



Original: English

No. ICC-01/12-01/15

Date: 7 July 2021

**THREE JUDGES OF THE APPEALS CHAMBER APPOINTED FOR THE
REVIEW CONCERNING REDUCTION OF SENTENCE**

**Before: Judge Solomy Balungi Bossa, Presiding
Judge Marc Perrin de Brichambaut
Judge Gocha Lordkipanidze**

SITUATION IN THE REPUBLIC OF MALI

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

Public document

**Scheduling order for the review concerning reduction of sentence of Mr Ahmad
Al Faqi Al Mahdi**

Order 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, Prosecutor
Mr James Stewart

Counsel for Mr Ahmad Al Faqi Al Mahdi
Mr Mohamed Aouini

Legal Representatives of Victims
Mr Mayombo Kassongo
Ms Paolina Massidda

State Representatives
The Republic of Mali
The United Kingdom

REGISTRY

Registrar
Mr Peter Lewis

Other
The Presidency

The three judges of the Appeals Chamber of the International Criminal Court,

In the review by the Court concerning reduction of sentence of Mr Ahmad Al Faqi Al Mahdi (hereinafter: “Mr Al Mahdi”) pursuant to article 110 of the Statute,

Considering that article 110(3) of the Statute provides in relevant part that ‘[w]hen the person has served two thirds of the sentence, [...] the Court shall review the sentence to determine whether it should be reduced’ and that this ‘review shall not be conducted before that time’,

Recalling that, on 27 September 2016, Trial Chamber VIII sentenced Mr Al Mahdi to a term of nine years imprisonment (ICC-1/12-01/15-171), which he accepted and chose not to appeal,

Noting that Mr Al Mahdi will have served two thirds of the sentence imposed on 18 September 2021,

Noting the criteria for review concerning reduction of sentence set out in article 110(4) of the Statute and rule 223(a) to (e) of the Rules of Procedure and Evidence,

Noting the procedure for the review concerning reduction of sentence set out in rule 224(1) of the Rules of Procedure and Evidence,

Issues the following

SCHEDULING ORDER

1. A hearing before the three judges for the purpose of the review concerning reduction of sentence of Mr Al Mahdi will be held on 21 and 22 September 2021.
2. The Registrar shall make the necessary arrangements, in co-operation with counsel for Mr Al Mahdi and the relevant State authorities, to ensure Mr Al Mahdi’s attendance at the hearing and to provide for any interpretation that may be required.
3. The Registrar, the Prosecutor, the United Kingdom, the Republic of Mali and the Legal Representative of Victims are invited to participate in the hearing.
4. In order to ensure the efficient conduct of the hearing:

- a. The Registrar shall file written observations on the criteria set out in rule 223(a) to (e) of the Rules of Procedure and Evidence, by 16h00 on Monday, 30 August 2021. The Registrar shall consult as necessary with any states considered to have potentially relevant information in relation to these criteria;
- b. The United Kingdom and the Republic of Mali are invited to file written observations, insofar as they have relevant information, on the criteria set out in rule 223(a) to (e) of the Rules of Procedure and Evidence, by 16h00 on Monday, 30 August 2021, in compliance with regulation 33(1)(d) of the Regulations of the Court. The written observations shall be not more than 10 pages and shall comply with regulation 36 of the Regulations of the Court; and
- c. Mr Al Mahdi, the Prosecutor and the Legal Representative of Victims are invited to file written submissions of not more than 15 pages in accordance with regulation 36 of the Regulations of the Court, by 16h00 on Monday, 6 September 2021, in compliance with regulation 33(1)(d) of the Regulations of the Court, addressing:
 - 1) The following criteria for review concerning reduction of sentence:
 - i. The early and continuing willingness of Mr Al Mahdi to cooperate with the Court in its investigations and prosecutions (article 110(4)(a) of the Statute);
 - ii. The voluntary assistance of Mr Al Mahdi in enabling the enforcement of the judgments and orders of the Court in other cases, and in particular providing assistance in locating assets subject to orders of fine, forfeiture or reparation which may be used for the benefit of victims (article 110(4)(b) of the Statute); or
 - iii. Other factors, as provided in rule 223(a) to (e) of the Rules of Procedure and Evidence, establishing a clear and significant change of circumstances sufficient to justify the reduction of sentence (article 110(4)(c) of the Statute);
 - 2) The observations of the Registrar, the United Kingdom and the Republic of Mali, as appropriate.

5. A further order setting out the precise timetable for the hearing and its conduct will be communicated in due course.
6. The Registrar, the United Kingdom, the Republic of Mali, Mr Al Mahdi, the Prosecutor and the Legal Representatives of Victims shall inform the three judges by Monday, 19 July 2021 if any difficulties are encountered that may affect the scheduled date of the hearing.

Done in both English and French, the English version being authoritative.



Judge Solomy Balungi Bossa
Presiding Judge

Dated this 7th day of July 2021

At The Hague, The Netherlands