

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **French**

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

Date: **4 May 2018**

**PRE-TRIAL CHAMBER I**

**Before: Judge Péter Kovács, Single Judge**

**SITUATION IN THE REPUBLIC OF MALI**

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

**Confidential**

**EX PARTE Office of the Prosecutor and the Victims and Witnesses Section only**

**Decision convening a closed *ex parte* status conference on witness protection**

Decision to be notified, in accordance with regulation 31 of the Regulations of the Court, to:

**Office of the Prosecutor**

Ms Fatou Bensouda

Mr James Stewart

**Counsel for the Defence**

**Legal Representatives of Victims**

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**States' Representatives**

**Office of Public Counsel for the  
Defence**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Section**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

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**Péter Kovács**, designated by Pre-Trial Chamber I ("Chamber") of the International Criminal Court ("Court") as Single Judge responsible for carrying out the functions of the Chamber in the case of *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud* since March 28 2018,<sup>1</sup> decides the following:

## **I. Procedural history**

1. On 27 March 2018, pursuant to article 58 of the Rome Statute ("Statute"), the Chamber issued a warrant of arrest for Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud ("Mr Al Hassan").<sup>2</sup>
2. On 31 March 2018, Mr Al Hassan was surrendered to the Court and is currently in custody at the Court's detention centre in The Hague.<sup>3</sup>
3. On 3 April 2018, the Single Judge set 4 April 2018 as the date of the first appearance.<sup>4</sup>
4. On 4 April 2018, Mr Al Hassan made his first appearance before the Single Judge in the presence of his counsel and the Prosecution.<sup>5</sup>
5. On 25 April 2018, the Prosecution filed a request to convene a closed *ex parte* status conference in the presence of the Victims and Witnesses Section on the issue of the security situation in the Republic of Mali and the protection of witnesses.<sup>6</sup>

## **II. Applicable law**

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<sup>1</sup> "Decision Designating a Single Judge", 28 March 2018 and reclassified as public on 31 March 2018, ICC-01/12-01/18-6-tENG.

<sup>2</sup> "Warrant of Arrest for Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud", 27 March 2018 and reclassified as public on 31 March 2018, ICC-01/12-01/18-2-tENG.

<sup>3</sup> ICC-01/12-01/18-11-US-Exp.

<sup>4</sup> "Order Scheduling the First Appearance of Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud", 3 April 2018, ICC-01/12-01/18-12-tENG.

<sup>5</sup> "Transcript of the initial appearance hearing", 4 April 2018, ICC-01/12-01/18-T-1-CONF-FRA ET.

<sup>6</sup> "Prosecution's request for an *ex parte* status conference on witness protection and security issues", 25 April 2018, ICC-01/12-01/18-22-Conf-Exp and its two annexes ICC-01/12-01/18-22-Conf-Exp-AnxA and ICC-01/12-01/18-22-Conf-Exp-AnxB.

6. The Single Judge notes articles 57(3)(c) and 68 of the Statute, rule 121(2)(b) of the Rules of Procedure and Evidence and regulation 30 of the Regulations of the Court.

### III. Analysis

7. The Single Judge, having examined the Prosecution's request, considers it appropriate and grants the request to hold a closed *ex parte* status conference, in the presence of the Prosecution and the Victims and Witnesses Section, on the issue of the security situation in the Republic of Mali and the protection of witnesses in the present case.

**FOR THESE REASONS, the Single Judge**

**DECIDES to convene** a closed *ex parte* status conference in the presence of the Prosecution and the Victims and Witnesses Section, to be held in Courtroom III on Thursday, 17 May 2018 at 14.30.

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

**[Signed]**

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**Judge Péter Kovács**

**Single Judge**

Dated this 4 May 2018

At The Hague, Netherlands