

# ANNEX

## *Public redacted version*

**Annex Containing the Full List of Charges Confirmed against  
Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud**

**THE CHAMBER CONFIRMS** as follows the charges brought against Mr Al Hassan:

**Contextual elements set forth at articles 7 and 8 of the Statute**

Between 1 April 2012 and 28 January 2013, the armed groups Ansar Dine/AQIM, constituting an organization described at paragraphs 172-173<sup>1</sup> of the Confirmation of Charges Decision,<sup>2</sup> carried out a widespread and systematic attack, described at paragraphs 174-192 of the Confirmation of Charges Decision, against the civilian population of Timbuktu and the Timbuktu Region. During that time frame Ansar Dine/AQIM imposed their ideology on the population and, to this end, members of Ansar Dine/AQIM committed multiple acts referred to in article 7(1) of the Statute pursuant to or in furtherance of the policy of these armed groups to commit such attack. The acts alleged, as described at paragraphs 264-355, 564-660, 673-707 of the Confirmation of Charges Decision, and at paragraphs 41 to 92 of the Decision Amending the Charges,<sup>3</sup> were committed as part of the attack. As set out at paragraphs 344, 653 and 706 of the Confirmation of Charges Decision and at paragraph 98 of the Decision Amending the Charges, the perpetrators – members of Ansar Dine/AQIM, including Mr Al Hassan – knew that their conduct formed part of, or intended their conduct to be part of, the attack.

The crimes under article 8(2)(c) and (e) of the Statute with which Mr Al Hassan is charged were committed in the context of an armed conflict not of an international character taking place in Mali during the time frame under consideration and are associated with that conflict, as set out at paragraphs 205-227 of the Confirmation of Charges Decision. The acts alleged, as described at paragraphs 264-355, 523-531, 415,

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<sup>1</sup> Note from the Chamber: the references made in the confirmed charges to certain paragraphs also apply to the other parts or paragraphs of the present decision to which they refer.

<sup>2</sup> “Corrected Version of ‘*Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*’”, dated 30 September 2019 and corrected version filed on 8 November 2019, ICC-01/12-01/18-461-Conf-Corr-tENG, with confidential annex (Explanatory Note). The public redacted version of the decision was filed on 13 November 2019 (ICC-01/12-01/18-461-Corr-Red).

<sup>3</sup> Decision amending the charges confirmed on 30 September 2019 against Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud.

486, 494, 502, 514 and 654 of the Confirmation of Charges Decision, and at paragraphs 41 to 92 of the Decision Amending the Charges, were committed in the context of and were associated with the armed conflict. As set out at paragraphs 346, 414, 484, 493, 501, 513, 530, 643 and 646 of the Confirmation of Charges Decision, and at paragraph 99 of the Decision Amending the Charges, the perpetrators of the crimes – members of Ansar Dine/AQIM, including Mr Al Hassan – were aware of the factual circumstances that established the existence of the said armed conflict.

### **The counts**

#### **Count 1: torture as a crime against humanity**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the crime against humanity of torture under article 7(1)(f) of the Statute, as set out at paragraphs 264-355 of the Confirmation of Charges Decision, vis-à-vis the following victims:

- the █████ men flogged on or about █████ 2012, as described at paragraphs 279-280 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(a), as a direct perpetrator, as set out at paragraph 788 of the Confirmation of Charges Decision;
- █████, as described at paragraphs 270-271 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 921-923 of the Confirmation of Charges Decision;
- P-0565 and P-0557, as described at paragraphs 273-277 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal

responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 916 and 919 of the Confirmation of Charges Decision;

- P-0580, as described at paragraphs 286-300 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 926-927 of the Confirmation of Charges Decision;
- P-0574, as described at paragraphs 282-284 and 350 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 286-304 and 350 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 286-304, 301-304 and 350 of the Confirmation of Charges Decision;
- ██████████  
██████████ (the ██████████ flogged on or about ██████████ 2012), as described at paragraphs 305-309 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 912-913 of the Confirmation of Charges Decision;
- Dédéou Maiga, as described at paragraphs 311-314 and 350 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 317-320 and 350 of the Confirmation of Charges Decision; and
- ██████████, as described at paragraphs 322-324 and 350 of the Confirmation of Charges Decision.

