



Original: English

N°: ICC-01/12-01/18

Date: 12 June 2023

**TRIAL CHAMBER X**

**Before:** Judge Antoine Kesia-Mbe Mindua, Presiding Judge  
Judge Tomoko Akane  
Judge Kimberly Prost

**SITUATION IN THE REPUBLIC OF MALI**

**IN THE CASE OF  
THE PROSECUTOR *v.* AL HASSAN AG ABDOUL AZIZ AG MOHAMED AG  
MAHMOUD**

**Public  
With Public Redacted Annex I**

**Report on further implementation of the “Registry Report on Items Formally Submitted - Witness MLI-OTP-P-0557”, 5 August 2021, ICC-01/12-01/18-1652-Conf**

**Source: Registry**

**The Office of the Prosecutor**

Mr Karim A. A. Khan  
 Mr Mame Mandiaye Niang  
 Mr Gilles Dutertre

**Counsel for Al Hassan**

Ms Melinda Taylor  
 Ms Felicity Gerry

**Legal Representatives of the Victims**

Mr Seydou Doumbia  
 Mr Mayombo Kassongo  
 Mr Fidel Luvengika Nsita

**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 Osvaldo Zavala Giler

**Counsel Support Section****Victims and Witnesses Unit****Detention Section****Victims Participation and Reparations  
Section****Other**

## I. Introduction

1. The Registry submits the present report and annex one, the public redacted versions of items recognised as formally submitted for witness MLI-OTP-P-0557, pursuant to the “Decision on the conduct of Proceedings” (“Decision”),<sup>1</sup> issued on 6 May 2020 and to the “Third decision on matters related to the conduct of proceedings” (“Third Decision”),<sup>2</sup> issued on 4 September 2020 by Trial Chamber X (“Chamber”).

## II. Procedural History

2. On 6 May 2020, the Chamber released its Decision in which it directed the Registry to: “[...] reflect all formally submitted items in the eCourt metadata [...]”, and to “[...] submit reports for each witness who testifies, indicating which items have been formally submitted by the parties and participants in relation to that witness. The email exchanges [...] are to be annexed to this filing, applying redactions as appropriate.”<sup>3</sup>
3. On 4 September 2020, the Chamber released its Third Decision which further established that:

*“8. [i]n relation to formal requests for the submission of evidence used during a hearing, and pursuant to paragraph 34(ii) to (v) of the Directions on the Conduct of Proceedings, the Chamber will issue an email decision identifying the items recognised as being formally submitted evidence.*

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<sup>1</sup> Trial Chamber X, Annex A of the Decision on the conduct of proceedings, [ICC-01/12-01/18-789-AnxA](#), 6 May 2020.

<sup>2</sup> Trial Chamber X, Third decision on matters related to the conduct of proceedings, [ICC-01/12-01/18-1040](#), 4 September 2020.

<sup>3</sup> See note 1, above, para. 34(vi).

9. Pursuant to paragraph 34 (vi) of the Directions on the Conduct of Proceedings, the Registry shall submit a filing per witness comprising a cover filing and an Annex. The cover filing shall contain the list of the items considered formally submitted by the Chamber, with their evidence reference numbers (the 'ERN'). In the Annex, the Registry shall include the above email decision of the Chamber which will contain also any relevant email submissions of the parties. The Annex will be redacted as indicated above for email decisions."<sup>4</sup>

4. On 23 December 2020, the Chamber communicated by email its decision ("23 December 2020 Decision") on material recognized as being formally submitted for P-0557.<sup>5</sup> The Chamber issued a further decision on 7 July 2021 recognizing the formal submission of MLI-OTP-0018-0243 through P-0557.<sup>6</sup>

### III. Submissions

5. In order to enable the parties and participants to suggest redactions, the Registry followed the procedure specified in paragraph 6 of the Third Decision. Therefore, on 16 November 2021 the Registry initiated the consultation process with the parties and participants requesting them to provide the agreed redacted annexes and further recalling that any disagreements or objections on specific redactions should be directly addressed to the Chamber with the Court Officers in copy.

