

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/12-01/18
Date: 20 November 2019

THE PRESIDENCY

Before: Judge Chile Eboe-Osuji, President
Judge Robert Fremr, First Vice-President
Judge Marc Perrin de Brichambaut, Second Vice-President

SITUATION IN THE REPUBLIC OF MALI

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

Public Document

**With Annexes 1 and 3 Secret *Ex Parte* – Registry only
And Annex 2 Confidential**

**Transmission to the Presidency of the record of the proceedings, including the
Decision on the confirmation of charges against Al Hassan Ag Abou Aziz Ag
Mohamed Ah Mahmoud**

Source: Registry

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Counsel for the Defence

Melinda Taylor

Marie-Hélène Proulx

Legal Representatives of the Victims

Seydou Doumbia

Mayombo Kassongo

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

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (“the Court”);**I. PROCEDURAL HISTORY**

1. On 30th September 2019, Pre-Trial Chamber I (“Chamber”) issued its *“Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”* (“Decision confirming the Charges”).¹
2. On 7th October 2019, the Defence filed its “[...] *request for leave to appeal the Pre-Trial Chamber I’s “Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”* (ICC-01/12-01/18-461-Conf)” (“Defence’s Request”).²
3. On 11th October, the Prosecution filed its *“Prosecution’s Response to “Defence request for leave to appeal the Pre-Trial Chamber I’s ‘Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud’”* (ICC-01/12-01/18-463-Conf)”.³
4. On 11th October 2019, the Legal representatives of Victims filed their *“Réponse au document de la Défense intitulé « Defence request for leave to appeal the Pre-Trial Chamber I’s “Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”* (ICC-01/12-01/18-461Conf) »”.⁴

¹ ICC-01/12-01/18-461-Corr-Red.

² ICC-01/12-01/18-463-Conf.

³ ICC-01/12-01/18-470-Conf.

⁴ ICC-01/12-01/18-470-Conf.

5. On 18th November 2019, the Chamber issued its “*Décision relative à la requête de la défense aux fins d’autorisation d’interjeter appel de la Décision relative à la confirmation des charges et transmission du dossier à la présidence en vertu de la règle 129 du Règlement de procédure et de preuve*” (« Decision »).⁵
6. In its Decision the Chamber rejected the Defence Request and ordered the Registry to transmit the record of the proceedings, including the Decision confirming the charges, to the Presidency.⁶

II. CLASSIFICATION

7. Annexes 1 and 3 to the present document are classified as Secret *ex parte* Registry only, and annex 2 as Confidential, as they respectively contain information under the same classification.

III. APPLICABLE LAW

8. This filing is submitted pursuant to rule 129 of the Rules of Procedure and Evidence, regulation 23bis (1) of the Regulations of the Court and in compliance with the Decision.

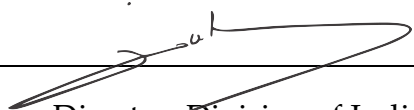
⁵ ICC-01/12-01/18-498-Red2.

⁶ *Ibid*, page 19.

IV. SUBMISSIONS

9. The Registry hereby transmits to the Presidency the record of the proceedings as follows:

- i. - Index of all Court Records (Annex 1);
- ii. - Index of all transcripts of the case (Annex 2);
- iii. - Index of all evidence registered in the case (Annex 3).



Marc Dubuisson, Director, Division of Judicial Services
On behalf of
Peter Lewis, Registrar

Dated this 20 November 2019

At The Hague, the Netherlands