



Original: **English**

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

Date: 25 July 2016

TRIAL CHAMBER VIII

Before: Judge Raul C. Pangalangan, Single Judge

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

Public

**With six confidential annexes, available only to the Defence and the Office of the
Prosecutor**

**Transmission to the Defence of redacted versions of six applications to participate
in the proceedings**

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Mr James Stewart

Counsel for the Defence

Mr Mohamed Aouini

Mr Jean-Louis Gilissen

Legal Representatives of Victims

Mr Mayombo Kassongo

Legal Representatives of Applicants

Mr Mayombo Massongo

Ms Paolina Massidda

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Isabelle Guibal

Other

I. Introduction

1. On 8 June 2016, Trial Chamber VIII (“the Trial Chamber”) issued a decision, *inter alia*, directing the Registry to (i) transmit, on a rolling basis and, in any case no later than 25 July 2016, all applications which in the Registry's assessment are complete and that fall within the scope of the charges as defined by the Decision on the confirmation of charges against Ahmad Al Faqi Al Mahdi, together with an *ex parte* report pursuant to regulation 86(5) of the Regulations of the Court (“RoC”), available to the Office of the Prosecutor (“Prosecution”) and the Legal Representative of Victims admitted to participate in the case (“LRV”); and (ii) transmit the applications in unredacted form to the Prosecution and in redacted form to the Defence, when the applicant has expressed some security concerns (“8 June 2016 Decision”).¹
2. To date, the Registry has received six new applications to participate in the proceedings related to the case *The Prosecutor v. Ahmad Al Faqi Al Mahdi* (“Applications”) that it has assessed as complete and that fall within the scope of the charges against Ahmad Al Faqi Al Mahdi.²

II. Classification

3. Pursuant to the 8 June 2016 Decision³ and regulation 23bis(1) of the RoC, the Applications are transmitted as six confidential annexes available only to the Defence and the Prosecution, as the applicants have raised security concerns regarding the disclosure of their identity to the Defence.

¹Trial Chamber VIII, “Public redacted version of 'Decision on Victim Participation at Trial and on Common Legal Representation of Victims’”, dated 8 June 2016, ICC-01/12-01/15-97-Red, paras. 10-13.

² The Registry also received two applications for reparations, which are not transmitted because they do not fall within the ambit of the 8 June 2016 Decision.


³ 8 June 2016 Decision, para. 13.

III. Applicable Law

4. The present filing is made in accordance with article 68(1) and (3) of the Rome Statute, rules 16, 85 and 89(1) of the Rules of Procedure and Evidence, and pursuant to the 8 June 2016 Decision.

IV. Submission

5. In accordance with the 8 June 2016 Decision, since the applicants have expressed, either to their Legal Representative or in their application for participation, security concerns with regards to the disclosure of their identity to the Defence,⁴ the Registry transmits to the Defence, in the annexes, applications a/35003/16, a/35004/16, a/35005/16, a/35006/16, a35007/16 and a/35008/16 in redacted form.



Marc Dubuisson, Director, Division of Judicial Services
per delegation of Herman von Hebel, Registrar

Dated this 25 July 2016

At The Hague, The Netherlands

⁴ Memorandum from the Office of Public Counsel for Victims to the Victims Participation and Reparations Section (“VPRS”), dated 13 July 2016 and email from the case manager working with Mr Kassongo to the VPRS, dated 23 July 2016 at 16:25.