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**International
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Court**

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TRIAL CHAMBER III

**Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
v. JEAN-PIERRE BEMBA GOMBO**

Public Document

**With confidential *ex parte* annexes only available to the Registry and the
respective common legal representative**

Decision on 270 applications by victims to participate in the proceedings

Decision to be notified, in accordance with regulation 31 of the *Regulations of the Court*, to:

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Trial Chamber III (“Trial Chamber” or “Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* issues the following Decision on 270 applications by victims to participate in the proceedings (“Decision”).

I. Background and submissions

1. On 21 July 2011, the Chamber issued its “Corrigendum to the Decision on 401 applications by victims to participate in the proceedings and setting a final deadline for the submission of new victims’ applications to the Registry” (“21 July 2011 Decision”), in which it (i) ruled on 401 applications by victims to participate in the trial proceedings; (ii) set 16 September 2011 as the final deadline for the submission to the Registry of any new victims’ applications; and (iii) deferred its decision on Application a/1405/10, ordering the Registry to lift unnecessary redactions by 15 July 2011 to enable the Office of the Prosecutor (“prosecution”) and the defence (together with the prosecution, “parties”) to analyse the application by 16 September 2011.¹

2. In two emails sent on 7 June 2011 to the Registry and to the parties, the Chamber (i) instructed the Registry to transmit as many applications received after 1 February 2011 as could be processed by 15 July 2011;² and (ii) ordered the parties to file their observations on these applications by 16 September 2011.³

3. On 15 July 2011, the Victims Participation and Reparation Section (“VPRS”) filed its “Eleventh report to Trial Chamber III on applications to participate in the

¹ Corrigendum to the Decision on 401 applications by victims to participate in the proceedings and setting a final deadline for the submission of new victims’ applications to the Registry, ICC-01/05-01/08-1590-Corr and its confidential *ex parte* annexes.

² Email of 7 June 2011 at 10h21 from the Chamber’s Legal Officer to the Assistant Legal Officer, Division of Court Services.

³ Email of 7 June 2011 at 15h10 from the Chamber’s Legal Officer to the prosecution and the defence.

proceedings”, *ex parte*, Registry only,⁴ and transmitted 269 victims’ applications to the Chamber,⁵ and redacted versions to the parties⁶ (“Eleventh Set”). On the same day, the VPRS filed a lesser redacted version of Application a/1405/10 (together with the Eleventh Set, “270 Applications”).⁷

4. On 16 September 2011, the defence filed its observations on (i) 269 applications contained in the Eleventh Set; and (ii) the lesser redacted version of Application a/1405/10 (“Defence Observations”).⁸

5. The prosecution filed its observations on the 269 applications contained in the Eleventh Set on 19 September 2011 (“Prosecution’s Observations”).⁹

II. Relevant provisions

6. In accordance with Article 21(1) of the Rome Statute (“Statute”), the Chamber has considered the following provisions of the Statute, the Rules of Procedure and Evidence (“Rules”) and the Regulations of the Court (“Regulations”): Article 68 of the Statute, Rules 85 and 89 of the Rules and Regulations 35(2) and 86 of the Regulations.

III. Summary of the observations of the parties

A. Observations of the prosecution

⁴ Eleventh report to Trial Chamber III on applications to participate in the proceedings, 15 July 2011, ICC-01/05-01/08-1606-Conf-Exp and its confidential *ex parte* annexes.

⁵ Eleventh transmission to the Trial Chamber of applications for participation in the proceedings, 15 July 2011, ICC-01/05-01/08-1604 and its confidential *ex parte* annexes.

⁶ Eleventh transmission to the parties and legal representatives of the applicants of redacted versions of applications for participation in the proceedings, 15 July 2011, ICC-01/05-01/08-1605 and its confidential redacted annexes.

⁷ Transmission to the parties of lesser redacted version of application for participation in the proceedings of applicant a/1405/10, 15 July 2011, ICC-01/05-01/08-1600 and ICC-01/05-01/08-1381-Conf-Anx192-Red2.

⁸ Observations de la Défense sur la “Onzième transmission aux parties et aux représentants légaux des versions expurgées des demandes de participation a la procédure”, 16 September 2011, ICC-01/05-01/08-1754 and confidential annex.

⁹ Prosecution’s Observations on 269 Applications for Victims’ Participation in the Proceedings, 19 September 2011, ICC-01/05-01/08-1764. The prosecution did not submit observations on Application a/1405/10.

