

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **18 March 2020**

TRIAL CHAMBER X

Before: Judge Kimberly Prost, 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-01/12-01/18-529-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

Fatou Bensouda

James Stewart

Counsel for the Defence

Melinda Taylor

Marie-Hélène Proulx

Legal Representatives of the Victims

Seydou Doumbia

Mayombo Kassongo

Fidel Luvengika Nsita

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

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Nigel Verrill

Detention Section

**Victims Participation and
Reparations Section**

Other

Background

1. On 13 December 2019, the Defence for Mr. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (the Defence) submitted its “Defence filing concerning authorities and correspondence that will be relied upon at the Ex Parte Status Conference of 13 December 2019”.¹
2. On 18 February 2020, during the status conference, the Single Judge of Trial Chamber X instructed the registry to put on the record of the case by 26 February, a list of *ex parte* filings for which no version is available to either the Prosecution or/and Defence. The single judge also instructed the parties to review their filings, by 18 March 2020 at the latest, with a view to providing redacted versions to the other party or requesting reclassification.
3. On 02 March 2020, the Registry filed the “Transmission of the List of *ex parte* Filings filed in the Record of the Case”.²
4. On 03 March 2020, the Registry filed a “Corrected version of the Annex to the Transmission of the list of Ex Parte filings filed in the Record of the Case”.³
5. On 06 March 2020, the Registry filed its “Addendum to ICC-01/12-01/18-621-Conf-Anx-Corr”.⁴

Submissions

6. Accordingly, and in compliance with Single Judge’s instructions, the Defence respectfully requests the Single Judge of Trial Chamber X to order the reclassification of ICC-01/12-01/18-529-Conf-Exp and ICC-01/12-01/18-529-Conf-Exp-AnxA as public; and further requests that the classification of ICC-01/12-01/18-529-Conf-Exp-AnxB as *ex parte* (Registry and Defence only) be maintained, due to the fact that it concerns private communications.

¹ ICC-01/12-01/18-529-Conf-Exp

² ICC-01/12-01/18-621-Conf

³ ICC-01/12-01/18-621-Conf-Anx-Corr

⁴ ICC-01/12-01/18-621-Conf-Anx-Corr-Anx2



Melinda Taylor
Lead Counsel for Mr Al Hassan



Marie-Hélène Proulx
Associate Counsel for Mr Al Hassan

Dated this 18th Day of March 2020
At The Hague, The Netherlands