**Count 2: other inhumane acts as a crime against humanity**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the crime against humanity of other inhumane acts under article 7(1)(k) of the Statute, as set out at paragraphs 264-355 of the Confirmation of Charges Decision and at paragraphs 42, 47-48, 71, 81-82, 92, 98 and 108-111 of the Decision Amending the Charges, vis-à-vis the following victims:

- the █████ men flogged on or about █████ 2012, as described at paragraphs 279-280 and 352 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(a), as a direct perpetrator, as set out at paragraph 788 of the Confirmation of Charges Decision;
- █████, as described at paragraphs 270-271 and 352 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 921-923 of the Confirmation of Charges Decision;
- P-0565 and P-0557, as described at paragraphs 273-277 and 352 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 916 and 919 of the Confirmation of Charges Decision;
- P-0580, as described at paragraphs 286-300 and 352 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 926-927 of the Confirmation of Charges Decision;
- P-0574, as described at paragraphs 282-284 and 352 of the Confirmation of Charges Decision;



**Count 3: torture as a war crime**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, for the war crime of torture under article 8(2)(c)(i) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the war crime of torture under article 8(2)(c)(i) of the Statute, as set out at paragraphs 264-355 of the Confirmation of Charges Decision, vis-à-vis the following victims:

- the ██████ men flogged on or about ██████ 2012, as described at paragraphs 279-280 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(a), as a direct perpetrator, as set out at paragraph 788 of the Confirmation of Charges Decision;
- ████████████████████ as described at paragraphs 270-271 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 921-923 of the Confirmation of Charges Decision;
- P-0565 and P-0557, as described at paragraphs 273-277 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 916 and 919 of the Confirmation of Charges Decision;
- P-0580, as described at paragraphs 286-300 and 350 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 926-927 of the Confirmation of Charges Decision;
- P-0574, as described at paragraphs 282-284 and 350 of the Confirmation of Charges Decision;





- the [REDACTED] men flogged on or about [REDACTED] 2012, as described at paragraphs 279-280 and 354 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(a), as a direct perpetrator, as set out at paragraph 788 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraphs 270-271 and 354 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 921-923 of the Confirmation of Charges Decision;
- P-0565 and P-0557, as described at paragraphs 273-277 and 354 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 916 and 919 of the Confirmation of Charges Decision;
- P-0580, as described at paragraphs 286-300 and 354 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 926-927 of the Confirmation of Charges Decision;
- P-0574, as described at paragraphs 282-284 and 354 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraphs 286-304 and 354 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraphs 286-304 and 354 of the Confirmation of Charges Decision;
- [REDACTED]  
[REDACTED] (the [REDACTED] flogged on or about [REDACTED] 2012), as set out at paragraphs

305-309 and 354 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 912-913 of the Confirmation of Charges Decision;

- Dédéou Maiga, as described at paragraphs 311-314 and 354 of the Confirmation of Charges Decision;
- ██████████ as described at paragraphs 317-320 and 354 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 322-324 and 354 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 326-329 and 354 of the Confirmation of Charges Decision;
- P-1134, as described at paragraph 42 of the Decision Amending the Charges;
- P-0636, as described at paragraphs 47-48 of the Decision Amending the Charges;
- P-1708, as described at paragraph 71 of the Decision Amending the Charges;  
and
- P-0609, as described at paragraphs 81-82 of the Decision Amending the Charges.

