

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/12-01/18 OA3

Date: 2 March 2021

THE APPEALS CHAMBER

Before:

**Judge Luz del Carmen Ibáñez Carranza, Presiding
Judge Chile Eboe-Osuji
Judge Howard Morrison
Judge Piotr Hofmański
Judge Solomy Balungi Bossa**

SITUATION IN THE REPUBLIC OF MALI

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

Confidential document

Order on the filing of responses

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

The Office of the Prosecutor

Fatou Bensouda, Prosecutor
Helen Brady

Counsel for the Defence

Melinda Taylor
Kirsty Sutherland

Legal Representatives of the Victims

Seydou Doumbia
Mayombo Kassongo
Fidel Nsita Luvengika

REGISTRY

Registrar

Peter Lewis

The Appeals Chamber of the International Criminal Court,

In the appeal of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud against the decision of Trial Chamber X entitled ‘Decision on application for notice of possibility of variation of legal characterisation pursuant to Regulation 55(2) of the Regulations of the Court’ of 17 December 2020 (ICC-01/12-01/18-1211-Conf),

Having before it the ‘Defence Request for Extension of Time to File Appeal of “Decision on Application for Notice of Possibility of Variation of Legal Characterisation Pursuant to Regulation 55(2) of the Regulations of the Court”’ of 1 March 2021 (ICC-01/12-01/18-1324-Conf),

Pursuant to regulation 24(1) and (2) of the Regulations of the Court,

Issues the following

ORDER

Responses to the above-mentioned request may be filed by 16h00 on Wednesday, 3 March 2021.

REASONS

1. On 17 December 2020, Trial Chamber X (the ‘Trial Chamber’) issued a decision on the application of the Prosecutor for notice to be given under regulation 55(2) of the Regulations of the Court (the ‘Impugned Decision’).¹
2. On 18 January 2021, counsel for Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (the ‘Defence’) requested leave to appeal the Impugned Decision in

¹ Decision on application for notice of possibility of variation of legal characterisation pursuant to Regulation 55(2) of the Regulations of the Court, ICC-01/12-01/18-1211-Conf.

respect of five issues.² The Trial Chamber granted leave in respect of two of the five issues.³

3. On 1 March 2021, the Defence filed a request pursuant to regulation 35(2) of the Regulations of the Court seeking an extension of ten days to file its appeal (the 'Request').⁴

4. Given that, under regulation 65(4) of the Regulations of the Court, the appeal brief is due to be filed on Monday, 8 March 2021, the Appeals Chamber considers it appropriate to abridge the time limit for the Prosecutor and the Legal Representatives of Victims to file responses to the Request.

5. The Prosecutor and the Legal Representatives of Victims may file responses to the Request by 16h00 on Wednesday, 3 March 2021.

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



Judge Luz del Carmen Ibáñez Carranza
Presiding

Dated this 2nd day of March 2021

At The Hague, The Netherlands

² Defence request for leave to appeal 'Decision on application for notice of possibility of variation of legal characterisation pursuant to Regulation 55(2) of the Regulations of the Court', ICC-01/12-01/18-1251-Conf.

³ Decision on Defence request for leave to appeal the 'Decision on application for notice of possibility of variation of legal characterisation pursuant to Regulation 55(2) of the Regulations of the Court', 24 February 2021, ICC-01/12-01/18-1319-Conf.

⁴ Defence Request for Extension of Time to File Appeal of 'Decision on application for notice of possibility of variation of legal characterisation pursuant to Regulation 55(2) of the Regulations of the Court', ICC-01/12-01/18-1324-Conf.