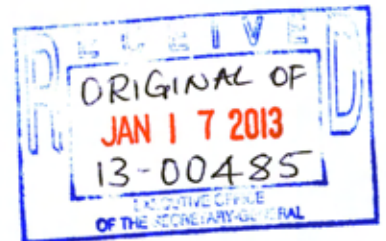


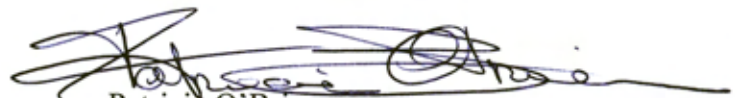
Note to the Secretary-General

Through Ms. Susana Malcorra



Mali — ICC — ICC Prosecutor opens investigations into the situation in Mali

1. The purpose of this Note is to inform the Secretary-General that on 16 January 2013, the Prosecutor of the International Criminal Court announced that she has officially opened an investigation into crimes allegedly committed in the territory of Mali since January 2012.
2. On 18 July 2012, the Government of Mali referred the situation in Mali since January 2012 to the Prosecutor of the International Criminal Court. Mali is a State Party to the Rome Statute having ratified it on 16 August 2000.
3. The Prosecutor has stated that there is a reasonable basis to believe that the following war crimes have been committed in Mali: (i) murder; (ii) mutilation, cruel treatment and torture; (iii) intentionally directing attacks against protected property (iv) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court; (v) pillaging; (vi) rape and (vii) recruitment of child soldiers.
4. These crimes are attributed to the following armed groups: (i) Mouvement National de Libération de l'Azawad (MNLA); (ii) Al-Qaeda in the Islamic Maghreb (AQIM), (iii) Ansar Dine; (iv) Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest (MUJAO); and (v) various militias.
5. According to the Prosecutor's statement, the current focus of her investigations will be on the north of the country. However, in view of the fact that the Malian Government's referral of the situation in Mali is not limited to the situation in the north, the Prosecutor may investigate crimes committed on the entire territory of Mali, should they occur in the context of the same situation.
6. There has been no indication from the Prosecutor's Office of when applications for arrest warrants will be submitted to the Pre-Trial Chambers.


Patricia O'Brien
16 January 2013

cc: Mr. Eliasson
Mr. Feltman
Mr. Ladsous
Mr. Simonovic



LEG/03/011