#### **Count 5: outrages upon personal dignity as a war crime**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the war crime of outrages upon personal dignity under article 8(2)(c)(ii) of the Statute, as set out at paragraphs 264-355 of the Confirmation of Charges Decision, and at paragraphs 42,

47-48, 54, 81-82, 92, 99-100, 123-124 and 126 of the Decision Amending the Charges, vis-à-vis the following victims:

- The ██████ men flogged on or about ██████ 2012, as described at paragraphs 279-280 and 355 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(a), as a direct perpetrator, as set out at paragraph 788 of the Confirmation of Charges Decision;
- ████████████████████, as described at paragraphs 270-271 and 355 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 921-923 of the Confirmation of Charges Decision;
- P-0565 and P-0557, as described at paragraphs 273-277 and 355 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 916 and 919 of the Confirmation of Charges Decision;
- P-0580, as described at paragraphs 286-300 and 355 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 926-927 of the Confirmation of Charges Decision;
- P-0574, as described at paragraphs 282-284 and 355 of the Confirmation of Charges Decision;
- ████████████████████ as described at paragraphs 286-304 and 355 of the Confirmation of Charges Decision;
- ████████████████████ as described at paragraphs 286-304 and 355 of the Confirmation of Charges Decision;

- [REDACTED] (the [REDACTED] flogged on or about [REDACTED] 2012), as set out at paragraphs 305-309 and 355 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 912-913 of the Confirmation of Charges Decision;
  - Dédéou Maiga, as described at paragraphs 311-314 and 355 of the Confirmation of Charges Decision;
  - [REDACTED] as described at paragraphs 317-320 and 355 of the Confirmation of Charges Decision;
  - [REDACTED] as described at paragraphs 322-324 and 355 of the Confirmation of Charges Decision;
  - [REDACTED], as described at paragraphs 326-329 and 355 of the Confirmation of Charges Decision;
  - P-0542, as described at paragraphs 331-332 and 355 of the Confirmation of Charges Decision;
  - P-0570, as described at paragraphs 334-335 and 355 of the Confirmation of Charges Decision;
  - P-0547, as described at paragraphs 337-338 and 355 of the Confirmation of Charges Decision;
  - P-1134, as described at paragraph 42 of the Decision Amending the Charges;
  - P-0636, as described at paragraphs 47-48 of the Decision Amending the Charges;
  - P-1728, as described at paragraph 54 of the Decision Amending the Charges;
- and

- P-0609, as described at paragraphs 81-82 of the Decision Amending the Charges.

**Count 6: passing of sentences without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the war crime of passing of sentences without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable, under article 8(2)(c)(iv) of the Statute, as set out at paragraphs 417-516 of the Confirmation of Charges Decision and at paragraphs 42, 47, 59, 63, 67, 71, 92, 99-100, 131-135 and 137 of the Decision Amending the Charges, vis-à-vis the following victims:

- P-0547, as described at paragraphs 337 and 393-394 of the Confirmation of Charges Decision;
- P-0574, as described at paragraphs 282 and 395-397 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 287, 292, 398-401 of the Confirmation of Charges Decision (for the three sentences); Mr Al Hassan is also found to bear criminal responsibility for the second and third sentences pursuant to article 25(3)(c), as set out at paragraph 932 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 294 and 402-403 of the Confirmation of Charges Decision;





- [REDACTED], as described at paragraph 455 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 456 of the Confirmation of Charges Decision; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 882 and 928-929 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraphs 457-458 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 459 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 460 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 461; Mr Al Hassan is also found to bear criminal responsibility for this incident pursuant to article 25(3)(c), as set out at paragraphs 884 and 928-929 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 462 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 463 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 464 of the Confirmation of Charges Decision;
- [REDACTED], as described at paragraph 465 of the Confirmation of Charges Decision;



- [REDACTED], as described at paragraphs 466-467 of the Confirmation of Charges Decision;
  - [REDACTED], as described at paragraphs 322-323 and 468 of the Confirmation of Charges Decision;
  - [REDACTED], as described at paragraph 469 of the Confirmation of Charges Decision;
  - [REDACTED], as described at paragraph 470 of the Confirmation of Charges Decision;
  - [REDACTED], as described at paragraph 471 of the Confirmation of Charges Decision;
  - [REDACTED], as described at paragraph 472 of the Confirmation of Charges Decision;
  - P-0557, as described at paragraphs 273-276 and 487-489 of the Confirmation of Charges Decision;
  - P-0565, as described at paragraphs 273-276 and 495-497 of the Confirmation of Charges Decision;
  - the [REDACTED] men flogged on or about [REDACTED] 2012, as described at paragraphs 279 and 509 of the Confirmation of Charges Decision;
  - P-1134, as described at paragraph 42 of the Decision Amending the Charges;
  - P-0636, as described at paragraphs 47 of the Decision Amending the Charges;
  - P-1710, as described at paragraph 59 of the Decision Amending the Charges;
  - P-1711, as described at paragraph 59 of the Decision Amending the Charges;
  - P-1712, as described at paragraph 63 of the Decision Amending the Charges;
  - P-1721, as described at paragraph 67 of the Decision Amending the Charges;
- and

- P-1708, as described at paragraph 71 of the Decision Amending the Charges.

