



Original : English

N°: ICC-01/12-01/18
Date: 11 October 2022

TRIAL CHAMBER X

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Kimberly Prost

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF
THE PROSECUTOR v. AL HASSAN AG ABDOUL AZIZ AG MOHAMED AG
MAHMOUD

Public

With Public Redacted Annexes I to V

**Report on further implementation of the “Registry Report on Items Formally
Submitted - Witness MLI-OTP-P-0010”, 26 July 2021, ICC-01/12-01/18-1610-Conf**

Source : Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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**Unrepresented Applicants
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REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry submits with the present report and its five annexes, the public redacted versions of items recognised as formally submitted for witness MLI-OTP-P-0010, pursuant to the “Decision on the conduct of Proceedings” (“Decision”),¹ issued on 6 May 2020 and to the “Third decision on matters related to the conduct of proceedings”, (“Third Decision”)² issued on 4 September 2020 by Trial Chamber X (“Chamber”).

II. Procedural History

2. On 6 May 2020, the Chamber issued its Decision in which it directed the Registry to: “[...] *reflect all formally submitted items in the eCourt metadata [...]*”, and to “[...] *submit reports for each witness who testifies, indicating which items have been formally submitted by the parties and participants in relation to that witness. The email exchanges [...] are to be annexed to this filing, applying redactions as appropriate*”.³
3. On 4 September 2020, the Chamber issued its Third Decision which further established that:

“8. [i]n relation to formal requests for the submission of evidence used during a hearing, and pursuant to paragraph 34(ii) to (v) of the Directions on the Conduct of Proceedings, the Chamber will issue an email decision identifying the items recognised as being formally submitted evidence.

¹ Trial Chamber X, Annex A of the Decision on the conduct of proceedings, [ICC-01/12-01/18-789-AnxA](#), 6 May 2020.

² Trial Chamber X, Third decision on matters related to the conduct of proceedings, [ICC-01/12-01/18-1040](#), 4 September 2020.

³See note 1, above, para. 34(vi).

*9. Pursuant to paragraph 34 (vi) of the Directions on the Conduct of Proceedings, the Registry shall submit a filing per witness comprising a cover filing and an Annex. The cover filing shall contain the list of the items considered formally submitted by the Chamber, with their evidence reference numbers (the 'ERN'). In the Annex, the Registry shall include the above email decision of the Chamber which will contain also any relevant email submissions of the parties. The Annex will be redacted as indicated above for email decisions. "*⁴

4. On 22 September 2020, the Chamber sent by email its Decision on material recognized as being formally submitted for P-0010.⁵

III. Submissions

5. In order to enable the parties and participants to suggest redactions, the Registry followed the procedure specified in paragraph 6 of the Third Decision. Therefore, on 15 November 2021 the Registry initiated the consultation process with the parties and participants requesting them to provide the agreed redacted annexes and further recalling that any disagreements or objections on specific redactions should be directly addressed to the Chamber with the Court Officers in copy.
6. On 23 June 2022, the Single Judge instructed the Registry to proceed with the filing of the Quarterly Report, submitting in the public record of the case the redacted versions of the email decisions as proposed by the Registry with any

⁴ See note 2, above, paras. 8-9.

⁵ Decision on submitted material for P-0010, email sent by the Chamber's Legal Officer to the parties, participants and to the Registry, 22 September 2020 at 13:21.

further uncontested redactions suggested by the parties and participants.⁶ In addition, the Single Judge provided complementary guidance on the retention of confidential classification or reclassification thereto of some annexes that should not be placed on the public record of the case.

7. The Registry hereby attaches five redacted annexes to the present submissions and submits the following list of ERNs recognized as formally submitted pursuant to the Chamber's Decision by email of 22 September 2020:

Items submitted by the Prosecution:

MLI-OTP-0002-0111

MLI-OTP-0002-0113

MLI-OTP-0002-0115

MLI-OTP-0002-0122

MLI-OTP-0002-0756

MLI-OTP-0002-0757

MLI-OTP-0002-0759

MLI-OTP-0002-0760

MLI-OTP-0002-0776

MLI-OTP-0002-0781

MLI-OTP-0002-0783

MLI-OTP-0033-1612

MLI-OTP-0033-1793

MLI-OTP-0033-2997

⁶ TC X: Single Judge directions concerning public redacted versions of the annexes to the Registry reports on submitted items, email sent from Trial Chamber X to the parties, participants and to the Registry, 23 June 2022 at 13:38.

MLI-OTP-0034-1363

MLI-OTP-0059-0391-R01

MLI-OTP-0078-6161

MLI-OTP-0078-6164

MLI-OTP-0078-6166

MLI-OTP-0078-6188

MLI-OTP-0078-6204

MLI-OTP-0078-7975

Items submitted by the Defence for Mr. Al Hassan:

MLI-D28-0004-0109

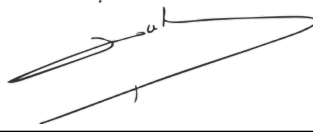
MLI-D28-0004-0177

MLI-D28-0004-0185

MLI-D28-0004-0224

8. The Registry hereby annexes to the present filing, the Chamber's Decision by email as well as the relevant email submissions of the parties as follows:
- Annex I: email from the Chamber dated 22 September 2020 at 13:21;
 - Annex II: email from the Prosecution dated 11 September 2020 at 08:51;
 - Annex III: email from the Defence dated 11 September 2020 at 12:06;
 - Annex IV: email from the Defence dated 15 September 2020 at 16:08;
- and

- Annex V: email from the Prosecution dated 16 September 2020 at 10:22.



Marc Dubuisson
Director Division Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 11 October 2022

At The Hague, The Netherlands