. They are all consecutive. Are these contacts consistent with
10 the hypothesis that the phone is now in the coverage of the tower in Benguel?

11 A. [12:05:17] I would now like to make a quick clarification. This is data
12 from one of the two numbers in question in -- and who are in contact. It's
13 possible that the number which is being georeferenced comes from number A
14 or number B; that is technically possible. This comment -- I repeat my
15 previous replies, this number at the given time is in the area of coverage of the
16 antenna in Benguel.

17 Q. [12:06:27] And if we now move further left, we have several contacts
18 consecutive occurring at 19 -- in the evening on the -- 19 p.m., on 19 June, and
19 ending at 9:51 in the morning on 20 June in Ber. Are these consecutive
20 contacts consistent with the hypothesis that the phone is in the area covered by
21 the cell tower in Ber?

22 A. [12:07:03] I confirm my previous replies, including the comment, and I
23 say that the phone number or the mobile phone is in the region of Ber.

24 Q. [12:07:34] If we then move over, we are now going to a blue dot in - I'm
25 pronouncing it terribly - Teherdji, and we have three contacts between 10:45:45

1 and 10:47:29 on 20 June. Are these contacts consistent with the hypothesis
2 that the phone is in the area covered by the cell tower in Teherdji?

3 A. [12:08:06] I repeat my previous replies, including the comment, at that
4 time, the mobile phone is in the area covered by the antenna at Teherdji.

5 Q. [12:08:32] And on the left, we have six contacts between 11:21 and 11:25
6 on 20 June occurring in Timbuktu, place TIMI, that's an urban area. Are these
7 contacts consistent with the hypothesis that the phone is now in the coverage
8 of this cell tower in Timbuktu?

9 A. [12:09:11] I confirm my previous comments, including the comment, at
10 that point in time, the mobile phone was in the coverage area of the antenna at
11 place TIMI, Timbuktu.

12 Q. [12:09:30] And are these change in connections, the change in relays
13 between cell towers, is that consistent with the hypothesis that the phone has
14 moved from the general area covered by Bourem to the area covered by the
15 antenna in Timbuktu during this time period?

16 A. [12:09:56] The data gives this impression, yes.

17 Q. [12:10:20] Now, Mr Witness, I think it might be best to ask these questions
18 in private session, because it concerns contacts with the Prosecutor and to be
19 consistent with the past witness.

20 PRESIDING JUDGE MINDUA: [12:10:44](Interpretation) Yes, I see that the
21 Prosecutor is on his feet.

22 Mr Prosecutor.

23 MR GARCIA: [12:10:54](Interpretation) I waited until the Defence was going
24 to raise it, we need to know which telephone number is mentioned and where
25 we can get the information. It's a hypothetical case, but we would need to

1 know *which phone number this relates to, and where the information can be
2 found. Because I know full well that some of this information was obtained by
3 using the Cell-ID and by doing... doing the work on behalf of the Defence. Thus,
4 it would be useful if all this information appeared on the record of the case.

5 PRESIDING JUDGE MINDUA: [12:11:27] Maître Taylor.

6 MS TAYLOR: [12:11:32] Thank you, Mr President, but that's an issue for
7 pleadings, and that's not an issue that nexus has to be put to this witness for
8 him to be able to provide answers. But certainly the Defence will address this
9 issue in pleadings --

10 MR GARCIA: [12:11:48](Overlapping speakers)

11 MS TAYLOR: [12:11:50] -- but I don't think it's appropriate for us to go into
12 our pleadings in front of this witness.

13 PRESIDING JUDGE MINDUA: [12:11:59](Interpretation) Prosecution.

14 MR GARCIA: [12:12:02](Interpretation) This is not at all a question of
15 pleadings. It's just a matter of when you offer information to a witness, in
16 order not to confront him, one needs to know in the dossier what this
17 information relates to in terms of telephone number. It's not something that
18 needs to remain mysterious until the end. Anything entered into a dossier
19 needs to have the information relevant to it so that everybody is aware of this.
20 We don't want to come back to this a year later with the information. I don't
21 see what the problem is.

22 PRESIDING JUDGE MINDUA: [12:12:49](Interpretation) Ms Taylor, it's
23 a request for a telephone number, is that correct?

24 MS TAYLOR: [12:12:53] Mr President, these are all details that will be put in
25 our email when we submit these items and explain the relevance of them.