**Count 7: attacking protected objects as a war crime**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the war crime of attacking protected objects under article 8(2)(e)(iv) of the Statute, as set out at paragraph 523-531 of the Confirmation of Charges Decision, on account of the demolition of the mausoleums in about June and July 2012, as described at paragraphs 528 and 531 of the Confirmation of Charges Decision.

**Count 8: other inhumane acts in the form of forced marriage as a crime against humanity**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the crime against humanity of other inhumane acts under article 7(1)(k) of the Statute, as set out at paragraphs 564-660 of the Confirmation of Charges Decision and at paragraphs 81-82, 86-91, 92, 98 and 153-158 of the Decision Amending the Charges, vis-à-vis the following victims:

- P-0520, as described at paragraphs 585-594 of the Confirmation of Charges Decision;
- P-0602, as described at paragraphs 596-598 of the Confirmation of Charges Decision;
- P-0610, as described at paragraphs 600-606 of the Confirmation of Charges Decision;

- P-0538, as described at paragraphs 608-615 of the Confirmation of Charges Decision;
- P-0553, as described at paragraphs 617-622 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 624-625 of the Confirmation of Charges Decision;
- P-1162, as described at paragraphs 633-634 of the Confirmation of Charges Decision;
- P-1460, as described at paragraphs 636-637 of the Confirmation of Charges Decision;
- P-0609, as described at paragraphs 81-82 of the Decision Amending the Charges; and
- P-0957, as described at paragraphs 86-91 of the Decision Amending the Charges.

**Count 9: sexual slavery as a crime against humanity**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the crime against humanity of sexual slavery under article 7(1)(g) of the Statute, as set out at paragraphs 564-660 of the Confirmation of Charges Decision and at paragraphs 81-82, 86-91, 92, 98, 145-147 and 149 of the Decision Amending the Charges, vis-à-vis the following victims:

- P-0520, as described at paragraphs 585-594 of the Confirmation of Charges Decision;

- P-0602, as described at paragraphs 596-598 of the Confirmation of Charges Decision;
- P-0610, as described at paragraphs 600-606 of the Confirmation of Charges Decision;
- P-0538, as described at paragraphs 608-615 of the Confirmation of Charges Decision;
- P-0553, as described at paragraphs 617-622 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 624-625 of the Confirmation of Charges Decision;
- P-1162, as described at paragraphs 633-634 of the Confirmation of Charges Decision;
- P-1460, as described at paragraphs 636-637 of the Confirmation of Charges Decision;
- P-0609, as described at paragraphs 81-82 of the Decision Amending the Charges; and
- P-0957, as described at paragraphs 86-91 of the Decision Amending the Charges.

**Count 10: sexual slavery as a war crime**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the war crime of sexual slavery under article 8(2)(e)(vi) of the Statute, as set out at paragraphs 564-660 of the Confirmation of Charges Decision and at paragraphs 81-82, 86-91, 92, 99-100,

145-147 and 149 of the Decision Amending the Charges, vis-à-vis the following victims:

- P-0520, as described at paragraphs 585-594 of the Confirmation of Charges Decision;
- P-0602, as described at paragraphs 596-598 of the Confirmation of Charges Decision;
- P-0610, as described at paragraphs 600-606 of the Confirmation of Charges Decision;
- P-0538, as described at paragraphs 608-615 of the Confirmation of Charges Decision;
- P-0553, as described at paragraphs 617-622 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 624-625 of the Confirmation of Charges Decision;
- P-1162, as described at paragraphs 633-634 of the Confirmation of Charges Decision;
- P-1460, as described at paragraphs 636-637 of the Confirmation of Charges Decision;
- P-0609, as described at paragraphs 81-82 of the Decision Amending the Charges; and
- P-0957, as described at paragraphs 86-91 of the Decision Amending the Charges.