7. In filing its observations on 19 September 2011, the prosecution failed to comply with the 16 September 2011 time limit set by the Chamber. Upon the Chamber's request to provide an explanation for this delay,¹⁰ the prosecution replied that, while acting in good faith and in the belief that it was observing all the applicable deadlines, it confused certain overlapping deadlines, and as a consequence erroneously filed its observations on 19 September 2011. The prosecution requested - on an exceptional basis - that the Trial Chamber retrospectively grant an extension of time pursuant to Regulation 35 of the Regulations.¹¹

8. Regulation 35(2) of the Regulations governs the retrospective grant of extensions of time. In relevant part, it provides that "[a]fter the lapse of a time limit, an extension of time may only be granted if the participant seeking the extension can demonstrate that he or she was unable to file the application within the time limit for reasons outside his or her control." The justification provided by the prosecution, while candid, does not satisfy this requirement.

9. However, the Chamber considers that rejecting the Prosecution's Observations would be a disproportionate sanction in the circumstances. While it would not cause any direct prejudice to the defence, rejecting the Observations would make the Chamber lose the benefit of additional submissions on the 270 Applications, which are designed to assist the Chamber in ruling on the voluminous applications before it. For this reason, the Chamber is of the view that it would be counter-productive to reject the Prosecution's Observations. Therefore, the retrospective extension of time is granted on an exceptional basis.

¹⁰ Email of 21 September 2011 at 12h04 from the Chamber's Legal Officer to the prosecution.

¹¹ Email of 21 September 2011 at 13h30 from the prosecution to the Chamber's Legal Officer.

10. Turning to the substance of the Prosecution's Observations, the prosecution submits that 213 out of 269 applicants should be granted authorisation to participate as they meet all of the requirements under Article 68(3) of the Statute for participation in the proceedings at the trial stage.¹²

11. In relation to 14 further applicants, it is submitted that they should be deemed to meet the requirements.¹³ To that end, the prosecution represents that a police record (*casier judiciaire*) as well as a duplicate of birth certificate (*duplicata d'acte de naissance*) constitute sufficient proof of identity because they contain similar features to the documents contained in the list of acceptable documentation previously endorsed by the Chamber.¹⁴ Further, the prosecution submits that an application should be considered complete even though Sections F and G¹⁵ are missing from the form.¹⁶ With regard to eight applications that either (i) contain discrepancies between the date of events given in the additional statements of the applicants and the dates provided in the original application; or (ii) mention only the month of March 2003, the prosecution contends that these applicants "have established, *prima facie*, the causal link between the harm suffered and the crimes committed within the confirmed time-frame."¹⁷ Finally, the prosecution suggests that two applicants should be admitted for participation on account of crimes they personally suffered, but should "be invited to provide further information and documents in relation to the deaths of their close relatives."¹⁸

12. In respect of 18 applicants, the prosecution submits that the applications should be deferred until further information or documentation is obtained.¹⁹ This

¹² ICC-01/05-01/08-1764, paragraphs 9 and 21.

¹³ ICC-01/05-01/08-1764, paragraphs 12 and 21.

¹⁴ ICC-01/05-01/08-1764, paragraph 10.

¹⁵ Sections F and G in the application forms refer to legal representation and disclosure of the victims' identities.

¹⁶ ICC-01/05-01/08-1764, paragraph 11.

¹⁷ ICC-01/05-01/08-1764, paragraph 12. The prosecution refers to the Chamber's Decision on 772 applications by victims to participate in the proceedings, 18 November 2010, ICC-01/05-01/08-1017, paragraphs 54 and 55.

¹⁸ ICC-01/05-01/08-1764, paragraph 13.

¹⁹ ICC-01/05-01/08-1764, paragraph 22.

concerns instances where the applicants (i) fail to specify a precise date for the alleged events, making it “difficult to establish the causal link between their personal harm and the crimes charged within the alleged time-frame”;²⁰ (ii) indicate a birth date in their application form that is inconsistent with the date appearing on their identity document;²¹ or (iii) fail to provide valid identity documents.²²

13. With regard to 24 applications, the prosecution contends that redactions make it difficult to determine whether the applicants meet all the requirements for participation and leaves it to the Chamber to decide whether the applicants have provided adequate proof of identity or sufficient information to demonstrate a link between the alleged harm and the charges in the proceedings.²³

B. Observations of the defence

14. The defence (i) submits that all 270 Applications should be rejected because none of them fulfil the requisite criteria;²⁴ (ii) reiterates its request for communication of lesser redacted versions of the applications to the prosecution so that it can fulfil its disclosure obligations towards the defence;²⁵ and (iii) urges the Chamber to instruct the VPRS to examine the redaction procedure with a view to ensuring that redactions are proportionate and are made only when absolutely necessary.²⁶ The Chamber notes that the last two requests were already ruled upon in its 21 July 2011 Decision,²⁷ which was not appealed by the parties. Regarding the redactions applied to the Eleventh Set, the Chamber further notes that the VPRS complied with the guidelines as recalled and clarified

²⁰ ICC-01/05-01/08-1764, paragraph 15.