1 PRESIDING JUDGE MINDUA: [12:13:10](Interpretation) Prosecution, I think
2 we are going to leave it there for the moment and we will allow Ms Taylor to
3 continue.

4 You asked for private session, Ms Taylor.

5 MS TAYLOR: [12:13:23] Yes, but before doing so, I will also give the reference
6 that the Prosecution requested before. It's transcript 80, page 55, lines 10 to 14.

7 PRESIDING JUDGE MINDUA: [12:13:45](Interpretation) Yes, thank you very
8 much.

9 Court officer, private session, please.

10 (Private session at 12.13 p.m.)

11 THE COURT OFFICER: [12:13:53] We are in private session, Mr President.

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)

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Open session at 12.17 p.m.)

12 THE COURT OFFICER: [12:17:17] We are back in open session, Mr President.

13 PRESIDING JUDGE MINDUA: [12:17:20](Interpretation) Thank you very
14 much.

15 Ms Taylor.

16 MS TAYLOR: [12:17:23]

17 Q. [12:17:25] Do you recall, Mr Witness, when you first started working on
18 this report?

19 A. [12:17:32] It's a bit complicated. With my boss at the time, I was
20 supervising this from the outset, so I was part of the team that received the
21 mission. We prepared the mission with my boss, and, as soon as the initial
22 part of the data processing was given to my colleague, I waited until I had the
23 full data before I started the analysis.

24 As to exactly when I started working and analysing the data, I could possibly
25 find this out in my notes, if you require a precise date.

1 Q. [12:18:44] Do you recall if you were given any deadline to complete your
2 work?

3 A. [12:18:51] During the work, we had a number of deadlines. *We had to
4 change the date three or four times given the changes to the mission, the way
5 the mission developed, and the addition of supplementary data. Sorry, the
6 dates we had as deadlines are set out in the mission letters and you can see that
7 each time the deadline was amended.

8 Q. [12:19:47] Was any information provided to you as concerns why it was
9 necessary to complete certain steps by certain deadlines?

10 A. [12:19:59] We received an initial deadline. We never had any immediate
11 dates. The question was also the -- always the final date for the submission of
12 the report, which then evolved; so I don't know any intermediate dates
13 whereby certain phases should have been completed by a particular date.
14 For us, it was always the fact that the entirety of the work should be submitted
15 at that particular date.

16 Q. [12:20:57] If I could turn to Prosecution tab 2, MLI-OTP-0061-1643, and if
17 that page could be displayed on evidence 1.

18 This should be the Prosecution tab 2, I apologise. Otherwise, I think the
19 witness has the physical document, but it should be MLI-OTP-0061-1643,
20 Prosecution tab 2.

21 A. [12:22:14] I have my report with me.

22 Q. [12:22:18] Now, on this first page, and in the box titled, "Considérant",
23 one sees the sentence:

24 (Interpretation) "All the exchanges between the OTP and the expert were noted
25 in order to respect procedure."

1 (Speaks English) Can you explain what is meant by "verbalisés"?

2 A. [12:22:57] Mr Duterte from the OTP explained to us from the very first
3 contact with us that the procedure set out for dealing with cases at the ICC
4 meant that there needed to be a report, a protocol of all contacts between the
5 OTP and any other parties involved in the procedure.

6 What I mean -- understand here by "verbalisés", is that there should be
7 a written record kept by the OTP of the exchanges of contacts and telephone
8 calls, which would be involved in completing our mission. This is
9 completely -- well, this is something we don't systematically do in our own
10 procedure where things are not noted in the same way and that is why we put
11 it down specifically in this report.

12 Q. [12:24:38] Now before completing your report or sending a final version
13 to the Prosecutor, did you send a sample to the Prosecution to review?

14 A. [12:24:51] With regard to the report, no. The final version was
15 said -- sent. There was no consultation. However, we did send a single
16 Excel sheet early in the proceedings, which showed the data processing for
17 a particular telephone number. This was the first of our results.

18 What -- we wanted to know whether the -- the construction of the Excel sheet
19 met the expectations of the OTP. This is quite normal in the type of work that
20 we had been asked to do.

