

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No. ICC-01/12-01/18

Date: 10 April 2025

**THREE JUDGES OF THE APPEALS CHAMBER APPOINTED FOR THE
REVIEW CONCERNING REDUCTION OF SENTENCE**

Before: Judge Luz del Carmen Ibáñez Carranza, Presiding
Judge Gocha Lordkipanidze
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

**Decision on the Republic of Mali's request to extend the time limit and
order to the Registrar regarding the "Registrar's observations on the criteria set
out in rule 223 (a) to (c) of the Rules of Procedure and Evidence"**

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

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

Al Hassan Defence

☒ **Legal Representatives of the Victims**

Al Hassan case

☐ **Legal Representatives of the Applicants**

☐ **Unrepresented Victims**

☐ **Unrepresented Applicants
(Participation/Reparation)**

☐ **The Office of Public Counsel
for Victims**

☐ **The Office of Public Counsel
for the Defence**

☒ **States' Representatives**

The Republic of Mali

☐ **Amicus Curiae**

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and
Reparations Section**

☐ **Other**

The three judges of the Appeals Chamber of the International Criminal Court (hereinafter: “Panel”),

In the review by the Court concerning reduction of sentence of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (hereinafter: “Mr Al Hassan”), pursuant to article 110(3) of the Statute,

Renders the following

DECISION

1. The time limit for the Republic of Mali to file its written submissions on the review concerning reduction of sentence of Mr Al Hassan is extended to 17 April 2025.
2. The time limit for Counsel for Mr Al Hassan, the Prosecutor and the legal representatives of victims to file their written submissions on the review concerning reduction of sentence of Mr Al Hassan is extended to 29 April 2025.
3. The Registrar is directed to submit, by 14 April 2025, a confidential *ex parte* redacted version of filing ICC-01/12-01/18-2702-Conf-Exp-AnxI, available only to the Prosecutor, Counsel for Mr Al Hassan and/or the legal representatives of the victims.

REASONS

I. PROCEDURAL HISTORY

1. On 20 March 2025, the Panel issued an order (i) directing the Registrar to file written observations on the criteria set out in rule 223(a) to (e) of the Rules of Procedure and Evidence (hereinafter: “Rules”) by 3 April 2025, and to consult as necessary with any states considered to have potentially relevant information in relation to these criteria; (ii) inviting the Republic of Mali (hereinafter: “Mali”) to file written observations, insofar as it has relevant information, on the criteria set out in rule 223(b) to (d) of the Rules, by 3 April 2025; and (iii) inviting Counsel for Mr Al Hassan (hereinafter: “Defence”), the Prosecutor and the legal representatives of the victims

(hereinafter: “LRVs”) to file written submissions by 11 April 2025 on three specific issues (hereinafter: “Order of 20 March 2025”).¹

2. On 3 April 2025, the Registrar filed his observations (hereinafter: “Registrar’s Observations”).²

3. On 8 April 2025, the Registrar transmitted to the Panel a request submitted by Mali for an extension of the time limit for its written observations on the criteria set out in rule 223(a) to (e) of the Rules dated 4 April 2025 (hereinafter: “Request”).³

4. On 9 April 2025, the Defence responded to the Request, seeking authorisation of the Panel to provide the observations on behalf of Mr Al Hassan on the first working day after receiving Mali’s observations should the Panel grant the Request (hereinafter: “Defence’s Response”).⁴

II. MERITS

A. Decision on the Request

5. Pursuant to regulation 35(2) of the Regulations of the Court, a chamber may extend or reduce a time limit if “good cause” is shown.

6. Noting the submission of Mali that it requires additional time to provide an appropriate assessment of the Panel,⁵ and the fact that Mali is in a position to provide information that is of particular relevance to the present proceedings, the Panel considers that there is “good cause” warranting an extension of the time limit.

7. While Mali, in the Request, does not specify the extent of the requested extension of the time limit,⁶ the Panel finds that an extension until 17 April 2025 is appropriate,

¹ [Order setting the timetable regarding the review concerning reduction of sentence of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud](#), ICC-01/12-01/18-2698.

² [Registrar’s observations on the criteria set out in rule 223 \(a\) to \(c\) of the Rules of Procedure and Evidence](#), ICC-01/12-01/18-2702, with confidential and *ex parte* Annex I, only available to the Registry, ICC-01/12-01/18-2702-Conf-Exp-AnxI.

³ Transmission of a Request for Extension of Deadline from the Republic of Mali, ICC-01/12-01/18-2704 (hereinafter: “Registry Transmission Filing”), with confidential Annex (“Request for Extension of Deadline”), ICC-01/12-01/18-2704-Conf-Anx.

⁴ Defence response to the Republic of Mali’s request for an extension of time, ICC-01/12-01/18-2705-Conf. While Counsel for Mr Al Hassan’s Response is classified as confidential, the Panel considers that revealing this information does not undermine this classification.

⁵ Request, p. 2. While the Request is classified as confidential, the Panel considers that revealing this information does not undermine this classification.

⁶ Registry Transmission Filing, para. 2.

considering the schedule specified in the Order of 20 March 2025 and the need to preserve the overall expeditiousness of the present proceedings. The Registrar shall liaise with the competent authorities of Mali to offer any assistance they require to observe this time limit.

8. Noting the submission of the Defence, seeking the Panel’s authorisation to file its observations after the receipt of Mali’s observations,⁷ the Panel also finds it appropriate to authorise an extension of the time limit for the submissions to be provided by the Defence, the Prosecutor and the LRVs.⁸ Accordingly, the Defence, the Prosecutor, and the LRVs shall file written submissions not later than 29 April 2025 in relation to: “(a) [t]he criteria for review concerning reduction of sentence set out in article 110(4)(a) to (c) of the Statute and rule 223(a) to (e) of the Rules; (b) [t]he observations of the Registrar and [Mali], as appropriate; and (iii) [w]hether pursuant to rule 224(1) of the Rules it is necessary to conduct a hearing”.⁹

B. Order regarding the Registrar’s Observations

9. The Panel notes that filing ICC-01/12-01/18-2702-Conf-Exp-AnxI, the “Annex to the Registrar Observations”, is classified as confidential and *ex parte*, only available to the Registry. However, the information contained in this annex appears to be relevant to the submissions to be provided by the Defence, the Prosecutor, and the LRVs. In addition, this information seems to be partially drawn from public sources and/or filings which are available, in these proceedings, beyond the Registry.

10. For these reasons, the Panel directs the Registrar to submit, by 14 April 2025, a confidential *ex parte* version of filing ICC-01/12-01/18-2702-Conf-Exp-AnxI, available only to the Prosecutor, the Defence and/or the LRVs, with redactions that are strictly necessary.

⁷ Defence’s Response, para. 2.

⁸ [Order of 20 March 2025](#), para. 3(b).

⁹ See [Order of 20 March 2025](#), para. 3.

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



Judge Luz del Carmen Ibáñez Carranza
Presiding Judge

Dated this 10th day of April 2025

At The Hague, The Netherlands