

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 20 July 2022

TRIAL CHAMBER VIII

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Bertram Schmitt
Judge Socorro Flores Liera

SITUATION IN THE REPUBLIC OF MALI

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

Public

With Public Annex I and Confidential Annex II

**Transmission of the Response of the Malian Authorities on the Level of
Classification of their Observations ICC-01/12-01/15-312-Conf-Anx**

Source: Registry

Document 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

Counsel for the Defence

Mr Mohamed Aouini

Legal Representatives of the Victims

Me Mayombo Kassongo

Legal representatives of the applicants

Unrepresented Victims

Trust Fund for Victims

Mr Pieter de Baan

**The Office of Public Counsel for
Victims**

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

States' Representatives

Others

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

I. Introduction

1. Pursuant to the “Fifth Order for Publicity of the Case Record”¹ (“Fifth Order”) and rule 13(1) of the Rules of Procedure and Evidence, the Registry hereby transmits, as an annex to this filing, a note verbale from the Embassy of Mali in Brussels (“Note Verbale”)² informing the Court that the Malian authorities consent to the public reclassification of their submission filed under the reference ICC-01/12-01/15-312-Conf-Anx.

II. Confidentiality

2. In accordance with regulation 23bis(1) of the Regulations of the Court, the annex II to the present submission is classified as confidential because it contains names and contact details of staff members of the Court.

III. Procedural history

3. On 2 November 2018, the Trust Fund for Victims submitted an Updated Implementation Plan for reparations (“UIP”).³
4. In response to the invitation of the Single Judge of Trial Chamber VIII,⁴ the Malian authorities provided their observations on the UIP in a note verbale filed on 8 January 2019 as a confidential annex to Registry’s Transmission ICC-01/12-01/15-312.⁵
5. On 14 April 2022, Trial Chamber VIII issued the Fifth Order, directing *inter alia* the relevant authorities of Mali to “file a public redacted version, request

¹ Trial Chamber VIII, « Fifth Order for the Publicity of the Case Record », 14 April 2022, ICC-01/12-01/15-442, translated in French and filed on 22 April 2022, ICC-01/12-01/15-442-tFRA.

² Annex I

³ Trust Fund for Victims, « Public redacted version of « Updated Implementation Plan » submitted on 2 November 2018, ICC-01/12-01/15-Conf-Exp », ICC-01/12-01/15-291-Red2, 22 November 2018.

⁴ Trial Chamber VIII, « Decision inviting Malian authorities to submit observations on the Trust Fund for Victims’ Updated Implementation Plan », 5 November 2018, ICC-01/12-01/15-293.

⁵ Confidential Annex to the Registry’ “Transmission of Observations from the Malian Authorities on the Updated Implementation Plan”, 8 January 2019, ICC-01/12-01/15-312.

the reclassification as public, or justify the need to maintain the current classification of ICC-01/12-01/15-312-Conf-Anx, within one month from the notification of its decision" ("Directions").

IV. Submissions

1. By note verbale dated 25 April 2022 (with reference NV/2022/EOSS/092/JCA/ab) addressed to the Embassy of Mali in Brussels ("Embassy"),⁶ the Registry notified the Malian authorities of the Fifth Order and its translation in French, while drawing their attention to the Chamber's Directions.
2. On 14 July 2022, the Embassy sent to the Registry the Note Verbale communicating the Malian authorities' consent for the public reclassification of filing ICC-01/12-01/15-312-Conf-Anx.

p.p.



Marc Dubuisson, Director, Division of Judicial Services

on behalf of

Peter Lewis, Registrar

Dated this 20 July 2022

At The Hague, The Netherlands

⁶ Annex II.