²¹ ICC-01/05-01/08-1764, paragraph 16.

²² ICC-01/05-01/08-1764, paragraph 18.

²³ ICC-01/05-01/08-1764, paragraphs 19 to 20, 23.

²⁴ ICC-01/05-01/08-1754, paragraph 38 and page 13.

²⁵ ICC-01/05-01/08-1754, page 13.

²⁶ ICC-01/05-01/08-1754, page 13.

²⁷ ICC-01/05-01/08-1590-Corr, paragraphs 28 to 34 and 38(g).

in its 21 July 2011 Decision. Under these circumstances, any subsequent submissions relating to redactions will be rejected, unless the parties demonstrate “that an application is redacted to such an extent that the redactions prevent the parties from making any meaningful observations.”²⁸ For the purpose of the present Decision, the Chamber will limit its analysis to the observations on the 270 Applications.

15. To substantiate its request to reject all 270 Applications, the defence reiterates and elaborates upon the arguments it formulated in relation to previous sets of applications. Again, as most of these arguments have already been addressed in the Chamber’s previous decisions, these arguments will be summarised only to the extent that they are substantiated by new considerations.

1. Applications received after 15 September 2010

16. The defence argues that the large number of received and pending applications constitutes a weight on the defence’s resources and results in a violation of the principle of due process and of the fairness of the proceedings.²⁹ The defence further argues that requiring the defence to analyse a large number of applications reverses the requirement in Article 68(3) of the Statute that victims’ participation must be achieved in a manner that is not prejudicial to or inconsistent with the rights of the accused.³⁰ On this basis, the defence requests the Chamber to abandon the assessment of applications received after 15 September 2010.³¹

2. Incomplete applications

²⁸ ICC-01/05-01/08-1590-Corr, paragraph 34.

²⁹ ICC-01/05-01/08-1754, paragraphs 5 and 7.

³⁰ ICC-01/05-01/08-1754, paragraph 6.

³¹ ICC-01/05-01/08-1754, paragraph 9.

17. The defence submits that a number of applications should be rejected because they are incomplete. Specifically, the defence challenges applications where the applicants failed to provide (i) a precise date for the alleged events; (ii) a valid and legible identity document; or (iii) a detailed description of the harm suffered.³²

3. Elements undermining the credibility of the applicant

18. The defence urges the Chamber to reject a series of applications on account of various factors that, in the view of the defence, undermine the credibility of the applicants. The factors identified by the defence include (i) the reproduction of identical wording in a large number of application forms, creating a doubt as to the extent of the intermediary's involvement in the filling in of the application;³³ (ii) the "opportunistic" nature of additional information submitted by the applicants, which, in the defence's view, is simply designed to fit the facts covered by the charges;³⁴ (iii) applications failing to provide information about any intermediary when the applicant indicates that he does not speak French;³⁵ (iv) inconsistent birthdates;³⁶ and (v) "excessive" evaluation of the harm suffered.³⁷

IV. Analysis and conclusions

19. In its analysis below, the Chamber follows the approach of its 21 July 2011 Decision.³⁸ Accordingly, the parties' observations as summarised above will be analysed and decided upon in the present Decision, while a case-by-case analysis for each application, addressing the parties' specific comments, is provided in

³² ICC-01/05-01/08-1754, paragraph 13.

³³ ICC-01/05-01/08-1754, paragraphs 18 to 25.

³⁴ ICC-01/05-01/08-1754, paragraphs 26 to 28.

³⁵ ICC-01/05-01/08-1754, paragraphs 29 to 31.

³⁶ ICC-01/05-01/08-1754, paragraph 32.

³⁷ ICC-01/05-01/08-1754, paragraph 33.

³⁸ ICC-01/05-01/08-1590-Corr.

Annexes A, B, C, D and E, which should be read in conjunction with the Decision.

A) Individual applications for participation

1. Applications received after 15 September 2010

20. The Chamber rejects the defence's request to abandon the assessment of applications received after 15 September 2010. The Chamber has already ruled on this issue by setting a final deadline for the submission of applications, and the defence has not advanced any compelling reason for that ruling to be revisited.

