

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/12-01/18

Date: 24 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 Defence's request for an extension of page limit

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,

Having before it the “Defence Request for Extension of Page Limit for its Article 110 Observations on Sentence Review” of 22 April 2025 (ICC-01/12-01/18-2713),

Renders, pursuant to regulation 37(2) of the Regulations of the Court, the following

DECISION

1. The page limit for the Defence’s submissions on sentence review is extended by five pages.
2. The page limit for the Prosecutor’s and the legal representatives of victims’ submissions, if any, is also extended by five pages such that each document shall not exceed 20 pages in total.

REASONS

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 “of not more than 15 pages” by 11 April 2025 on three specific issues.¹

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. 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 2025.³
4. On 10 April 2025, the Panel extended the time limit for Mali to file its written submissions to 17 April 2025. It also extended the time limit for the Defence, the Prosecutor and the LRVs to file their respective submissions to 29 April 2025.⁴
5. On the same day the Registry filed an Addendum to the Registrar’s Observations.⁵
6. On 11 April 2025, the LRVs filed their observations.⁶
7. On 17 April 2025, Mali filed its written observations (hereinafter: “Mali’s Observations”).⁷
8. On 22 April 2025, the Defence filed a request seeking a page limit extension from 15 pages to 20 pages for its observations (hereinafter: “Request”).⁸

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. A confidential redacted *ex parte* version of the corrected version of the annex, available to the Defence and Registry, was filed on 14 April 2025.

³ [Transmission of a Request for Extension of Deadline from the Republic of Mali](#), ICC-01/12-01/18-2704, with confidential Annex, ICC-01/12-01/18-2704-Conf-Anx. *See also* Defence response to the Republic of Mali’s request for an extension of time, ICC-01/12-01/18-2705-Conf.

⁴ [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”](#), 10 April 2025, ICC-01/12-01/18-2706.

⁵ [Addendum to “Registrar’s observations on the criteria set out in rule 223 \(a\) to \(c\) of the Rules of Procedure and Evidence”](#), 3 April 2025, ICC-01/12-01/18-2702, ICC-01/12-01/18-2707.

⁶ [Observations des Représentants légaux des victimes sur les critères applicables à l'examen de la question d'une réduction de peine prévus par l'article 110 et la règle 223](#), ICC-01/12-01/18-2708.

⁷ [Transmission of Observations from the Republic of Mali on the Reduction of Sentence of Mr Al Hassan](#), ICC-01/12-01/18-2712, with public Annex I and confidential Annex II (public redacted version filed on the same day, ICC-01/12-01/18-2712-AnxII-Red).

⁸ [Defence Request for Extension of Page Limit for its Article 110 Observations on Sentence Review” of 22 April 2025](#), ICC-01/12-01/18-2713.

MERITS

9. Pursuant to regulation 37(2) of the Regulations of the Court, a Chamber may grant an extension of the page limit “in exceptional circumstances”.

10. The Panel notes the Defence’s arguments in support of the Request, in particular that an extension of five pages is warranted to allow the Defence to address in a comprehensive way: (i) the Registrar’s Observations, comprising one main filing, an addendum and an annex, received on 3, 10 and 14 April 2025 respectively; and (ii) Mali’s Observations, which were notified on 17 April 2025.⁹ The Defence submits that these submissions contain “substantial factual details”, and additional elements, especially regarding the personal circumstances of Mr Al Hassan and the security situation in Mali, which the Defence will need to “address [...] more in depth”.¹⁰ According to the Defence, “[t]hese are complex issues that have a direct impact on Mr Al Hassan and which require precise explanations to ensure that the Panel can reach its determination on the basis of all relevant information”.¹¹ Furthermore, the Defence submits that “[c]onsidering that there might not be a hearing [...] since [Mr Al Hassan] has requested his proceedings to be as expedited as possible and does not wish to delay more the issuance of a decision on his request, the need for sufficient pages to ensure clear and comprehensive argument is of heightened importance”.¹² The Defence indicates that it has informed the Prosecutor and the LRVs and that both confirm that they do not oppose the Request.¹³

11. In the specific circumstances of the case, in light of the nature of the issues to be addressed, the arguments in support of the Request, and noting that the Prosecutor and the LRVs do not oppose the Request, the Panels finds it appropriate to grant an extension of the page limit for the Defence’s submissions. The Panel considers that the length of the extension sought (five pages) is reasonable. Without prejudice to the Panel’s determination as to whether or not it will hold a hearing, the Panel therefore grants the Request. Consequently, the page limit for the submissions of the Prosecutor and the LRVs, if any, is also extended by five pages.

⁹ [Request](#), paras 2, 4.

¹⁰ [Request](#), para. 5.

¹¹ [Request](#), para. 6.

¹² [Request](#), para. 8 (footnote omitted).

¹³ [Request](#), para. 3.

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

A handwritten signature in black ink, consisting of a large, stylized 'L' and 'C' intertwined, with a horizontal line crossing through the middle.

Judge Luz del Carmen Ibáñez Carranza
Presiding Judge

Dated this 24th day of April 2025

At The Hague, The Netherlands