Cour Pénale Internationale



International Criminal Court

Original: English No.: ICC-01/12-01/15

Date: 3 May 2017

## 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**

with Three Confidential Redacted Annexes, available to the Parties and the Trust Fund for Victims

Transmission of Redacted Versions of Experts' Reports pursuant to Trial Chamber Decision ICC-01/12-01/15-203-Red of 19 January 2017

Source: Registry

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

Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Mr Mohamed Aouini

Mr James Stewart

Mr Gilles Dutertre Legal Representatives of Applicants

**Legal Representative of Victims** 

Mr Mayombo Kassongo

Unrepresented Victims Unrepresented Applicants for

Participation/Reparations

Office of Public Counsel for Victims

Ms Paolina Massidda

Office of Public Counsel for the

Defence

States' Representatives Amicus Curiae

**REGISTRY** 

Registrar Counsel Support Section

Mr Herman von Hebel

Victims and Witnesses Section Detention Section

Mr Nigel Verrill

Victims Participation and Reparations Others

SectionAppointed ExpertsMr Philipp AmbachTrust Fund for Victims

#### I. Introduction

1. In accordance with rule 13(1) of the Rules of Procedure and Evidence and the "Decision Appointing Reparations Experts and Partly Amending Reparations Calendar" ("Decision")<sup>1</sup> of Trial Chamber VIII ("Chamber"), the Registry hereby transmits to the parties and the Trust Fund for Victims ("Trust Fund") the redacted versions of three reports ("Reports") received from the experts appointed by the Chamber in the case of The Prosecutor v. Ahmad Al Faqi Al Mahdi ("Al Mahdi case").

#### II. **Procedural History**

- 2. On 19 January 2017, the Chamber appointed four experts ("Appointed Experts") on areas it had previously identified as relevant for the reparations proceedings in the Al Mahdi case,2 and ordered them to submit their reports, separately or jointly, to the Chamber, the parties and the Trust Fund by 24 March 2017.3
- 3. On 9 March 2017, following a request from the Appointed Experts,<sup>4</sup> the Chamber granted an extension of time for the submission of the Reports until 28 April 2017.<sup>5</sup>
- 4. On 28 April 2017, the Registry received the Reports from the Appointed Experts.6

<sup>3</sup> Decision, paras. 4, 8(i).

<sup>&</sup>lt;sup>1</sup>Trial Chamber VIII, "Public redacted version of 'Decision Appointing Reparations Experts and Partly Amending Reparations Calendar', 19 January 2017", 19 January 2017, ICC-01/12-01/15-203-Red.

<sup>&</sup>lt;sup>2</sup> Trial Chamber VIII, "Reparations Phase Calendar", 29 September 2016, ICC-01/12-01/15-172.

<sup>&</sup>lt;sup>4</sup> Registry, "Transmission of Request from the Reparations Experts for an Extension of Time for the Submission of their Report(s) pursuant to ICC-01/12-01/15-203-Red", 8 March 2017, ICC-01/12-01/15-205.

<sup>&</sup>lt;sup>5</sup> Trial Chamber VIII, "Public redacted version of 'Decision Granting an Extension of Time for Filing of Experts' Report and Amending Reparations Calendar', 9 March 2017", 9 March 2017, ICC-01/12-01/15-206-Red, para. 6(i).

<sup>&</sup>lt;sup>6</sup> Emails from the Appointed Experts to the Registry on 28 April 2017 at 12:25, 17:06 and 21:05. Two of the Appointed Experts submitted a joint report.

- 5. On 1 May 2017, the Registry filed the Reports to the Chamber *ex parte* in original version, and informed the Chamber that it would file the confidential versions of the Reports after minor redaction matters were conclusively verified with the Appointed Experts.<sup>7</sup>
- 6. On 2 and 3 May 2017, the Registry received the requested clarifications from the Appointed Experts.<sup>8</sup>

### III. Classification

7. Pursuant to regulation 23bis(2) of the Regulations of the Court and in line with the Decision,<sup>9</sup> the Reports submitted as annexes to the present submission are classified as confidential, available to the parties and the Trust Fund.

### IV. Submission

8. The Registry hereby submits the Reports in confidential redacted version.

Marc Dubuisson, Director of the Division of Judicial Services per delegation of

Herman von Hebel, Registrar

Dated this 3 May 2017

At The Hague, The Netherlands

\_

<sup>&</sup>lt;sup>7</sup> Registry, "Transmission of Experts' Reports pursuant to Trial Chamber Decision ICC-01/12-01/15-203-Red of 19 January 2017", 1 May 2017, ICC-01/12-01/15-214.

<sup>&</sup>lt;sup>8</sup> Emails from the Appointed Experts to the Registry on 02 May 2017 at 20:52 and 03 May 2017 at 13:25 and 13:29.

<sup>&</sup>lt;sup>9</sup> Decision, para. 8.