



Original: **English**

No.: ICC-01/12-01/18
Date: **31 January 2020**

TRIAL CHAMBER X

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Kimberly Prost

SITUATION IN THE REPUBLIC OF MALI

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

**Public
With confidential Annex A**

Prosecution submission of Provisional list of Prosecution witnesses

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

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Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants

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 Other Section

1. Pursuant to the “Decision Setting the Commencement Date of the Trial” (“Decision”),¹ issued by Trial Chamber X (“Chamber”) on 6 January 2020, the Prosecution submits its Provisional list of Prosecution witnesses.
2. As instructed by the Chamber in the Decision, the Prosecution files on the record a Provisional list of witnesses, indicating “the type of witness to be called by the Prosecution (i.e. whether they are fact or opinion, expert, or insider witnesses); the intended mode of testimony (i.e. whether *viva voce* or Rule 68 statements); and, if and when possible, a brief summary of the anticipated testimony of each witness.”² In the brief summary, the Prosecution describes the anticipated testimony in broad, general lines and in a non-exhaustive way. The Provisional list of Prosecution witnesses can be found in confidential Annex A to this filing.
3. As already foreshadowed by the Prosecution and noted by the Chamber, this list, as an early projection of the Prosecution’s prospective witnesses, “may be subject to ‘changes, additions, [and] deletions’”.³

Confidentiality

4. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the Prosecution files Annex A as confidential because it contains identifying information regarding Prosecution witnesses which cannot be made public.



Fatou Bensouda, Prosecutor

Dated this 31st January 2020

At The Hague, The Netherlands

¹ ICC-01/12-01/18-548. See para. 3-5, p. 9.

² ICC-01/12-01/18-548, para. 5.

³ ICC-01/12-01/18-548, para. 3, citing ICC-01/12-01/18-T-008-ENG, p. 43, l. 19-22. See also p. 43, l. 19-25, p. 44, l. 1-13, p. 45, l. 23-25, p. 46, l. 1-17, 24-25, p. 47, l. 1-4.