

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/12-01/15
Date: 21 October 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

**Decision on Registry Request for Extension of Time to Identify Experts and
Partly Amending the Reparations Phase Calendar**

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Gilles Dutertre

Counsel for the Defence

Mr Mohamed Aouini

Mr Jean-Louis Gilissen

Legal Representatives of Victims

Mr Mayombo Kassongo

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Competent authorities of the
Republic of Mali

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

Others

Trust Fund for Victims

Judge Raul C. Pangalangan, acting as Single Judge on behalf of Trial Chamber VIII ('Single Judge') of the International Criminal Court, issues the following 'Decision on Registry Request for Extension of Time to Identify Experts and Partly Amending the Reparations Phase Calendar', in the case of *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, having regard to Regulation 35 of the Regulations of the Court ('Regulations').

1. On 29 September 2016, the Chamber issued the Reparations Phase Calendar setting 28 October 2016 as the date for submission by the Registry of a list of proposed experts on various topics identified by the Chamber as relevant for reparations proceedings in this case.¹
2. On 18 October 2016, the Registry submitted a request for extension of time until 16 December 2016 to identify experts ('Request').² It submits that, despite having taken action after the issuance of the Reparations Phase Calendar, the steps that remain to be completed prior to the identification of experts are such that more time will be required to adequately implement the Reparations Phase Calendar.³
3. The Single Judge notes that it took the Registry 10 working days after the issuance of the Reparations Phase Calendar to prepare a call for expression of interests,⁴ which contributed to the delay currently encountered. Considering however that it is for the benefit of potential victims, the parties and the Office of the Prosecutor ('Prosecution') to have experts identified, the Single Judge considers that it is in the interest of justice to grant an extension of time to the Registry.

¹ ICC-01/12-01/15-172.

² Request for an Extension of Time to Identify Experts Pursuant to Regulation 35 of the Regulations of the Court, ICC-01/12-01/15-174. The Registry had initially requested this extension by way of email, without specifying the grounds for extension and the date sought (Email from Registry to Chamber on 14 October 2016 at 16:35). The Chamber had then ordered the Registry to submit its request by way of a formal filing, specifying the date and the grounds for the extension sought (Email from Chamber to Registry on 17 October 2016 at 13:17).

³ Request, ICC-01/12-01/15-174, paras 5-6.

⁴ Request, ICC-01/12-01/15-174, para. 5.

4. In order for the Chamber to be able to appoint experts, if any, prior to the winter recess, the Registry will only be permitted an extension until 9 December 2016 to submit a list of proposed experts. The Single Judge understands, on the basis of the Request, that the Registry is already working in close consultation with the parties and the Prosecution.⁵ Accordingly, their observations on the experts identified⁶ shall also be submitted by 9 December 2016.
5. The Single Judge clarifies that the deadline for submission of (i) applications pursuant to Rule 103 of the Rule of Procedure and Evidence; (ii) general submissions on reparations proceedings; and (iii) the deadline for submission of applications for reparations,⁷ shall remain in force. The deadlines for submission of the expert reports and for final submissions⁸ are not altered at this time, but may be adjusted in the future as necessary.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

PARTLY GRANTS the Request;

SETS a deadline of 9 December 2016 for submission of a list of proposed experts by the Registry; and

SETS a deadline of 9 December 2016 for submission of any observations from the parties and the Prosecution on the experts identified.

⁵ Request, ICC-01/12-01/15-174, paras 5 and 6(v).

⁶ Reparations Phase Calendar, ICC-01/12-01/15-172, para. 2(ii).

⁷ Reparations Phase Calendar, ICC-01/12-01/15-172, paras 2(iii) and (iv).

⁸ Reparations Phase Calendar, ICC-01/12-01/15-172, paras 2(v) and (vi).

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

A handwritten signature in black ink, appearing to read 'Raul C. Pangalangan', written over a horizontal line.

Judge Raul C. Pangalangan, Single Judge

Dated 21 October 2016

At The Hague, The Netherlands