



Original: English

**No. ICC-01/12-01/15
Date: 30 September 2021**

**THREE JUDGES OF THE APPEALS CHAMBER APPOINTED FOR THE
REVIEW CONCERNING REDUCTION OF SENTENCE**

**Before: Judge Solomy Balungi Bossa, Presiding
Judge Marc Perrin de Brichambaut
Judge Gocha Lordkipanidze**

SITUATION IN THE REPUBLIC OF MALI

**IN THE CASE OF
THE PROSECUTOR v. AHMAD AL FAQI AL MAHDI**

Public document

**Order setting the timetable regarding the hearing for the review concerning
reduction of sentence of Mr Ahmad Al Faqi Al Mahdi and other matters**

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

The Office of the Prosecutor

Mr Karim A. A. Khan, Prosecutor
Mr Gilles Dutertre

Counsel for the Defence

Mr Mohamed Aouini

Legal Representatives of Victims

Mr Mayombo Kassongo

States Representatives

The Republic of Mali
The United Kingdom of Great Britain
and Northern Ireland

REGISTRY

Registrar

Mr Peter Lewis

Other

The Presidency

The three judges of the Appeals Chamber of the International Criminal Court,

In the review by the Court concerning reduction of sentence of Mr Ahmad Al Faqi Al Mahdi (hereinafter: “Mr Al Mahdi”) pursuant to article 110 (3) of the Statute,

Noting the procedure for the review concerning reduction of sentence set out in rule 224 (1) of the Rules of Procedure and Evidence (hereinafter: “the Rules”),

Noting the “Decision re-scheduling the hearing before the three judges of the Appeals Chamber” of 29 July 2021 (ICC-01/12-01/15-403), in which it rescheduled the hearing to 12 and 13 October 2021,

Noting the Registrar’s filing of the “Responses of the Authorities of the Republic of Mali and of the United Kingdom of Great Britain and Northern Ireland to the Orders for the review concerning reduction of sentence of Mr Ahmad Al Faqi Al Mahdi, ICC-01/12-01/15-392 and ICC-01/12-01/15-398” of 27 July 2021 (ICC-01/12-01/15-402), in which the Registrar conveyed that the Embassy of the United Kingdom of Great Britain and Northern Ireland indicated that, without prejudice to the possible participation of its Home Office, it did not intend to participate in the hearing,¹

Issues the following

ORDER

1. The duration of the hearing for the purpose of the review concerning reduction of sentence of Mr Al Mahdi shall be limited to Tuesday, 12 October 2021. As a result, the additional date scheduled, namely Wednesday, 13 October 2021, is hereby vacated.
2. The timetable for the hearing shall be as follows:

9h30 - 9h40	Introductory statement by the Presiding Judge (10 minutes).
9h40 - 10h10	Submissions of the Defence (30 minutes).
10h10 - 10h40	Submissions of the Prosecutor (30 minutes).

¹ In a subsequent communication with the Registry, the three judges of the Appeals Chamber were informed that the United Kingdom of Great Britain and Northern Ireland confirmed that it will not be represented at the hearing.

10h40 - 10h55	Submissions of the Legal Representative of Victims (15 minutes).
10h55 - 11h10	Submissions of the Republic of Mali (15 minutes).
11h10 - 11h25	Submissions of the Registrar (15 minutes).
11h25 - 14h00	Break (2 hours 35 minutes).
14h00 - 14h10	Response of the Defence (10 minutes).
14h10 - 14h30	Questions by the Judges and responses from the parties and participants (20 minutes).
14h30 - 14h50	Personal address by Mr Al Mahdi (20 minutes).
14h50	Closing of the hearing by the Presiding Judge.

3. During the hearing, the parties and participants may address any relevant issues pertaining to the review concerning reduction of sentence without exceeding those raised in their or the other participants' written submissions. Noting the level of confidentiality applied to the proceedings, thus far, the parties and participants are requested to provide an indication before their respective interventions as to whether they may be conducted partly in open session.
4. Moreover, the parties and participants are requested to address the below issues in their oral submissions, as follows:
 - a) The Prosecutor, Defence and Legal Representative of Victims are requested to address (i) the meaning of "a clear and significant change of circumstances sufficient to justify the reduction of sentence" as provided in article 110(4)(c) of the Statute and (ii) the legal basis, if any, for the imposition of conditions in connection with the early release of Mr Al Mahdi .
 - b) The Defence is requested to address in particular the criteria set out in articles 110(4)(a) to (c) of the Statute and rules 223(a), (c) and (e) of the Rules.
 - c) The Legal Representative of Victims is requested to further elaborate on his submissions at paragraph 19 concerning the impact of early release of Mr Al Mahdi, if granted, on the reparations process.

- d) The Republic of Mali is requested to specifically address the impact of early release, if granted, on the people of Mali as a whole and how it views Mr Al Mahdi's claims concerning his expression of remorse for the crimes he committed and his ability to reintegrate into society.
5. The Defence and the Prosecutor are directed to file public redacted versions of their respective submissions by Wednesday, 6 October 2021 as listed below:
 - a) ICC-01/12-01/15-419-Conf-Exp;
 - b) ICC-01/12-01/15-420-Conf-Exp-Corr.
 6. The Registry, the Legal Representative of Victims, the Republic of Mali and the United Kingdom of Great Britain and Northern Ireland are directed to file public redacted versions of their respective submissions by Friday, 8 October 2021 as listed below:
 - a) ICC-01/12-01/15-410-Conf-Anx;
 - b) ICC-01/12-01/15-411-Conf-Exp;
 - c) ICC-01/12-01/15-413-Conf-Exp-Anx;
 - d) ICC-01/12-01/15-418-Conf.

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



Judge Solomy Balungi Bossa
Presiding Judge

Dated this 30th day of September 2021

At The Hague, The Netherlands