

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **9 March 2026**

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 AGMOHAMED AG
MAHMOUD***

Public

**Decision on the legal representation of Mr Al Hassan following the decision of the
Disciplinary Appeals Board on sanctions to be imposed upon Ms Melinda Taylor**

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**

☒ **Legal Representatives of the Victims**

☐ **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 64(2) and 67(1)(d) of the Rome Statute (the ‘Statute’), rules 20 to 22 of the Rules of Procedure and Evidence, regulations 75 and 76 of the Regulations of the Court, articles 15(2), 39, 41 to 42 of the Code of Professional Conduct for counsel, issues the following ‘Decision on the legal representation of Mr Al Hassan following the decision of the Disciplinary Appeals Board on sanctions to be imposed upon Ms Melinda Taylor’.

I. Procedural History

1. On 13 December 2024, the Chamber issued its ‘Order for Submissions on Reparations’ and between 11 June and 22 August 2025, the parties and participants filed their submissions on reparations.¹ A hearing was held on 17 September 2025 and the Chamber began its deliberation on the reparations order.²
2. On 26 February 2026, the Counsel Support Section of the Registry informed the Chamber³ that on 23 February 2026, the Disciplinary Appeals Board of the International Criminal Court had issued the ‘Decision on the appeal of Ms Melinda Taylor against the decision of the Disciplinary Board dated 3 June 2025 (SDO-2025-156)’ (the ‘Misconduct Decision’).⁴ The Registry noted that the Lead Counsel for Mr Al Hassan, Ms Melinda Taylor, had been sanctioned with a temporary suspension of her right to practise before the Court for a period of 10 months (the ‘Disciplinary Sanction’), pursuant to article 42(1)(d) of the Code of Professional Conduct for Counsel, and that, as a consequence ‘she

¹ Defence Observations on Reparations, 11 June 2025, ICC-01/12-01/18-2729; Amicus Curiae Observations on Reparations from Queen’s University Belfast Human Rights Centre, 13 June 2025, ICC-01/12-01/18-2730; Observations of One of the Legal Representatives of Victims on the Reparations for Victims in Burkina Faso, Niger and Mali, 13 June 2025, ICC-01/12-01/18-2731-Conf-tENG; *Observations des Représentants légaux des victimes en exécution de l’Ordonnance aux fins de présentation d’observations relatives aux réparations* (ICC-01/12-01/18-2666), 16 June 2025, ICC-01/12-01/18-2732-Red; Registry Submissions on Reparations, 16 June 2025, ICC-01/12-01/18-2733-Red; Prosecution Submissions on Reparations, 16 June 2025, ICC-01/12-01/18-2734-Red; Amicus Curiae Observations on Reparations from Mama Koité Doumbia *et al.*, 16 June 2025, ICC-01/12-01/18-2735 (with one public annex); Amicus Curiae Observations on Reparations from Dr Jean Benoît Falisse and Dr Simeon Koroma, The University of Edinburgh, 16 June 2025, ICC-01/12-01/18-2736; Trust Fund for Victims’ Observations relevant to Reparations with Annexes A, D and E and Confidential Annexes B and C, 16 June 2025, ICC-01/12-01/18-2737; Corrected version of “The OPCV’s Submissions on Reparations”, ICC-01/12-01/18-2747-Corr-Red.

² Transcript of hearing, ICC-01/12-01/18-T-219-Red-ENG.

³ Email from the Registry, 26 February 2026, at 17:03.

⁴ The Registry attached the Misconduct Decision to its email. See Annex II to the present decision (Disciplinary Appeals Board of the International Criminal Court, Decision on the appeal of Ms Melinda Taylor against the decision of the Disciplinary Board dated 3 June 2025 (SDO-2025-156), 23 February 2026, SDO-2026-022).

will be unable to act in that capacity for the duration of the suspension period'.⁵ The Registry submits that it took immediate measures to implement the suspension in accordance with its interpretation of the decision.⁶

3. The Registry then sought to consult the Chamber on the current status of the reparations proceedings and any directions the Chamber may wish to give regarding the appointment of temporary replacement counsel.⁷
4. On 2 March 2026, the Chamber reminded the Registry that the Disciplinary Appeals Board's decision instructed the Registrar to 'ensure that the present decision [be] implemented in consultation with the relevant chambers as necessary' and accordingly requested that the Registry not take any measures in relation to the commencement of Ms Taylor's suspension as Lead Counsel of Mr Al Hassan and the appointment of a new counsel for him, until the Chamber had the opportunity to consider the issue and provide further instructions.⁸ As a result, the Registry reversed the measures it had taken to implement the suspension in order to await the Chamber's instructions.⁹
5. The Chamber attaches the utmost importance to the disciplinary regime and to the implementation of the decisions adopted by the competent bodies. At the same time, the Chamber recalls that as per article 64 of the Statute, it is the duty of the trial chamber to ensure that trial proceedings are 'fair and expeditious and [...] conducted with full respect for the rights of the accused'. In this regard, the timing of the implementation of a disciplinary sanction regarding Lead Counsel for the Defence can have an impact on the ongoing judicial proceedings and Mr Al Hassan's rights to legal representation as per article 67(1)(b) and 67(1)(d) of the Statute.
6. The Chamber notes that the decision of the Disciplinary Appeals Board did not specify the starting date of the suspension. In these circumstances, the Chamber considers that the consultations on implementation should include consideration of a possible delay in the commencement of the suspension if necessary to safeguard the rights of the accused and fairness of the trial proceedings.

⁵ Email from the Registry, 26 February 2026, at 17:03.

⁶ Email from the Registry, 26 February 2026, at 17:03.

⁷ Email from the Registry, 26 February 2026, at 17:03.

⁸ Email from the Chamber, 2 March 2026, at 09:10.

⁹ Email from the Chamber, 2 March 2026, at 18:42.

7. The Chamber, having now carefully considered the particular circumstances of the reparations case and stage of the proceedings, finds that there is no justification for delaying the implementation of the Misconduct Decision. However, the Chamber considers that prior to the implementation of the suspension, Mr. Al Hassan should be notified and given an opportunity to have a final privileged conversation with Ms. Taylor in recognition of his rights to legal representation. Therefore, the Chamber finds that the disciplinary sanction of suspension shall be implemented, commencing three days after notification of the present decision to Ms Taylor and the Registry. Upon notification, the Registry shall advise Mr. Al Hassan of the decision and arrange for a final consultation with Ms. Taylor prior to the expiry of the three day period. Further, in implementing the disciplinary sanction, the Registry must ensure that Mr Al Hassan is duly informed at all relevant stages and that a proper handover is facilitated. The Chamber hereby also instructs the Registry to proceed with the appointment of a new Defence counsel for Mr Al Hassan as soon as practicable.

FOR THESE REASONS, THE CHAMBER HEREBY

DECIDES that the disciplinary sanction against Ms Melinda Taylor, Lead Counsel of Mr Al Hassan, decided by the Disciplinary Appeals Board on 23 February 2026, shall be implemented three days after notification of the present decision;

INSTRUCTS the Registrar to proceed accordingly with the implementation of the sanction of 10 months' suspension of Ms Melinda Taylor's right to practice before the Court, as of Friday 13 March 2026; and

INSTRUCTS the Registrar to proceed with the appointment of a new Defence counsel for Mr Al Hassan as soon as practicable.

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 9 March 2026

At The Hague, The Netherlands