

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/12-01/15
Date: 28 October 2016

TRIAL CHAMBER VIII

Before: Judge Raul C. Pangalangan, Presiding Judge
Judge Antoine Kesia-Mbe Mindua
Judge Bertram Schmitt

SITUATION IN THE REPUBLIC OF MALI

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

PUBLIC

**Application by the United Nations Educational, Scientific and Cultural
Organization (UNESCO) to submit observations pursuant to Article 75(3) of the
Rome Statute and Rule 103 of the Rules of Procedure and Evidence**

Source: United Nations Educational, Scientific and Cultural Organization (UNESCO)

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

The Office of the Prosecutor
Ms Fatou Bensouda, Prosecutor
Mr James Stewart

Counsel for the Defence
Mr Mohamed Aouini
Mr Jean-Louis Gilissen

Legal Representatives of the Victims
Mr Mayombo Kassongo

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
Mr Herman von Hebel

Counsel Support Section
Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**
Ms Isabelle Guibal

Other

1. On 27 September 2016, the Trial Chamber VIII found Mr. Al Mahdi guilty of the war crime of attacking protected objects under Article 8(2)(e)(iv) of the Rome Statute in its 'Judgement and Sentence' decision.¹
2. On 29 September 2016, the Trial Chamber VIII issued its 'Reparation Phase Calendar' and invited interested organizations to request leave to make submission by 21 October 2016, in accordance with Rule 103 of the Court's Rules of Procedure and Evidence.²
3. On 21 October 2016, UNESCO requested the Trial Chamber VIII to concede an exceptional one-week time extension to submit its request. On the same date, the Single Judge granted UNESCO's request, inviting the Organization to request leave to make submission by 28 October 2016 at 4 pm.³
4. It is submitted that UNESCO has extensive knowledge and expertise in the field of historical and religious heritage, including in the city of Timbuktu, where the event took place. In particular, UNESCO's submission would address the importance of international cultural heritage generally and the harm to the international community caused by its destruction.
5. Accordingly, UNESCO respectfully requests the Trial Chamber VIII to authorize the Organization to submit observations pursuant to Article 75(3) of the Rome Statute and Rule 103 of the Rules of Procedure and Evidence.

¹ ICC-01/12-01/15-171

² ICC-01/12-01/15-172

³ Email of 21 October 2016 from Ms. Anne Aurore Bertrand, Associate Cooperation and External Relations Officer at the ICC Registry, to UNESCO.



Signed by Anna Segall
Legal Adviser

**United Nations Educational, Scientific and Cultural Organization
(UNESCO)**

28 October 2016

At Paris, France