

**Public Redacted version of ICC-01/12-01/15-413-Conf-Exp-Anx, dated 31 August
2021**

**Transmission of the Observations of the United Kingdom of Great Britain and
Northern Ireland on the Criteria Set Out in Rule 223 (a) to (e) of the Rules of
Procedure and Evidence**

ICC-01/12-01/15

08 October 2021



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Note Verbale No: 078

Her Britannic Majesty's Embassy presents its compliments to the Registry of the International Criminal Court and has the honour to refer to NV/2021/EOSS/103/JCA/yo, dated 7 July 2021 inviting the United Kingdom of Great Britain and Northern Ireland ('the United Kingdom') to file written observations in the case of *The Prosecutor v. Ahmad Al Faqi Al Mahdi* (ICC-01/12-01/15)

The United Kingdom hereby files its written observations on the criteria set out in rule 223 (a) to (e) of the Rules of Procedure and Evidence with regards to the review concerning the reduction of sentence of Mr Ahmad Al Faqi Al Mahdi. Taking note of the deadline of 30 August 2021, the United Kingdom filed its written observations on 27 August 2021. Due to the United Kingdom's Bank Holiday of 30 August 2021, the United Kingdom was unable to provide an amended version of its filing prior to the indicated deadline.

Her Britannic Majesty's Embassy avails itself of the opportunity to renew to the Registry of the International Criminal Court the assurance of its highest consideration.

BRITISH EMBASSY

THE HAGUE

31 August 2021



Encl x1

WRITTEN OBSERVATIONS – AHMAD AL FAQI AL MAHDI

Please see below the written observations from the Scottish Prison on the criteria set out in Rule 223 (a) to (e) of the Rules of Procedure and Evidence, regarding the early release of the above named prisoner:

(a) The conduct of the sentenced person while in detention, which shows a genuine dissociation from his or her crime - See below, developments during the sentence

(b) The prospect of the resocialization and successful resettlement of the sentenced person - SPS is unable to answer this question.

(c) Whether the early release of the sentenced person would give rise to significant social instability - SPS is unable to answer this question.

(d) Any significant action taken by the sentenced person for the benefit of the victims as well as any impact on the victims and their families as a result of the early release - SPS is unable to answer this question as the offences were not committed in the UK and we have no information about victims.

(e) Individual circumstances of the sentenced person, including a worsening state of physical or mental health or advanced age - See below, developments during the sentence.

Developments during the sentence

Mr Al Mahdi was transferred into SPS Custody on 29 August 2018

Education in custody - Mr Al Mahdi attended various education classes and activities including

General Behaviour - During his time in SPS Custody Mr Al Mahdi received no Misconduct Reports and caused staff no issues regarding his behaviour.

Substance abuse history - No evidence of any substance misuse while in custody. He has provided 1 Mandatory Drug Test (MDT) [REDACTED] which returned a negative result.

Prisoners visits – Mr Al Mahdi received 1 visit while in SPS custody, [REDACTED]

Prisoners access to finances and purchases – Mr Al Mahdi [REDACTED] worked in the prison pantry and received prisoner wages for doing so, which he [REDACTED] used for [REDACTED]

Mental and physical health – Mr Al Mahdi attended a hospital appointment on [REDACTED] and returned to his establishment on the same date. We are not aware of Mr Al Mahdi having any physical or mental health issues. He has had no contact with Mental Health Services whilst in SPS Custody