

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/12-01/15  
Date: 14 February 2018

**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**

**Public redacted version of 'Decision on Trust Fund for Victims' Request for Extension of Time' dated 12 February 2018 (ICC-01/12-01/15-257)**

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

**The Office of the Prosecutor**

Fatou Bensouda  
James Stewart  
Gilles Dutertre

**Counsel for the Defence**

Mohamed Aouini

**Legal Representative of Victims**

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**

*Amicus Curiae*

**REGISTRY**

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**Registrar**

Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

Philip Ambach

**Others**

Trust Fund for Victims

**Judge Raul C. Pangalangan**, acting as Single Judge on behalf of Trial Chamber VIII ('Single Judge' and 'Chamber', respectively) of the International Criminal Court issues the following 'Decision on Trust Fund for Victims' Request for Extension of Time', in the case of *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, having regard to Regulations 23 *bis* and 35 of the Regulations of the Court.

## I. Procedural History

1. On 17 August 2017, the Chamber issued the Reparations Order, instructing, *inter alia*, the Trust Fund for Victims ('TFV') to submit its draft implementation plan ('DIP') by 16 February 2018.<sup>1</sup>
2. On 22 January 2018, the TFV filed a request for extension of time for the submission of the DIP until 18 May 2018 ('Request').<sup>2</sup> The TFV, after setting out the steps already taken in preparation for the submission of the DIP,<sup>3</sup> submits that the inability to [REDACTED]<sup>4</sup> and [REDACTED]<sup>5</sup> warrant varying the time limit until 18 May 2018.
3. On 29 January 2018, the Legal Representative of Victims ('LRV') filed a response, indicating that he does not oppose the Request ('Response').<sup>6</sup> The defence team for Mr Al Mahdi did not submit any response.
4. On 8 February 2018, the TFV filed a progress report [REDACTED].<sup>7</sup>

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<sup>1</sup> ICC-01/12-01/15-236.

<sup>2</sup> ICC-01/12-01/15-253-Conf-Red. It is noted that the TFV initially filed the Request as public. On 24 January 2018, the TFV requested that the Request be reclassified as confidential, *ex parte*, available to the Chamber only (Email from TFV to Trial Chamber VIII Communications on 24 January 2018 at 10:25). The Single Judge granted the request for reclassification and ordered the submission of a confidential redacted version of the Request by 26 January 2018. Deadlines for submission of any response ran from this date onwards.

<sup>3</sup> Request, ICC-01/12-01/15-253-Conf-Red, paras 4-14.

<sup>4</sup> Request, ICC-01/12-01/15-253-Conf-Red, paras 19-20 (*see also* paras 15-18 on [REDACTED]).

<sup>5</sup> Request, ICC-01/12-01/15-253-Conf-Red, paras 21-24.

<sup>6</sup> *Observations du Représentant légal relatives à la demande de prorogation de délai déposée par le Fonds au profit des victimes le 22 janvier 2018*, ICC-01/12-01/15-254-Conf. It is noted that the LRV initially filed the Response as public. On 31 January 2018, he submitted, on an *ex parte* basis, a reclassification request of the Response (ICC-01/12-01/15-255-Conf-Exp). On the same day, the Single Judge granted the reclassification request and ordered that: (i) the Response be reclassified as confidential; (ii) the reclassification request itself be also reclassified as confidential (Email from Trial Chamber VIII Communications to LRV and Registry on 31 January 2018 at 18:32).

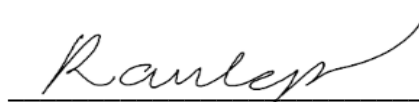
5. The Single Judge notes the position set out by the TFV in its Request, namely that [REDACTED] for the preparation of the DIP. Practical difficulties beyond the control of the TFV were encountered [REDACTED]. The Single Judge is therefore prepared to grant a limited extension of time.
6. The Single Judge notes however that [REDACTED].<sup>8</sup> Accordingly, the Single Judge considers that the full length of the requested extension is unwarranted. The Single Judge also emphasises that the TFV's implementation steps are necessary for victims to receive the reparations they are entitled to, and expects the TFV make all necessary and reasonable efforts to finalise its work by the date set in the disposition below.

**FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY**

**PARTLY GRANTS** the Request, and directs the TFV to file the draft implementation plan by 6 April 2018; and

**DIRECTS** the LRV to file a public redacted version of the Response by 20 February 2018.

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



**Judge Raul C. Pangalangan, Single Judge**

Dated 14 February 2018

At The Hague, The Netherlands

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<sup>7</sup> Draft Implementation Plan: [REDACTED], ICC-01/12-01/15-256-Conf-Exp. A confidential redacted version was filed on 9 February 2018 (ICC-01/12-01/15-256-Conf-Red).

<sup>8</sup> Draft Implementation Plan: [REDACTED], ICC-01/12-01/15-256-Conf-Red, para. 5.