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<sup>4</sup> See note 2, above, paras. 8-9.

<sup>5</sup> Decision on submitted material for P-0557, email sent by the Chamber's Legal Officer to the parties, participants and to the Registry, 23 December 2020 at 09:00.

<sup>6</sup> Annex VI, TC X - Second decision on submitted material for P-0557, email sent by the Chamber's Legal Officer to the parties, participants and to the Registry, 7 July 2021 at 14:38.

6. On 23 June 2022, the Single Judge instructed the Registry to proceed with the filing of the Quarterly Report, submitting in the public record of the case the redacted versions of the email decisions annexed to the various Registry Reports as Annex I.<sup>7</sup> In addition, the Single Judge provided complementary guidance on the redaction of particular annexes,<sup>8</sup> and instructed the Prosecution to provide its proposals for additional redactions to various other annexes by 22 July 2022.<sup>9</sup>
  
7. The Registry hereby attaches one redacted annex to the present submissions and submits the following list of ERNs recognized as formally submitted pursuant to the Chamber's 23 December 2020 Decision:

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<sup>7</sup> TC X: Single Judge directions concerning public redacted versions of the annexes to the Registry reports on submitted items, email sent from Trial Chamber X to the parties, participants and to the Registry, 23 June 2022 at 13:38.

<sup>8</sup> Annexes 1631-Conf-AnxI, 1652-Conf-AnxI, 1638-Conf-AnxI, 1633-Conf-AnxI, and 1619-Conf-AnxI.

<sup>9</sup> Annexes 1866-Conf, 1867-Conf, 1868-Conf, 1869-Conf, 1870-Conf, 1871-Conf, and 1872-Conf.

Proposals were received on 20 July 2022.

**Items submitted by the  
Prosecution:**

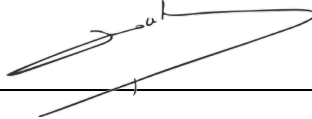
	MLI-OTP-0046-8867	MLI-OTP-0022-0480
	MLI-OTP-0065-0044	MLI-OTP-0022-0484
MLI-OTP-0033-5405	MLI-OTP-0046-9035	MLI-OTP-0022-0487
MLI-OTP-0069-1858	MLI-OTP-0046-9036	MLI-OTP-0022-0488
MLI-OTP-0069-7653	MLI-OTP-0046-9039	MLI-OTP-0017-0027
MLI-OTP-0078-9935	MLI-OTP-0046-9041	MLI-OTP-0033-5228
MLI-OTP-0078-9939	MLI-OTP-0046-9042	MLI-OTP-0018-0243
MLI-OTP-0018-0246	MLI-OTP-0046-9043	
MLI-OTP-0069-1591	MLI-OTP-0046-9044	
MLI-OTP-0078-1877	MLI-OTP-0022-0465	
MLI-OTP-0018-0247	MLI-OTP-0022-0468	
MLI-OTP-0069-0447	MLI-OTP-0022-0471	
MLI-OTP-0078-9921	MLI-OTP-0022-0473	
MLI-OTP-0078-9925	MLI-OTP-0022-0475	
MLI-OTP-0012-1844	MLI-OTP-0022-0478	

**Items submitted by the Defence for Mr. Al Hassan:**

MLI-D28-0004-3770	MLI-D28-0004-3866	MLI-OTP-0033-5405
MLI-D28-0004-3779	MLI-D28-0004-0003	MLI-OTP-0039-0574
MLI-D28-0004-3798	MLI-D28-0004-3961	MLI-OTP-0069-0494
MLI-D28-0004-3810	MLI-OTP-0017-0027	
MLI-D28-0004-3820	MLI-OTP-0033-5228	

8. The Registry hereby annexes to the present filing, the Chamber's 23 December 2020 Decision:

- Annex I: email from the Chamber dated 23 December 2020 09.00.



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Marc Dubuisson  
Director, Division of Judicial Services  
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 12 June 2023

At The Hague, The Netherlands