



Original: English

No. ICC-01/12-01/18 A A2

Date: 13 January 2025

THE APPEALS CHAMBER

Before:

**Judge Luz del Carmen Ibáñez Carranza, Presiding
Judge Solomy Balungi Bossa
Judge Gocha Lordkipanidze
Judge Miatta Maria Samba
Judge Erdenebalsuren Damdin**

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF

**THE PROSECUTOR v. AL HASSAN AG ABDOUL AZIZ AG MOHAMED AG
MAHMOUD**

Public document

Order on procedural matters

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

The Office of the Prosecutor

Mr Karim A. A. Khan, Prosecutor
Ms Helen Brady

Counsel for the Defence

Ms Melinda Taylor
Ms Felicity Gerry

Legal Representatives of Victims

Mr Seydou Doumbia
Mr Mayombo Kassongo
Mr Fidel Nsita Luvengika

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

The Appeals Chamber of the International Criminal Court,

In the appeals of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud and the Prosecutor against the decision of Trial Chamber X entitled “Trial Judgment” of 26 June 2024 (ICC-01/12-01/18-2594-Conf; public redacted version: ICC-01/12-01/18-2594-Red),

In light of the notices of discontinuance of appeal by the Prosecution and the Defence (ICC-01/12-01/18-2667 and ICC-01/12-01/18-2668), the “*Observations des Représentants légaux des victimes relatives aux désistements d’appel*” of 30 December 2024 (ICC-01/12-01/18-2671), the “Prosecution Response to the Observations of the Legal Representatives of the Victims on the Discontinuances of the Appeals” of 9 January 2025 (ICC-01/12-01/18-2672) and the “Defence Response to the Observations of the Legal Representatives of the Victims Regarding the Discontinuance of Appeals” of 9 January 2025 (ICC-01/12-01/18-2673),

Issues the following

ORDER

The legal representatives of victims may file a reply to the responses of the Prosecutor and the Defence by 31 January 2025.

REASONS

1. On 26 June 2024, Trial Chamber X rendered its decision entitled “Trial Judgment” (hereinafter: “Conviction Decision”), in which Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (hereinafter: “Mr Al Hassan”) was convicted on eight counts of crimes against humanity and war crimes.¹
2. On 18 September 2024, the Defence and the Prosecutor filed their respective notices of appeal against the Conviction Decision.²
3. On 20 November 2024, the Trial Chamber rendered its decision entitled “Sentencing Judgment”,³ in which it sentenced Mr Al Hassan to a total period of imprisonment of 10 years

¹ [Trial Judgment](#), ICC-01/12-01/18-2594-Red (confidential version filed on the same day, ICC-01/12-01/18-2594-Conf).

² [Defence Notice of Appeal against the Trial Judgment](#), ICC-01/12-01/18-2648; [Prosecution notice of appeal](#), ICC-01/12-01/18-2649.

³ [Sentencing Judgment](#), ICC-01/12-01/18-2662.

and ordered that the time that he has spent in detention from 28 March 2018 and onwards be deducted from the total period of imprisonment (hereinafter: “Sentencing Decision”).⁴

4. On 12 December 2024, following an urgent joint request filed by the Defence and the Prosecutor,⁵ the Appeals Chamber rendered a decision, in which it rejected the parties’ request for: (i) a further extension of time for the filing of their respective appeal briefs against the Conviction Decision; and (ii) an extension of time for the filing of any notices of appeal against the Sentencing Decision.⁶

5. On 17 December 2024, the Defence and the Prosecutor filed, pursuant to rule 152 of the Rules of Procedure and Evidence, their respective notices of discontinuance of the appeals against the Conviction Decision (hereinafter, jointly: “Notices of Discontinuance”).⁷

6. On 19 December 2024, the Appeals Chamber, by majority, with Judge Gocha Lordkipanidze and Judge Erdenebalsuren Damdin dissenting, invited the legal representatives of the participating victims to file observations, not exceeding 10 pages, on the Notices of Discontinuance.⁸

7. On 30 December 2024, the legal representatives of victims filed their observations (hereinafter: “Victims’ Observations”).⁹ The Victims’ Observations and the annexes thereto have been submitted in French, with Annex A containing handwritten and typed statements from three victims’ organisations and Annex B containing handwritten statements from seven participating victims. The Appeals Chamber requested the Registry to translate into English the above documents, which will be provided in due course.

⁴ [Sentencing Decision](#), p. 68.

⁵ [Urgent Further Joint Request for Extension of Time](#), 10 December 2024, ICC-01/12-01/18-2664-Conf-Exp (reclassified as public on 19 December 2024, pursuant to the Appeals Chamber’s order of 19 December 2024, [ICC-01/12-01/18-2670](#)).

⁶ [Decision on the “Urgent Further Joint Request for Extension of Time”](#), ICC-01/12-01/18-2665-Conf-Exp (reclassified as public on 19 December 2024, pursuant to the Appeals Chamber’s order of 19 December 2024, [ICC-01/12-01/18-2670](#)).

⁷ [Defence Notice of Discontinuance of Appeal against Trial Judgment rendered by Trial Chamber X on 26 June 2024](#), ICC-01/12-01/18-2667, with [Annex A](#); [Prosecution Notice of Discontinuance of its Appeals against the Trial Judgment of Trial Chamber X dated 26 June 2024](#), ICC-01/12-01/18-2668.

⁸ [Order concerning reclassification and the filing of observations on the notices of discontinuance of the appeals](#), ICC-01/12-01/18-2670, para. 9.

⁹ [Observations des Représentants légaux des victimes relatives aux désistements d’appel](#), ICC-01/12-01/18-2671, with *ex parte* and public redacted [Annex A](#) and [Annex B](#).

8. On 9 January 2025, the Prosecutor and the Defence submitted their respective responses to the Victims' Observations (hereinafter, jointly: "Responses").¹⁰

9. The legal representatives of victims may file a reply to the Responses by 31 January 2025. In due course, the Appeals Chamber will provide further indications as to the procedural steps to be followed.

Done in both English and French, the English version being authoritative.



Judge Luz del Carmen Ibáñez Carranza
Presiding

Dated this 13^h day of January 2025

At The Hague, The Netherlands

¹⁰ [Prosecution Response to the Observations of the Legal Representatives of the Victims on the Discontinuances of the Appeals](#), ICC-01/12-01/18-2672; [Defence Response to the to the Observations of the Legal Representatives of the Victims Regarding the Discontinuance of Appeals](#), ICC-01/12-01/18-2673.