



Original: English

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

Date: 27 November 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***

Public

Request for reclassification of ICC-01/12-01/18-125-Conf-Exp

**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

Ms Fatou Bensouda

Mr James Stewart

Counsel for the Defence

Mr Yasser Hassan

Legal Representatives of the Victims

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 Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and
Reparations Section**

Other

Background

1. On 6 September 2018, the Defence was notified of the confidential redacted version of the Prosecution's request to withhold the identity of Witness MLI-OTP-P-0111.¹
2. On 17 September 2018, the Defence submitted its response to the Prosecution's request.² The response was filed confidential *ex parte* pursuant to regulation 23bis(2) of the Regulations of the Court.
3. On 6 November 2018, the Single Judge issued his decision granting the Prosecution's request and directing the parties to submit public redacted versions of their filings.³

Submissions

4. The Defence requests the Single Judge to reclassify, as public, its response to the Prosecution's request. Maintaining the confidential classification of this document is no longer justified since the Prosecution filed a public redacted version of its request on 16 November 2018, and the Defence response does not have confidential content that must be redacted. Reclassification of the document from confidential *ex parte* to public is therefore warranted. For these reasons, the present filing is also classified as public.



Yasser Hassan
Lead Counsel for Mr Al Hassan

Dated this 27th Day of November 2018
At The Hague, The Netherlands

¹ *Al Hassan*, Confidential redacted version of the "Prosecution's Request for authorisation to withhold the identity of Witness MLI-OTP-P-0111 upon whose evidence the Prosecution will not rely at the confirmation hearing", 6 September 2018, ICC-01/12-01/18-117-Conf-Exp-Red (the **request**).

² Response to the Prosecution's Request for authorisation to withhold the identity of Witness MLI-OTP-P-0111 upon whose evidence the Prosecution will not rely at the confirmation hearing, 17 September 2018, ICC-01/12-01/18-125-Conf-Exp (the **response**).

³ Décision relative aux requêtes du Procureur aux fins d'autorisation de la non-communication de l'identité des témoins P-0100, P-0111, P-0130, P-0576, P-0581, P-0583, P-0589, P-0593 et P-0594, 6 November 2018, ICC-01/12-01/18-174-Conf-Exp-Red.