21. While the defence focuses on the deadline of 15 September 2010 set out in the Chamber's Decision setting a time-limit for the submission of new victims' applications ("September 2010 Decision"),³⁹ it fails to appreciate that this deadline (i) applied only to victims who wished to participate "in the initial stages of trial proceedings",⁴⁰ as opposed to the trial proceedings more broadly; and (ii) must be read in conjunction with the final deadline established in the 21 July 2011 Decision. As acknowledged in the Defence Observations, the September 2010 Decision made clear that "any applications that are received after the deadline date may still be considered for the purpose of allowing victims to participate in further stages of the trial proceedings," clarifying that "[w]hatever form of participation the Chamber will allow as regards applications made after the deadline will be ruled upon by the Chamber on an application by application basis."⁴¹

³⁹ Decision setting a time-limit for the submission of new victims' applications for participation, 7 September 2010, ICC-01/05-01/08-875.

⁴⁰ ICC-01/05-01/08-875, paragraph 9 (emphasis added).

⁴¹ ICC-01/05-01/08-875, paragraph 8.

22. In its 21 July 2011 Decision, the Chamber set a schedule for the filing of pending victims' applications, fixing 16 September 2011 as the final deadline for the submission to the Registry of any new applications. This schedule was designed in accordance with the need "to manage the application process in a way that ensures meaningful participation by victims" and in "compliance with the requirement under Article 68(3) of the Statute that victims' rights to have their views and concerns presented in the proceedings are reconciled with the rights of the accused and a fair and impartial trial."

23. In light of this, the defence argument amounts to a request that the Chamber revisit its September 2010 and 21 July 2011 Decisions. Because the defence has not identified a compelling reason for these decisions to be revisited, the Chamber will not do so.

2. Incomplete applications

24. Both parties submit that a number of applications should be rejected or deferred because they do not contain sufficient information on the precise date of the alleged events.⁴² In this regard, the Chamber has already held that "[...] [d]iscrepancies as to dates or locations are not necessarily fatal in terms of the merits of these applications – it all depends on the overall evidence presented."⁴³ This principle applies equally to instances where the applicant fails to provide a precise date for the events, and the Chamber is of the view that such omission should not automatically exclude the applicants. Rather, these applications will be assessed on a case-by-case basis, "on the merits of [their] intrinsic coherence"⁴⁴ and taking into account any information suggesting that the events occurred within the temporal scope of the present case, including – where applicable – corroboration in other victims' applications.

⁴² ICC-01/05-01/08-1754, paragraph 13; ICC-01/05-01/08-1764, paragraphs 14 to 17.

⁴³ ICC-01/05-01/08-1017, paragraph 54.

⁴⁴ See Fourth Decision on Victims' Participation, 12 December 2008, ICC-01/05-01/08-320, paragraph 31.

25. Concerning the defence challenge to the validity of a number of identity documents, the Chamber recalls that most of these documents have already been accepted by the Chamber in its previous decisions.⁴⁵ In addition, the Chamber notes its Decision on 772 applications by victims to participate in the proceedings (“18 November 2010 Decision”),⁴⁶ in which it ruled that “whenever the documents appended by the applicants have similar features as [the documents enumerated by the Pre-Trial Chamber] and the Chamber is satisfied that at this stage they sufficiently establish the applicants' identity, they will be accepted as proof of identity”.⁴⁷ In the context of the Eleventh Set, the Chamber finds that cards indicating marital status (*fiches individuelles d'état civil*),⁴⁸ police records (*casiers judiciaires*)⁴⁹ and duplicates of birth certificates (*duplicata d'acte de naissance*)⁵⁰ are sufficient to establish an applicant's identity. For these reasons, the Chamber hereby accepts them for that purpose.

3. Considerations pertaining to the credibility of the applicant

26. The Chamber rejects the defence contentions regarding the credibility of certain applicants. To that end, the Chamber refers to its 18 November 2010 Decision, where it held that “it has not considered the mention of the name and signature of the intermediary or person assisting the applicant in filling in the form as a prerequisite for the completeness of the application” and “accept[ed] the fact that the same legal wording or similar descriptions of the facts were used by the intermediaries while reflecting the applicant's own account of the events”.⁵¹

⁴⁵ See for example ICC-01-05-01/08-1017, paragraph 42, accepting electoral cards, baptism cards, *attestations d'état civil*, signed and stamped by the *Chef de quartier*, *certificats d'identité scolaire* and student cards.

⁴⁶ ICC-01/05-01/08-1017.

⁴⁷ ICC-01/05-01/08-1017, paragraph 41.

⁴⁸ See Application a/0393/11.

⁴⁹ See Application a/0280/11.

