

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 16 May 2025

TRIAL CHAMBER X

Before: Judge Kimberly Prost, Presiding Judge
Judge María del Socorro Flores Liera
Judge Keebong Paek

SITUATION IN THE REPUBLIC OF MALI

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

PUBLIC

**Public Redacted version of "Second Joint Report pursuant to Trial Chamber X's
"Order for Submissions on Reparations" (ICC-01/12-01/18-2666)", dated 16 May
2025**

Source: Registry, Prosecution and Legal Representatives of Victims

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

Legal Representatives of the Victims
V43 Victim Team

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

M. Zavala Giler, Osvaldo

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

I. Introduction

1. On 13 December 2024, Trial Chamber X (“Chamber”) issued an “Order for Submissions on Reparations” (“Order”)¹ in the present case (“Case”), noting that, outside of the crime of persecution, there are 49 direct victims in the Case (“49 Victims”),² and instructing the Legal Representatives of Victims (the “LRV”), the Office of the Prosecutor (the “Prosecution”), and the Registry to provide by 14 March 2025 a joint report to the Chamber “advising: (i) whether these victims, or in the case of victims who may be deceased, their families, are identifiable and can be contacted; (ii) whether any of these victims are currently represented by the LRV; and, (iii) if the victims are not represented by the LRV, whether they have now chosen to be”.³
2. A first joint report was submitted on 13 March 2025 together with a request for extension of time to file a final version of the joint report (“First Joint Report”).⁴
3. On 8 April 2025, the Chamber issued the “Decision on procedural matters related to the joint report” (“Decision on the First Joint Report”) granting an extension of time until 16 May 2025 to the Prosecution, the LRV and the Registry to submit a final version of the joint report.⁵ The Chamber also allowed the Defence to respond to the final joint report by 16 June 2025.⁶
4. The Prosecution, the LRV and the Registry therefore hereby submit a second joint report (“Second Joint Report”).

¹ Trial Chamber X, “Order for Submissions on Reparations”, 13 December 2024, ICC-01/12-01/18-2666.

² Order, para. 4; these 49 direct victims are listed in Annex 3 of the Trial Judgment (ICC-01/12-01/18-2594-Anx3) and in the Sentencing Judgment (ICC-01/12-01/18-2662, paras 42, 59).

³ Order, para. 4.

⁴ Prosecution, LRV and Registry, Joint Report pursuant to Trial Chamber X’s “Order for Submissions on Reparations” (ICC- 01/12-01/18-2666) and request for extension of time’, 13 March 2025, ICC-01/12-01/18-2692-Conf-Exp. A confidential redacted version was notified on 14 March 2025 (ICC-01/12-01/18-2692-Conf-Red) and a public redacted version was notified on 19 March 2025 (ICC-01/12-01/18-2692-Red).

⁵ Trial Chamber X, “Decision on procedural matters related to the joint report”, 8 April 2025, ICC-01/12-01/18-2703-Conf-Exp. A public redacted version was notified on the same day (ICC-01/12-01/18-2703-Red).

⁶ Decision on the First Joint Report, para. 8.

II. Procedural History

5. On 26 June 2024, the Chamber, by majority, convicted the accused (“Mr Al Hassan”) for the commission of three counts of crimes against humanity and five counts of war crimes (the “Trial Judgment”).⁷
6. On 20 November 2024, the Chamber sentenced Mr Al Hassan to 10 years of imprisonment (the “Sentencing Judgment”).⁸
7. On 13 December 2024, the Chamber issued the Order.⁹
8. On 7 March 2025, the Appeals Chamber found that “[a]s the Notices of Discontinuance satisfy the procedural requirements, the Appeals Chamber finds that they are valid and that the appellate proceedings in the case against Mr Al Hassan are terminated.”¹⁰
9. On 13 March 2025, the Prosecution, the LRV and the Registry submitted their First Joint Report, reporting on the status of the identification process of the 49 Victims and requesting an extension of time to continue their efforts in completing the process.¹¹
10. On 21 March 2025, the Chamber issued a Decision in which it noted inter alia that should any of the 49 Victims choose to be represented by the LRV, it is essential that their views on reparations be clearly identified in the LRV’s submissions on reparations. (“Decision of 21 March 2025”).¹²

⁷ Trial Chamber X, Public redacted version of “Trial Judgment”, 26 June 2024, ICC-01/12-01/18-2594-Red.

⁸ Trial Chamber X, “Sentencing Judgment”, 20 November 2024, ICC-01/12-01/18-2662.

⁹ See *supra*, footnote 1.

¹⁰ Appeals Chamber, “Decision on the notices of discontinuance of the appeals”, 7 March 2025, ICC-01/12-01/18-2688 A A2.

¹¹ See *supra*, footnote 4. At the time of the submission of the First Joint Report, four victims were identified, 24 other victims were pre-identified as potential matches, and 21 victims remained unidentified (see First Joint Report, paras 9-21).

¹² Trial Chamber X, “Decision on the Legal Representative of Victim’s and Registry’s requests for clarification”, 21 March 2025, ICC-01/12-01/18-2699, para. 12.