21 Q. [12:26:01] And how did you select the number that you used for this
22 sample?

23 A. [12:26:07] It was the first number on the list of numbers which we were to
24 analyse.

25 Q. [12:26:21] Did you receive any feedback from the Prosecution?

1 A. [12:26:27] Yes, we discussed the output only. What we could amend,
2 what we could improve, and the idea was also that we could print out all of the
3 sheets. But we had some problems with our bosses, my colleague and I, but
4 the idea was for us to prepare things to produce the best possible result which
5 would be usable and which would best reflect what we had been asked to do
6 by the OTP.

7 So, in *résumer* -- in *résumer*, we discussed the output. There was no discussion
8 at all about the number itself.

9 Q. [12:27:33] Now you've referred to problems with your boss. Did that
10 have any relationship to the execution of this mission or the contents of your
11 work?

12 A. [12:27:47] No, not at all. We had to create a list -- a simpler list of the
13 results and this was made simpler. Everything we had from our analysis was
14 sent immediately via the DVD, without needing to hire a large truck to cross
15 the Alps to bring all the paper to the ICC; so results was preserved. It was just
16 made simpler and easier and without us having to incur huge costs.

17 Q. [12:28:51] Now, Mr Witness, at page 54, line 8, it says:

18 "[...] we discussed the output only. What we could amend, what we could
19 improve ..."

20 What were the discussions concerning amendments and improvements
21 concerning?

22 A. [12:29:10] When you work, there are ideas, there are confrontations, there
23 are possibilities which are almost complete, which are open or ways of
24 managing a particular situation, such as this mission. So this discussion
25 related to the presentation of the results, how that could be improved, made

1 simpler, made easier to understand so that we could send a product which
2 could be easily used, easily understood by all the parties.

3 Initially, the raw content of the sheet was fixed. There was very little in terms
4 of filters. There weren't as many tabs available, and the discussion with the
5 Prosecution allowed us to produce a product which was dynamic and which
6 everybody could just look at and easily understand how it worked.

7 Q. [12:30:46] Approximately when did these discussions occur?

8 A. [12:30:53] I don't remember the exact period. I remember that we
9 amended the data whenever there was a letter which arrived with additional
10 information. This work was carried out -- well, it was a supposition. I
11 would have to look in my notes. I can't give you an answer just from -- from
12 my memory.

13 Q. [12:31:40] Thank you, Mr Witness. I have no further questions.
14 This finishes the cross-examination.

15 PRESIDING JUDGE MINDUA: [12:31:48](Interpretation) Very well.

16 Thank you, Ms Taylor.

17 Thank you, Witness.

18 So I now turn to the Office of the Prosecutor to ask the ritual question: Do
19 you have any additional questions you wish to put?

20 MR GARCIA: [12:32:11](Interpretation) Certainly, your Honour. I have no
21 questions by way of re-examination, but there's a small question that I have.
22 We asked for a reference for the assertion from the Defence counsel, and the
23 reference that we have been given doesn't reflect the question that was put to
24 the witness; so I would ask again. That -- the Defence states that the witness
25 says that there was no azimuth, because when it comes to what the witness

1 says -- this has to be clearly referenced and the reference -- Ms Taylor makes
2 a statement, but that -- what the reference that we have been given, does not
3 back up the assertion that is made.

4 PRESIDING JUDGE MINDUA: [12:33:01](Interpretation) Ms Taylor, have
5 you had the time to find the reference in question?

6 MS TAYLOR: [12:33:09] Mr President, I could either give it now, but I would
7 need five minutes or I can give it after the court hearing concludes. I don't
8 believe it's relevant to the witness's testimony because the witness has said that
9 he didn't rely on information concerning azimuths in any case.

10 MR GARCIA: [12:33:32](Interpretation) It's relevant --

11 PRESIDING JUDGE MINDUA: [12:33:34](Interpretation) No, no, Prosecutor,
12 wait, because there's the interpretation. Wait for me to give you the floor.
13 Ms Taylor, so I understood that you said it wasn't relevant. Now, according
14 to the rules relating to the conduct of proceedings, every time that you want to
15 ask a question of a witness you have to state the reference. And I heard you
16 say that the previous witness did not -- said that he didn't have an azimuth, but
17 here it says that he did have one, but he didn't use it. So the Prosecutor's
18 asked for the reference.
19 Prosecutor.

20 MR GARCIA: [12:34:14](Interpretation) Furthermore, it's quite serious
21 because it's a statement which is attributed to this witness. It's clearly stated
22 here in the transcript:
23 "[...] your colleague [who] testified on Monday and Tuesday" stated there was
24 no azimuth.