**Count 11: rape as a crime against humanity**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at

paragraphs 954-1010 of the Confirmation of Charges Decision and at paragraphs 181-196 of the Decision Amending the Charges, for the crime against humanity of rape under article 7(1)(g) of the Statute, as set out at paragraphs 564-660 of the Confirmation of Charges Decision and at paragraphs 42, 47-48, 81-82, 86-91, 92, 98 and 140-142 of the Decision Amending the Charges, vis-à-vis the following victims:

- P-0520, as described at paragraphs 585-594 of the Confirmation of Charges Decision;
- P-0602, as described at paragraphs 596-598 of the Confirmation of Charges Decision;
- P-0610, as described at paragraphs 600-606 of the Confirmation of Charges Decision;
- P-0538, as described at paragraphs 608-615 of the Confirmation of Charges Decision;
- P-0553, as described at paragraphs 617-622 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 624-625 of the Confirmation of Charges Decision;
- P-1162, as described at paragraphs 633-634 of the Confirmation of Charges Decision;
- P-1460, as described at paragraphs 636-637 of the Confirmation of Charges Decision;
- P-1134, as described at paragraph 42 of the Decision Amending the Charges;
- P-0636, as described at paragraphs 47-48 of the Decision Amending the Charges;
- P-1674, as described at paragraph 52 of the Decision Amending the Charges;

- P-0609, as described at paragraphs 81-82 of the Decision Amending the Charges; and
- P-0957, as described at paragraphs 86-91 of the Decision Amending the Charges.

**Count 12: rape as a war crime**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision and at paragraphs 181-196 of the Decision Amending the Charges, for the war crime of rape under article 8(2)(e)(vi) of the Statute, as set out at paragraphs 564-660 of the Confirmation of Charges Decision and at paragraphs 42, 47-48, 81-82, 86-91, 92, 99-100 and 140-142 of the Decision Amending the Charges, vis-à-vis the following victims:

- P-0520, as described at paragraphs 585-594 of the Confirmation of Charges Decision;
- P-0602, as described at paragraphs 596-598 of the Confirmation of Charges Decision;
- P-0610, as described at paragraphs 600-606 of the Confirmation of Charges Decision;
- P-0538, as described at paragraphs 608-615 of the Confirmation of Charges Decision;
- P-0553, as described at paragraphs 617-622 of the Confirmation of Charges Decision;
- ██████████, as described at paragraphs 624-625 of the Confirmation of Charges Decision;

- P-1162, as described at paragraphs 633-634 of the Confirmation of Charges Decision;
- P-1460, as described at paragraphs 636-637 of the Confirmation of Charges Decision;
- P-1134, as described at paragraph 42 of the Decision Amending the Charges;
- P-0636, as described at paragraphs 47-48 of the Decision Amending the Charges;
- P-1674, as described at paragraph 52 of the Decision Amending the Charges;
- P-0609, as described at paragraphs 80-81 of the Decision Amending the Charges; and
- P-0957, as described at paragraphs 86-91 of the Decision Amending the Charges.

**Count 13: persecution as a crime against humanity**

The Chamber finds that there are substantial grounds to believe that Mr Al Hassan is criminally responsible pursuant to article 25(3)(d) of the Statute, as set out at paragraphs 954-1010 of the Confirmation of Charges Decision, for the crime against humanity of persecution on religious and/or gender grounds under article 7(1)(h) of the Statute on account of the acts referred to at counts 1 to 12 and those referred to at paragraphs 673-707 of the Confirmation of Charges Decision and those referred to at paragraph 163 of the Decision Amending the Charges.



**Mr Al Hassan's criminal responsibility**

The Chamber finds that Mr Al Hassan bears the criminal responsibility stated in the confirmed charges for the crimes under counts 1 to 13, committed between 7 May 2012 and 28 January 2013 in the city and Region of Timbuktu.

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