

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/12-01/18
Date: 5 February 2026

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

**Before: Judge Luz del Carmen Ibáñez Carraza, Presiding Judge
Judge Gocha Lordkipanidze
Juge Erdenebalusren Damdin**

SITUATION IN THE REPUBLIC OF MALI

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

Confidential

**Request for access to the "Defence Application for Full Commutation and Release,
pursuant to Rule 224 (3) of the Rules of the Procedure and Evidence"**

Source: Office of Public Counsel for Victims

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
D28 |
| ☒ 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
Mr Zavala Giler, Osvaldo | ☐ Counsel Support Section |
| ☐ Victims and Witnesses Unit | ☐ Detention Section |
| ☐ Victims Participation and Reparations Section | ☐ Other |

I. PROCEDURAL BACKGROUND

1. On 5 June 2025, Trial Chamber X appointed the Office of Public Counsel for Victims (the "OPCV" or the "Office") to represent four participating victims (the "Appointment Decision").¹

2. On 23 July 2025, following a four-month procedure, Mr Al Hassan's sentence was reduced by 12 months (the "Review Decision").²

3. On 27 January 2026, the Defence for Mr Al Hassan submitted the "Defence Application for Full Commutation and Release, pursuant to Rule 224 (3) of the Rules of the Procedure and Evidence" (the "Defence Application").³

II. CONFIDENTIALITY

4. Pursuant to regulation 23*bis*(2) of the Regulations of the Court, this document is filed as confidential following the level of classification chosen by the Defence. However, it can be reclassified public as it does not contain any confidential information.

III. SUBMISSION

5. The present submission is filed before the three judges of the Appeals Chamber appointed for the review concerning reduction of sentence (the "Panel of Judges")

¹ See the "Decision on the LRV's submission on a potential conflict of interest" (Trial Chamber X), [No. ICC-01/12-01/18-2728-Conf](#) and [No. ICC-01/12-01/18-2728-Red](#), disposition, 5 June 2025 (the "Appointment Decision").

² See the "Decision on the review concerning reduction of sentence of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud" (Panel of Judges), [No. ICC-01/12-01/18-2743-Red](#), 23 July 2025 (the "Review Decision").

³ See the "Defence Application for Full Commutation and Release, pursuant to Rule 224 (3) of the Rules of the Procedure and Evidence", No. ICC-01/12-01/18-2758-Conf with confidential annexes and one public annex (ICC-01/12-01/18-2758-AnxC), 27 January 2026 (the "Defence Application").

since it appears that the Defence Application is submitted in the framework of the previous Article 110 proceedings held before said Panel.

6. The Office has currently access only to the public Annex C to the Defence Application. The Principal Counsel requests access to the confidential version of the Defence Application in order to be able to present observations on behalf of the four victims represented by the OPCV.

7. The Principal Counsel recalls that the Office was appointed in the present case on 5 June 2025⁴ to represent four participating victims in the reparation proceedings. At that time, the Article 110 proceedings was ongoing since 4 February 2025 and all submissions had already been received by the Panel of Judges.⁵ Accordingly, taking into account the deadline to submit observations on reparations by 22 August 2025, the Office was not in the position to participate in said proceedings.

8. However, the victims represented by the Office are entitled to make observations on the Defence Application, in accordance with Rule 224 of the Rules of Procedure and Evidence, as confirmed by the Appeals Chamber.⁶ Therefore, access to the Defence Application is necessary for the Office to discharge its duty to represent its clients.

⁴ See the Appointment Decision, *supra* note 1.

⁵ For a detailed procedural history of these proceedings, see the Review Decision, *supra* note 2, paras. 5-17.

⁶ See the "Order setting the timetable regarding the review concerning reduction of sentence of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud", [No. ICC-01/12-01/18-2698](#), 20 March 2025.

IV. CONCLUSION

9. For the foregoing reasons, the Principal Counsel respectfully requests the Appeals Chamber to grant the OPCV access to the Defence Application. She also respectfully requests that the time limit for the submission of observations starts running from the notification of said Application



Paolina Massidda
Principal Counsel

Dated this 5th day of February 2026

At The Hague, The Netherlands