

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/12-01/18**

Date: **13 May 2025**

TRIAL CHAMBER X

Before: Judge Kimberly Prost, Presiding Judge
Judge María del Socorro Flores Liera
Judge Keebong Paek

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF

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

Public redacted version of

**Decision on the ‘LRV’s Observations on the exercise of their mandate and request of
extension of pages’**

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**

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

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

☒ **Trust Fund for Victims**

☐ **Amicus Curiae**

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and
Reparations Section**

☒ **Public Information and Outreach
Section**

Trial Chamber X (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, having regard to articles 75 and 110 of the Rome Statute, regulation 37(2) of the Regulations of the Court (the ‘Regulations’) and rule 90 of the Rule of Procedure and Evidence (the ‘Rules’), issues the following ‘Decision on the LRV’s Observations on the exercise of their mandate and request of extension of pages’.

I. Procedural History

1. On 13 December 2024, the Chamber issued its ‘Order for Submissions on Reparations’¹ (the ‘Order’) in which it noted that ‘outside of the crime of persecution, there are 49 direct victims in this case’.² The Chamber therefore instructed the Legal Representative of Victims (the ‘LRV’), the Office of the Prosecutor (the ‘Prosecution’) and the Registry to provide a joint report, by 14 March 2025, advising on: ‘(i) whether these victims, or in the case of victims who may be deceased, their families, are identifiable and can be contacted; (ii) whether any of these victims are currently represented by the LRV; and, (iii) if the victims are not represented by the LRV, whether they have now chosen to be’.³
2. On 8 April 2025, the Chamber issued its ‘Decision on procedural matters related to the joint report’⁴ (the ‘Decision on procedural matters’), in which it, *inter alia*, rejected the Defence’s request to institute a contact and representation protocol with the Victims Participation and Reparations Section (the ‘VPRS’).⁵
3. On 2 May 2025, the LRV submitted its ‘LRV’s Observations on the exercise of their mandate and request of extension of pages’ (the ‘LRV’s Observations’).⁶ In its Observations, the LRV, *inter alia*, asks the Chamber: (i) to grant an extension of the page limit of the LRV’s observation to be presented on 16 June 2025, pursuant to the abovementioned Order;⁷ and (ii) [REDACTED]

¹ Order, [ICC-01/12-01/18-2666](#), para. 4.

² Order, [ICC-01/12-01/18-2666](#), para. 4.

³ Order, [ICC-01/12-01/18-2666](#), para. 4.

⁴ Decision on procedural matters (with Confidential Annex I), ICC-01/12-01/18-2703-Conf-Exp (public redacted version filed on 8 April 2025, [ICC-01/12-01/18-2703-Red](#)).

⁵ Decision on procedural matters, [ICC-01/12-01/18-2703-Red](#), para. 13.

⁶ LRV’s Observations, ICC-01/12-01/18-2721-Conf, (public redacted version filed on 2 May 2025, [ICC-01/12-01/18-2721-Red](#))

⁷ LRV’s Observations, [ICC-01/12-01/18-2721-Red](#), para. 17.

██████████ as the LRV perceives there is a conflict of interest in relation to their representation of these victims.⁸

II. LRV's request for an extension of the page limit on their observations due on 16 June 2025

4. In its Observations, the LRV explains that they have interviewed more than 30 of the victims identified, all of which have decided to be represented by the LRV during the reparations proceedings.⁹
5. According to the LRV, the interviews the LRV has conducted have revealed significant elements that will enrich the LRV's observations to be presented pursuant to the abovementioned Order.¹⁰ In particular, the LRV's notes that, during the interviews, many victims referred to: (i) the inhuman treatments or violations of dignity experienced by the victim or their relatives; and (ii) the experience of indirect victims of the crimes included in the judgment and the indirect victims' views regarding reparations.¹¹
6. The Chamber notes that the points raised by LRV may advise the Chamber on the types and extent of the harm suffered by direct and indirect victims of the case. Similarly, the victims' views on reparations may assist the Chamber in determining which types and modalities of reparations are most adequate in the present case. The Chamber also recalls that, as stated in the Order, the views of the direct victims of the case should be duly considered during the reparations proceedings.¹²
7. The Chamber considers that the LRV has demonstrated that exceptional circumstances exist to warrant the extension of the page limit and, thus, grants the LRV's request for a 10-page extension on the page limit of their observations to be filed on 16 June 2025.

⁸ LRV's Observations, [ICC-01/12-01/18-2721-Red](#), para. 21.

⁹ LRV's Observations, [ICC-01/12-01/18-2721-Red](#), paras 11-13.

¹⁰ LRV's Observations, [ICC-01/12-01/18-2721-Red](#), para. 16.

¹¹ LRV's Observations, [ICC-01/12-01/18-2721-Red](#), para. 17.

¹² Order, [ICC-01/12-01/18-2666](#), para. 4.

III. LRV's observations on the potential conflict of interest

8. In its Observations, the LRV state that the Defence has approached to a number of victims that have agreed to be witnesses for the Defence in the article 110 proceeding.¹³
9. The LRV affirms that there would be a conflict of interest in relation to the victims that have agreed to testify for the Defence in the article 110 proceedings.
10. [REDACTED]
[REDACTED]
[REDACTED]¹⁴
11. The Chamber notes that the LRV does not provide a clear explanation as to the nature of the conflict of interest alleged [REDACTED]
[REDACTED] Further, the Chamber notes that in the present stage of the proceedings there is no Contact Protocol in place that regulates the contact between parties or participants and witnesses. Additionally, the Chamber recalls that, in its recent 'Decision on procedural matters', the Chamber rejected the Defence request for the Chamber to establish a contact and representation protocol with the VPRS.¹⁵
12. In light of the above, the Chamber instructs the LRV to provide further details as to the nature of the alleged conflict of interest.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the LRV's request on the extension of 10 pages on their observations on reparations to be filed before 16 June 2025; and

INSTRUCTS the LRV to provide further information on the alleged conflict of interest, in line with paragraph 11-12.

¹³ LRV's Observations, [ICC-01/12-01/18-2721-Red](#), para. 18.

¹⁴ LRV's Observations, [ICC-01/12-01/18-2721-Red](#), para. 21.

¹⁵ Decision on procedural matters, [ICC-01/12-01/18-2703-Red](#), para. 13.

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



Judge Kimberly Prost
Presiding Judge



Judge María del Socorro Flores Liera



Judge Keebong Paek

Dated this 13 May 2025
At The Hague, The Netherlands