

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/12-01/18
Date: 13 November 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

Public redacted version of Defence “Request to file correction/clarification to reparations submissions, transmission of handwritten version of Mr Al Hassan’s apology, and provision of further information concerning his proposed contribution to the Trust Fund for Victim” (ICC-01/12-01/18-2752-Conf, 3 October 2025)

Source: Defence for Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud

Document 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 Team

☒ **Legal Representatives of the Victims**
V43

☐ **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**

☐ **Amicus Curiae**

REGISTRY

Registrar
Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and Reparations Section**

☒ **Other**
Trust Fund for Victims

1. The Defence for Mr Al Hassan Ag Abdoul Aziz respectfully:
 - seeks authorisation from the Trial Chamber to correct its oral submissions concerning the addressees of Mr Al Hassan's April 2025 apology;
 - notifies the Trial Chamber concerning evidential items that were previously disclosed in the context of early release proceedings;
 - transmits Mr Al Hassan's handwritten apology (in Arabic calligraphy); and
 - provides information concerning the modalities of funds from Mr Al Hassan, which are available to the Trust Fund for Victims.

Level of confidentiality

The present filing has been classified as confidential due to the inclusion of names of confidential witnesses. The Defence has also filed a confidential *ex parte* and confidential redacted version of Annex B. The Defence has redacted the names of individuals who have acted as confidential intermediaries with national and local authorities. These individuals are at risk on account of the activities of the Court and fall within category A.5 and A.6 of the redaction protocol. The Defence has also redacted information concerning the current neighbourhood of certain individuals, as per category B.1.

Request to correct oral submissions

2. The Defence seeks the Chamber's authorization to correct and complete the record in relation to the individuals and organisations, which received the December and April apologies from Mr Al Hassan.¹ This correction is in the interests of justice as it will ensure a complete and clear response to the question posed by the Presiding Judge and will occasion no prejudice. It is also necessary in light of the fact that the Defence subsequently learned that the underlying basis of Defence submissions, that is, information set out in Defence witness statements, was not accessible to the Trial Chamber through Nuix.

¹ [ICC-01/12-01/18-2496](#) para. 9: "where corrections go to the substance of their submissions, the parties must seek leave from the Chamber prior to the filing of a corrigendum."

3. During the reparations hearing, the Trial Chamber posed the following question to the Defence:²

First, Ms Taylor for the Defence, the Defence has made substantial submissions today about Mr Al Hassan's previous apologies and, in particular, with reference to the apology -- I think it dates from April 2025, the statement. You said in your submissions that this statement has been translated and distributed broadly. I'd like you to elaborate on that, as to particularly the distribution point of view, how has it been distributed, if you are able to do so, and to where.

4. Since this question had not been included on the list of questions distributed in advance, Counsel responded based on her best recollection and understanding of the addressees of both the December 2024 apology and that of April 2025. Counsel had also assumed that the Chamber could access the references set out in the list of authorities³ and also in the Defence reparations response.⁴
5. Following the hearing, the Defence contacted the Registry to inquire as to whether Trial Chamber X can access evidence disclosed in the case file in the context of early release proceedings. The Defence was informed that the Trial Chamber X can access the filings submitted in Article 110 proceedings and thus have access to the witness statements annexed to the Defence Article 110 observations even if they were not expressly notified of such.⁵ The Trial Chamber did not however have access to the same through E-Court (NUIX) since it was necessary for them to be formally released to Trial Chamber X. This was since done on 25 September 2025. A list of duly disclosed items is set out in Annex A. The Chamber can therefore now access the statements and correspondence cited in the reparations submissions and also in the table of authorities, directly through E-Court (NUIX).

² T-219-Red-Eng, p. 82 lns 13-18.

³ ICC-01/12-01/18-2749-Conf-AnxA, pp. 5-7 (number 4, citing witness statements from [REDACTED])

⁴ ICC-01/12-01/18-2741-Conf, fns 91-92, citing witness statements and disclosed correspondence [REDACTED]

⁵ This includes Annexes C, D, E, G, H, I, J, L, M, N, Q, S that were attached to ICC-01/12-01/18-2720-Conf.

6. The Defence also conducted an audit as concerns the specific addressees of the December 2024 apology and the April 2025 apology. For the latter, while the Defence had started to send it to the same addressees as the December 2024 apology, the Defence suspended further dissemination following [REDACTED], so as not to draw more attention to Mr Al Hassan or [REDACTED]. Thus, while some individuals received both the December and April apologies (including the [REDACTED], others did not. The Defence has since taken steps to ensure that the April apology has been disseminated to the same individuals, including audios in local languages (French., Arabic, Tamasheq, Bambara, and Songhai). It has also been disseminated further [REDACTED], who have in turn, agreed to disseminate further locally. Steps have also been taken to facilitate its dissemination to diaspora in Bamako (through D-0551) and [REDACTED]. For completeness and accuracy, the Defence has listed each recipient, the date of receipt, and the format of the transmitted apology, in Annex B. The Defence has also disseminated links to audio translations in Arabic, Songhai, French, Tamasheq and Bamabara through social media, both to broaden distribution and to minimize risk that local distribution may infer direct contact with the Defence. This more complete list, with details concerning the dates, format (audio and/or written) and language, is attached as Annex B.
7. Having reviewed the transcripts, the Defence would also like to clarify that the submission, “This is all that he is willing to do”⁶ should be read to mean that these are all things that Mr Al Hassan is willing to do, and not, that these are the only things he is willing to do.

Transmission of Mr Al Hassan’s handwritten apology (in Arabic calligraphy)

8. During the reparations hearing, the Defence communicated first, Mr Al Hassan’s willingness to write his apology by hand, in Arabic calligraphy, which could be displayed in a municipal building and consulted by those that wish, and second, [REDACTED].

⁶ T-219-Conf-Eng, p. 85 lines 20-21

9. Mr Al Hassan duly created this document, which is attached so that it can be used, as deemed appropriate, by the Trust Fund for Victims or otherwise communicated to any victims who have expressed an interest in receiving such.⁷

Information concerning the modalities of transferring money to the Trust Fund

10. Mr Al Hassan has taken steps to ensure that he will be in a position to execute the suggested transfer to the Trust Fund for Victims. He has therefore asked the detention unit to establish a separate account for him at the detention unit so that he can ringfence money he earns for this purpose.



Melinda Taylor
Lead Counsel for Mr Al Hassan

Dated this 13th day of November 2025
At The Hague, The Netherlands

⁷ Annex C.