



Original: English

**No. ICC-01/12-01/15 A
Date: 7 November 2017**

THE APPEALS CHAMBER

Before:
Judge Howard Morrison, Presiding Judge
Judge Silvia Fernández de Gurmendi
Judge Sanji Mmasenono Monageng
Judge Christine Van den Wyngaert
Judge Piotr Hofma ski

SITUATION IN THE REPUBLIC OF MALI

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

URGENT

Public document

Directions on the conduct of the appeal proceedings

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

Legal Representatives of Victims

Mr Mayombo Kassongo

Counsel for the Defence

Mr Mohamed Aouini

Trust Fund for Victims

Mr Pieter de Baan

Organisations granted leave to file representations before the Trial Chamber

The Redress Trust

Queen's University Belfast Human Rights Centre

La Fédération internationale des ligues des droits de l'Homme

L'Association malienne des droits de l'Homme

UNESCO

REGISTRY

Registrar

Mr Herman von Hebel

The Appeals Chamber of the International Criminal Court,

In the appeal of the Legal Representative of Victims against the order of Trial Chamber VIII entitled “Reparations Order” of 17 August 2017 (ICC-01/12-01/15-236),

Having before it the “Brief in support of the Appeal (in part and limited) ICC-01/12-01/15-242-Conf-Exp-Corr filed against the Reparations Order of 17 August 2017 (ICC-01/12-01/15-236) issued by Trial Chamber VIII”, dated 17 October 2017 and registered, in its French original version, on 18 October 2017 (ICC-01/12-01/15-244-tENG),

Issues the following

DIRECTIONS

1. The Trust Fund for Victims is invited to submit, by 16h00 on 24 November 2017, written observations on the appeal brief filed by the Legal Representative of Victims.
2. Mr Al Mahdi and the Legal Representative of Victims may submit written responses to the observations to be filed pursuant to paragraph 1, above, by 16h00 on 8 December 2017.
3. Mr Al Madhi is invited to consider submitting his response to the appeal brief filed by the Legal Representative of Victims also by 16h00 on 8 December 2017.
4. Any request for leave to submit observations under rule 103 of the Rules of Procedure and Evidence on the appeal shall be filed by 16h00 on 10 November 2017, stipulating the specific issues to be addressed on the basis of the appeal.

REASONS

1. On 17 October 2017, the Legal Representative of Victims filed an appeal brief¹ (“Appeal Brief”) against the “Reparations Order” issued by Trial Chamber VIII on 17 August 2017.²
2. Given the issues raised in the Appeal Brief, and considering it desirable for the proper determination of the case, the Appeals Chamber, acting pursuant to rule 103 (1) of the Rules of Procedure and Evidence (“Rules”), invites the Trust Fund for Victims (“TFV”) to submit observations on the Appeal Brief by 16h00 on 24 November 2017.
3. The Appeals Chamber notes that rule 103 (2) of the Rules provides that the Prosecutor and defence shall have the opportunity to respond to observations submitted under this provision. The Appeals Chamber considers that rule 103 (2) of the Rules applies *mutatis mutandis* to the Legal Representative of Victims in the present proceedings.³ Accordingly, the Appeals Chamber determines that the Legal Representative of Victims as well as Mr Al Mahdi may respond to the observations of the TFV by 16h00 on 8 December 2017.
4. Noting the limited scope of the Appeals Brief, the Appeals Chamber invites Mr Al Mahdi to consider filing his response thereto on the same date, i.e. in advance of the time limit stipulated by regulation 59 (1) of the Regulations of the Court.
5. Furthermore, in order to facilitate the expeditious conduct of the proceedings, the Appeals Chamber directs that any requests for leave to submit observations under rule 103 (2) of the Rules by entities other than the TFV shall be submitted by 16h00 on 10 November 2017. The Appeals Chamber indicates that, should it grant leave to submit observations subsequent to any such request, it will likely ask for such


¹ “Brief in support of the Appeal (in part and limited) ICC-01/12-01/15-242-Conf-Exp-Corr filed against the Reparations Order of 17 August 2017 (ICC-01/12-01/15-236) issued by Trial Chamber VIII”, [ICC-01/12-01/15-244-tENG](#).

² [ICC-01/12-01/15-236](#).

³ See *Prosecutor v. Thomas Lubanga Dyilo*, “Decision on the admissibility of the appeals against Trial Chamber I’s ‘Decision establishing the principles and procedures to be applied to reparations’ and directions on the further conduct of proceedings”, 14 December 2012, [ICC-01/04-01/06-2953](#) (A A2 A3 OA21), para. 67; *Prosecutor v. Germain Katanga*, “Decision on the Trust Fund’s request for leave to file observations”, 14 September 2017, [ICC-01/04-01/07-3765](#) (A3 A4 A5), para. 8.

observations to be submitted by 24 November 2017, and responses thereto by 8 December 2017.

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



Judge Howard Morrison
Presiding Judge

Dated this 7th day of November 2017

At The Hague, The Netherlands