11. On 26 March 2025, the Defence submitted a response to the First Joint Report (the “Defence Response”).¹³
12. On 8 April 2025, the Chamber issued the Decision on the First Joint Report.¹⁴
13. On 2 May 2025, the LRV submitted relevant observations raising an issue of potential conflict of interest (“LRV’s Observations”).¹⁵

III. Classification

14. In accordance with regulation 23bis(2) of the Regulations of the Court, the present submission is classified as confidential *ex parte*, only available to the Prosecution, the LRV and the Registry, as it contains identifying information relating to victims. A confidential redacted and public redacted versions will be filed promptly to allow the Defence to respond by 16 June 2025, as ordered by the Chamber.¹⁶

IV. Submissions

15. Since the submission of the First Joint Report on 13 March 2025, the identification process based on the Chamber’s list of the 49 Victims continues: contacts between pre-identified victims and the LRV and/or VPRS have been facilitated and individuals meetings with the concerned victims have been conducted.¹⁷ Through these coordinated efforts at the HQ level and within the

¹³ Defence, “Defence response to the Joint Report of the Registry, Prosecution and Legal Representatives of Victims”, 26 March 2025, ICC-01/12-01/18-2700-Conf-Exp. A public redacted version was notified on the same day (ICC-01/12-01/18-2700-Red).

¹⁴ Trial Chamber X, “Decision on procedural matters related to the joint report”, 8 April 2025, ICC-01/12-01/18-2703-Conf-Exp (public redacted version filed the same day, ICC-01/12-01/18-2703-Red), para. 8.

¹⁵ LRV, ‘Observations des Représentants légaux des victimes relatives à l’exercice de son mandat et demande d’extension de pages’, 2 May 2025, ICC-01/12-01/18-2721-Conf, pars 18-21. A public redacted version was notified on the same day (ICC-01/12-01/18-2721-Red).

¹⁶ See *supra*, footnote 6.

¹⁷ The First Joint Report referred to i) ‘pre-identified victims’ when the persons have been identified as potential matches with one of the 49 Victims, but whose identities and narratives were in the process of being confirmed by the LRV and/or VPRS; and to ii) ‘identified victims’ when the pre-identified victims’

respective field teams, it can be presently reported that out of the 49 Victims, 27 have been identified and consulted both on their legal representation and on reparations, 10 have been pre-identified and under further verification, while 12 have not yet been identified.¹⁸

A. Victims identified (27)

16. Among the 49 Victims, 27 victims have been identified, [REDACTED].¹⁹

17. Among the 27 victims identified:

i) 22 victims, or in the case of victims who may be deceased, their families, expressed their wish to be represented by the current LRV appointed in the Case (namely S. Doumbia, M. Kassongo and F. Nsita) and were able to provide information on reparations directly to the LRV in compliance with the Decision of 21 March 2025:²⁰

[REDACTED].²¹

ii) Five victims [REDACTED], expressed the following wishes regarding their legal representation:²²

a) two requested to be represented by the Office of the Public Counsel for Victims (“OPCV”):²³

[REDACTED];²⁴

identity and narratives were verified and confirmed by the LRV and/or VPRS as related to one of the 49 Victims.

¹⁸ The First Joint Report mentions the names as written in the Chamber’s list of 49 Victims. However it bears noting that most of these names have different spellings or are aliases/pseudonyms of different names. [REDACTED].

¹⁹ [REDACTED]. The LRV and the Registry have conducted [REDACTED] meetings with victims in order to confirm their identity through the verification of their identity document, by confirming the description of the events/incidents in conjunction with the public parts of the Trial Judgment which relate to the incidents, and by the collection of additional information that may have been provided in support of their narratives (e.g. statements, connection with other cases if any, names of witnesses of the relevant incidents or answers to specific questions and/or requests for clarification when necessary). Information on potential indirect victims has also been collected.

²⁰ See *supra*, footnote 12. See also the LRV Observations, paras 16-17.

²¹ [REDACTED].

²² [REDACTED].

²³ [REDACTED].

²⁴ [REDACTED].

[REDACTED];²⁵ and

- b) three requested to be represented by the same team of legal representatives that is already representing the other victims in the Case:

[REDACTED];²⁶

[REDACTED];²⁷

[REDACTED].²⁸

B. Victims pre-identified and under further verification (10)

18. Ten further persons have been identified as potential matches with the 49 Victims. However, individual meetings with the victims have yet to be conducted. The LRV and the Registry have been making their best efforts to meet these victims but are facing several challenges, including relating to time, resources and access to certain victims:²⁹

[REDACTED];³⁰

[REDACTED].

C. Victims not yet identified (12)

19. Among the 49 Victims, 12 individuals have not yet been identified, and the identification process by the LRV and the Registry is ongoing. These individuals are either pre-identified victims for whom after verification the

²⁵ [REDACTED].

²⁶ [REDACTED].

²⁷ The victim wants the LRV because they have a good knowledge of the Case. [REDACTED].

²⁸ [REDACTED].

²⁹ See First Joint Report, paras 24-27.

³⁰ Family members of the victim attended a meeting organised by the LRV instead of the direct victim.

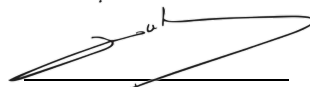
identification was not confirmed (10),³¹ or victims not yet pre-identified despite best efforts made to date (2):

[REDACTED].

20. The Prosecution, the LRV and the Registry have done their utmost to finalise the identification process within the extended deadline granted by the Chamber. However, despite their best efforts they did not manage to complete the task to date.
21. It is thus proposed to continue attempts to identify the remaining persons in the course of ensuing reparation proceedings in the coming months, and to report to the Chamber in six months or when the identification of all the 49 Victims is completed, whichever event occurs first.



Karim A.A. Khan KC, Prosecutor



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





Me Seydou Doumbia, Me Fidel Nsita Luvengika, Me Mayombo Kassongo
Legal Representatives of Victims

Dated this 16 May 2025

At The Hague, The Netherlands

³¹ It appeared during the individual meetings with the pre-identified victims that their identity elements did not match with the relevant direct victims and/or their narratives did not correspond to the related incidents of the Case.