

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/12-01/18

Date: 24 April 2019

**PRE-TRIAL CHAMBER I**

**Before:** Judge Péter Kovács, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Reine Adélaïde Sophie Alapini-Gansou

**SITUATION IN THE REPUBLIC OF MALI**

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

**URGENT**

**Confidential *Ex Parte***

***Available to Counsel Support Section and Defence only***

**Application for leave to withdraw from the representation of Mr Al Hassan**

**Source:** Defence for Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud

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

**The Office of the Prosecutor**

**Counsel for the Defence**

Yasser Hassan

**Legal Representatives of the Victims**

**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**

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**Registrar**

Peter Lewis

**Counsel Support Section**

Esteban Peralta Losilla

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Other  
Reparations Section**

## Introduction

1. On 3 April 2018, Mr Yasser Hassan (“Defence Counsel” or “Mr Hassan”) was appointed as duty counsel to represent the interests of Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (“Mr Al Hassan”).<sup>1</sup>
2. On 16 April 2018, Mr Hassan was appointed by Mr Al Hassan as Counsel to represent him in the proceedings before the Court.<sup>2</sup>
3. Defence Counsel respectfully requests the Chamber to grant his application for leave to withdraw from the current case.

## Classification

4. This filing is classified as confidential *ex parte*, available to the Defence and Counsel Support Section Only, as it refers to communications covered by client-counsel privilege and relates to counsel representation.

## Relief Sought

5. Defence Counsel and Mr Al Hassan have reached a mutual agreement to terminate representation by Mr Hassan in the proceedings before the Court.
6. A Suspect is entitled to exercise his right to free choice of Counsel under Articles 55 and 67 of the Rome Statute. However, pursuant to Regulation 78 of the Regulations of the Court, withdrawal of Counsel shall be done with the Chamber’s leave.
7. Given the continual delays in setting the date of the confirmation of charges hearing and the submission of the Document Containing the Charges, and given that the new date set for the confirmation hearing is 8 July 2019<sup>3</sup> and that the Document Containing the Charges and list of evidence have not yet been submitted, Defence Counsel and Mr Al Hassan agree that this matter should be raised immediately to reassure the Chamber that adequate handover to potential new Counsel is done in a manner that ensures the expeditiousness of proceedings.

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<sup>1</sup> ICC-01/12-01/18-14.

<sup>2</sup> ICC-01/12-01/18-19.

<sup>3</sup> ICC-01/12-01/18-313.

8. Accordingly, Defence Counsel respectfully requests the Chamber's leave to withdraw from the case of *The Prosecution v. Al Hassan* (ICC-01/12-01/18). Defence Counsel and Mr Al Hassan have agreed that the termination would take effect on 1 May 2019, unless the Chamber determines otherwise.
9. Mr Hassan is fully aware of his current and ongoing obligations under the Code of Professional Conduct for Counsel, in particular Articles 8, 15 and 17. Defence Counsel further submits that he will continue to fulfil his duties until appointment of replacement counsel.



Yasser Hassan, Lead Counsel for Mr Al Hassan

Dated this 24<sup>th</sup> day of April 2019  
At The Hague, The Netherlands