



Original: English

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

**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

**Order concerning access to confidential documents and other procedural
matters**

Order 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**

☐ **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,

Having before it the “Defence Application for Full Commutation and Release, pursuant to Rule 224(3) of the Rules of the Procedure and Evidence” of 27 January 2026 (ICC-01/12-01/18-2758-Red),

Having before it the “Second Request for access to documents related to the ‘Defence Application for Full Commutation and Release, pursuant to Rule 224 (3) of the Rules of the Procedure and Evidence’” of 11 February 2026 (ICC-01/12-01/18-2764-Conf),

Issues the following

ORDER

1. The Registrar is directed to provide the Office of Public Counsel for Victims access to ICC-01/12-01/18-2743-Conf, ICC-01/12-01/18-2762-Conf and ICC-01/12-01/18-2763-Conf.
2. The Registrar is directed to notify the Office of Public Counsel for Victims of any further public or confidential document filed in the current proceedings.
3. The Defence for Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, the Legal Representatives of Victims and the Deputy Prosecutor are directed to file public redacted versions of ICC-01/12-01/18-2760-Conf, ICC-01/12-01/18-2762-Conf and ICC-01/12-01/18-2763-Conf, or to request their reclassification as public by Monday, 16 February 2026.
4. The Registrar is directed to reclassify as public filings ICC-01/12-01/18-2759-Conf, ICC-01/12-01/18-2761-Conf and ICC-01/12-01/18-2764-Conf.

REASONS

1. On 23 July 2025, the three judges of the Appeals Chamber appointed for the review concerning reduction of sentence of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (hereinafter: “Panel” and “Mr Al Hassan” respectively) issued the “Decision on the review concerning reduction of sentence of Mr Al Hassan Ag

Abdoul Aziz Ag Mohamed Ag Mahmoud” (hereinafter: “Sentence Review Decision”), thereby reducing Mr Al Hassan’s sentence by 12 months and setting the date of completion of his sentence to 28 March 2027.¹

2. On 27 January 2026, the Defence for Mr Al Hassan (hereinafter: “Defence”) filed the “Defence Application for Full Commutation and Release, pursuant to Rule 224(3) of the Rules of the Procedure and Evidence” (hereinafter: “Defence Application”).²

3. On 6 February 2026, upon request of the Office of Public Counsel for Victims (hereinafter: “OPCV”),³ the Panel directed the Registrar to make confidential filing ICC-01/12-01/18-2758-Conf and its confidential annexes available to the OPCV, and ordered the OPCV to file a response to the Defence Application by Friday, 13 February 2026 (hereinafter: “Order of 6 February 2026”).⁴

4. On 9 February 2026, the Deputy Prosecutor (hereinafter: “Prosecutor”) and the Legal Representatives of Victims (hereinafter: “LRVs”) filed their respective responses to the Defence Application, which were not notified to the OPCV.⁵

5. On 11 February 2026, the OPCV filed a second request for access to documents related to the Defence Application (hereinafter: “Second Request”),⁶ requesting access to the confidential Sentence Review Decision (ICC-01/12-01/18-2743-Conf), the above-mentioned responses to the Defence Application, and any additional documents

¹ [Decision on the review concerning reduction of sentence of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud](#), ICC-01/12-01/18-2743-Conf (a public redacted version was filed on the same day, ICC-01/12-01/18-2743-Red).

² [Defence Application for Full Commutation and Release, pursuant to Rule 224\(3\) of the Rules of the Procedure and Evidence](#), ICC-01/12-01/18-2758-Conf, with confidential annexes A, B, D, E, F, H, I, J, K, confidential and *ex parte* annex G (Defence, Registry only), confidential redacted annex G, and public annex C (a public redacted version was filed on 6 February 2026, ICC-01/12-01/18-2758-Red).

³ 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”, ICC-01/12-01/18-2759-Conf. *See also* Confidential Defence Response to OPCV Application for Access, ICC-01/12-01/18-2760-Conf, paras 2-4.

⁴ Order concerning access to a confidential document, ICC-01/12-01/18-2761-Conf.

⁵ Prosecution’s response to “Defence Application for Full Commutation and Release, pursuant to Rule 224(3) of the Rules of Procedure and Evidence”, ICC-01/12-01/18-2763-Conf; Réponse des Représentants légaux des victimes à la “Defence Application for Full Commutation and Release, pursuant to Rule 224(3) of the Rules of the Procedure and Evidence” (ICC-01/12-01/18-2758-Conf), 27 janvier 2026, ICC-01/12-01/18-2762-Conf.

⁶ Second Request for access to documents related to the “Defence Application for Full Commutation and Release, pursuant to Rule 224 (3) of the Rules of the Procedure and Evidence”, ICC-01/12-01/18-2764-Conf.

that the Panel may consider material for the OPCV to discharge its representation mandate.⁷

6. The Panel, recalling its Order of 6 February 2026, and noting that the Prosecutor does not oppose the Second Request,⁸ directs the Registrar to provide the OPCV access to ICC-01/12-01/18-2743-Conf, ICC-01/12-01/18-2762-Conf and ICC-01/12-01/18-2763-Conf.

7. Finally, with regard to ICC-01/12-01/18-2760-Conf, ICC-01/12-01/18-2762-Conf and ICC-01/12-01/18-2763-Conf, the Panel directs the Defence, the LRVs and the Prosecutor to file public redacted version of their respective documents or to request their reclassification as public by Monday, 16 February 2026. In addition, the Panel finds that no reason exists for ICC-01/12-01/18-2759-Conf, ICC-01/12-01/18-2761-Conf and ICC-01/12-01/18-2764-Conf to remain confidential and directs the Registrar to reclassify these documents as public.

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



Judge Luz del Carmen Ibáñez Carranza
Presiding

Dated this 12th day of February 2026

At The Hague, The Netherlands

⁷ Second Request, pp. 4-5.

⁸ Second Request, p. 4.