25 And we looked at the reference that was given to us by the Defence counsel,

1 and it's Ms Taylor who starts affirming: Given that there's no azimuth, and
2 then asked -- the witness never said in the courtroom that there was no
3 azimuth. And, furthermore, when we look at the evidence here, clearly you
4 can see that there are azimuths indicated.

5 So when a proposition or an affirmation is made to a witness, it has to be
6 complete. If it's not correct, that has to be in the case record.

7 PRESIDING JUDGE MINDUA: [12:35:07](Interpretation) Ms Taylor, I'm in
8 agreement with the Prosecutor, so you've got a few minutes to find the
9 reference in question.

10 MS TAYLOR: [12:35:14] Yes, Mr President. That's what I said, that we
11 would find it now or we would do so immediately afterwards. The question
12 is, whether you want the witness to stay here while we do so?

13 PRESIDING JUDGE MINDUA: [12:35:34](Interpretation) I don't think it's
14 going to take a lot of time, Ms Taylor.

15 So to save time, Prosecutor, can you speak about the next witness? Do you
16 know what day the next witness is expected?

17 MR GARCIA: [12:36:43](Interpretation) Yes. Mr Duterte isn't here, but I
18 will ask him to send an email to the Chamber. I could ask him, if you would
19 allow me a few moments, and, if not, he could send an email to the Chamber
20 concerning all the relevant information with all the different details.

21 And furthermore, it's not necessary for the Prosecution to await the reference.
22 If the Defence would like to find it after the hearing, we have no problem with
23 that.

24 PRESIDING JUDGE MINDUA: [12:37:14](Interpretation) Very well. I would
25 like to thank you for your cooperation because I thought that you wanted to do

1 it here.

2 Ms Taylor, if you don't have the reference, it's not a problem. You can send it
3 in afterwards. But if you can give it now, then please do so.

4 MS TAYLOR: [12:37:37] I have several references, but I just realised I'm on the
5 real-time rather than the edited version and so I do believe it would be better if
6 I can give the edited version after the hearing, so I can give the specific
7 page numbers and line references. But it was discussed at page 64, page 68,
8 page 60 and 61.

9 I think I'd prefer to give the edited version rather than the real-time version.

10 PRESIDING JUDGE MINDUA: [12:38:08](Interpretation) Thank you. Yes,
11 we're going to put an end to this exchange.

12 Prosecutor.

13 MR GARCIA: [12:38:16](Interpretation) Yes, indeed, your Honour. If you
14 would allow me, Mr Duterte's come up -- 643 of 17 or 18 May. Thank you,
15 your Honour, your Honours.

16 PRESIDING JUDGE MINDUA: [12:38:36](Interpretation) Thank you,
17 Prosecutor.

18 THE INTERPRETER: [12:38:45] 17 to 19 May, corrects the interpreter.

19 PRESIDING JUDGE MINDUA: [12:38:49](Interpretation) So we're going to
20 end our hearing today on this point.

21 Witness, I would now like to address you to say that the Chamber would like
22 to thank you most sincerely for having aided the Chamber, shed light on this
23 Al Hassan case by answering questions in a clear and precise way and
24 carefully and kindly all the questions that have been put to you.

25 So your testimony is now over, you are free to go, and I would like to wish you

1 all the best in your work. Once again, thank you very much.

2 THE WITNESS: [12:39:46](Interpretation) Thank you very much,
3 your Honour.

4 (The witness is excused)

5 PRESIDING JUDGE MINDUA: [12:39:49](Interpretation) I now turn towards
6 the parties to remind them of the procedure with regards to tendering items
7 into evidence.

8 With regard to our next hearing, as the Prosecutor indicated a moment ago,
9 that will take place on Monday, 17 May. It's Monday, 17 May at 9.30 with the
10 hearing of the 33rd witness. This is Witness P-0643.

11 Very well. I would like to thank, as usual, the parties and participants for
12 your cooperation -- your exemplary cooperation. And I would also like to
13 express my thanks to the court reporters and to the interpreters, and also to our
14 security officers. I do not forget our audience who I would also like to express
15 my best regards to.

16 We are now going to adjourn for the week as I already indicated.

17 Court is adjourned.

18 (The hearing ends in open session at 12.41 p.m.)