



Original: English

No.: ICC-01/12-01/15
Date: 30 September 2015

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

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

Public

**Order concerning the transfer of documents into the record of the case and
their level of classification**

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

Mohamed Aouini

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Judge Cuno Tarfusser, Single Judge exercising the functions of the Chamber in the present case, issues this order concerning the transfer of documents into the record of the case and their level of classification.

1. In order to ensure that documents in the record of the situation which are relevant to the present proceedings are available in the record of the case, it is necessary that the Registrar copies into the record of the case, maintaining the current level of classification, the documents listed in the operative part to this decision.

2. Noting regulation 23 *bis* of the Regulations of the Court, the Single Judge further considers that there exists a need to review the continued necessity for the level of classification of the documents thus transferred into the record of the case, in order to ensure to the greatest possible extent that they are accessible to the Defence and to the public. This does not concern the material filed in support of the Prosecutor's application under article 58 of the Statute (ICC-01/12-33-Secret-Exp and annexes), for which a separate order for review of the level of classification of the material has been issued (ICC-01/12-01/15-2-Secret-Exp).

FOR THESE REASONS, THE SINGLE JUDGE

ORDERS the Registrar to copy from the record of the situation into the record of the case, maintaining the current level of classification, the following documents:

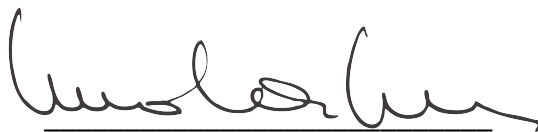
- ICC-01/12-12-Conf-Exp and annexes;
- ICC-01/12-13-Conf-Exp and ICC-01/12-13-Conf-Exp-tENG;
- ICC-01/12-15-Conf-Exp and annexes;
- ICC-01/12-17-Conf-Exp and annexes;

- ICC-01/12-18-Conf-Exp and ICC-01/12-18-Conf-Exp-tENG;
- ICC-01/12-19-Conf-Exp and annexes;
- ICC-01/12-27-Conf-Exp and annexes;
- ICC-01/12-28-Conf-Exp;
- ICC-01/12-29-Conf-Exp and annexes;
- ICC-01/12-30-Conf-Exp;
- ICC-01/12-32-US-Exp; and
- ICC-01/12-33-Secret-Exp and annexes.

ORDERS the Prosecutor and the Registrar to review each of their filings which are not currently classified as “public” and, by 7 October 2015:

- (i) to indicate those which can be reclassified as “public” or, failing that and as appropriate, “confidential”;
- (ii) to file, insofar possible, public or confidential redacted versions of documents which cannot as such be reclassified as “public” or “confidential”;
- (iii) to put on the record of the case reasons justifying the level of classification of any filing that cannot be made public.

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



Judge Cuno Tarfusser
Single Judge

Dated this 30 September 2015

At The Hague, The Netherlands