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No.: **ICC-01/12-01/15**

Date: **4 August 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 one Public Redacted Annex
And two Confidential Redacted Annexes, available to the Trust Fund and the
Appointed Experts**

**Transmission of One Public Version and Two Confidential Versions of Experts'
Reports pursuant to the Trial Chamber's Order of 11 July 2017**

Source: Registry

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

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Trust Fund for Victims

I. Introduction

1. In accordance with rule 13(1) of the Rules of Procedure and Evidence and pursuant to the “Order on Publicity of Case Record” (“Order”)¹ of Trial Chamber VIII (“Chamber”), the Registry hereby transmits the public redacted version of one report and the confidential redacted versions of two reports received from the experts on reparations 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” and “Decision of 19 January 2017”)² on areas it had previously identified as relevant for the reparations proceedings in the *Al Mahdi* case,³ and ordered them to submit their reports (“Reports”), separately or jointly, to the Chamber, the parties and the Trust Fund by 24 March 2017.⁴
3. On 9 March 2017, following a request from the Appointed Experts,⁵ the Chamber granted an extension of time for the submission of the Reports until 28 April 2017.⁶
4. On 28 April 2017, the Registry received the Reports from the Appointed Experts.⁷

¹ Trial Chamber VIII, “Order on Publicity of Case Record”, 11 July 2017, ICC-01/12-01/15-228.

² 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.

³ Trial Chamber VIII, “Reparations Phase Calendar”, 29 September 2016, ICC-01/12-01/15-172, para. 2(i).

⁴ Decision of 19 January 2017, para. 8(i).

⁵ 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.

⁶ 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).

⁷ Emails from the Appointed Experts to the Registry on 28 April 2017. 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 (“Registry’s Transmission”).⁸
6. On 3 May 2017, the Registry filed the Reports in confidential redacted version.⁹
7. On 11 July 2017, the Chamber ordered the Appointed Experts to file public redacted versions of the Reports, in consultation with the Registry, by 4 August 2017.¹⁰

III. Classification

8. Pursuant to article 68(1) of the Rome Statute, regulation 23*bis*(1) of the Regulations of the Court and in line with the Order, one report is submitted as a public annex, and two annexes, each one consisting of one report, are classified as confidential, available to the parties, the Trust Fund and the Appointed Experts.

IV. Submission

9. Following the issuance of the Order, the Registry held consultations with the Appointed Experts and provided recommendations regarding the extent of redactions to be applied to the public redacted version of the Reports, in view of the prevailing security situation in Mali.
10. At the time of filing no agreement has yet been reached between the Registry and two¹¹ of the four Appointed Experts regarding the required level of

⁸ 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 and confidential *ex parte* annexes.

⁹ Registry, “Transmission of Redacted Versions of Experts’ Reports pursuant to Trial Chamber Decision ICC-01/12-01/15-203-Red of 19 January 2017”, 3 May 2017, ICC-01/12-01/15-215.

¹⁰ Order, page 5.

¹¹ The Appointed Experts’ Reports were filed as, respectively, Annex I and Annex II of the Registry’s Transmission.

redactions to be applied to their respective Reports. The contentious points on redactions are being brought to the Chamber's attention.

11. For the reasons mentioned above, the Registry respectfully submits one report in public redacted version as per the Chamber's Order, and two reports in confidential redacted version.
12. Mindful of the nearing date of issuance of the reparations order, the Registry will file the public redacted versions of the confidential Reports in the most timely fashion, as soon as the issues mentioned in paragraph 10 have been solved.



pp Marc Dubuisson

Marc Dubuisson, Director of the Division of Judicial Services

per delegation of

Herman von Hebel, Registrar

Dated this 4 August 2017

At The Hague, The Netherlands