⁵⁰ See Application a/0419/11.

⁵¹ ICC-01/05-01/08-1017, paragraphs 50 and 51.

27. With respect to the defence's submission that applications claiming an "excessive" amount of compensation should be rejected, the Chamber considers that such contentions cannot be sustained at this stage. First and foremost, the Chamber recalls that victims' applications are assessed on a *prima facie* evidentiary standard.⁵² In line with this standard, this Chamber has endorsed Trial Chamber I's conclusion that "[i]t would be untenable for the Chamber to engage in a substantive assessment of the credibility or the reliability of a victim's application before the commencement of the trial".⁵³ Being mindful of the fact that this precedent refers to the period "before the commencement of the trial", the Chamber is of the view that this conclusion remains valid, *mutatis mutandis*, at the present stage of the proceedings, and notably for the sole purpose of participation. Under these circumstances it is unnecessary for the Chamber to assess whether the amount of the alleged loss is credible in light of the individual situation of the applicant.

28. As for inconsistencies relating to some applicants' date of birth, the Chamber is of the view that such inconsistencies should not automatically exclude the applicants. Rather, in order to assess whether the identity of an applicant is sufficiently demonstrated, the Chamber will take into account (i) the remainder of the identifying information provided in the application form and the identity document; as well as (ii) any potential explanations for the inconsistencies. For example, in a number of applications, the Chamber notes that the date of birth appearing in the application form does not correspond to the date the applicant was born, but rather to the date on which the birth was declared.⁵⁴ In such instances, the Chamber is of the view that the inconsistency may be the result of

⁵² ICC-01/05-01/08-1017, paragraph 38; *Corrigendum* to Decision on the participation of victims in the trial and on 86 applications by victims to participate in the proceedings, 12 July 2010, ICC-01/05-01/08-807-Corr, paragraph 25.

⁵³ ICC-01/05-01/08-807-Corr, paragraph 25, quoting Trial Chamber I, Decision on victims' participation, 18 January 2008, ICC-01/04-01/06-1119, paragraph 99.

⁵⁴ See Applications a/0376/11; a/0209/11; a/0210/11; a/0224/11; a/0231/11; a/0281/11; a/0285/11; a/0294/11; a/0323/11.

inadvertent error by the person assisting the applicant in filling in his or her form and does not, in and of itself, warrant the rejection of the application.

29. Finally, the Chamber will address the defence's contention as to the "opportunistic nature" of additional information submitted by the applicants. The defence argues that in some instances, such information has been tailored to fit the alleged facts covered by the charges.⁵⁵ This objection has been raised with regard to applications that (i) have already been filed and rejected and which were subsequently re-submitted with additional information ("First Category");⁵⁶ and (ii) have not been filed previously and which were filed together with an additional statement provided upon the request of the VPRS ("Second Category").⁵⁷

30. The Chamber is of the view that, at this stage of the proceedings, the defence contention cannot be sustained for either category. First and foremost, in light of the above-mentioned *prima facie* standard applicable to the assessment of victims' applications,⁵⁸ the Chamber needs not undertake a substantive assessment of the credibility or the reliability of an application or determine whether additional information has been added in order to fit the requirements for participation.

31. This conclusion is further supported by provisions and precedents that specifically relate to each of the two above-mentioned categories. Regarding the First Category, Rule 89(2) of the Rules provides that "[a] victim whose application has been rejected may file a new application later in the proceedings." In addition, in its Decision defining the status of 54 victims who participated at the pre-trial stage, and inviting the parties' observations on applications for participation by 86 applicants, the Chamber instructed the VPRS

⁵⁵ ICC-01/05-01/08-1754, paragraphs 26 to 28.

⁵⁶ Applications a/0595/08; a/0719/10 and a/1261/10.

⁵⁷ Applications a/2156/10; a/2161/10 and a/2169/10.

⁵⁸ See paragraph 27.

“to review each of the applications to participate rejected by the Pre-Trial Chamber, to establish whether, in light of events or information received subsequent to the original rejection, the application should be reconsidered by the Trial Chamber.”⁵⁹ The Chamber notes that the defence did not lodge any request for leave to appeal this decision. Although this precedent refers to applications rejected by the Pre-Trial Chamber, the Chamber is of the view that the principle applies equally to applications previously rejected by the Trial Chamber, as long as new information received from the applicant warrants a new determination. Regarding the Second Category, Regulation 86(4) of the Regulations of the Court provides that “[t]he Registrar may request further information from victims [...] in order to ensure that such application contains, to the extent possible, the [required] information [...] before transmission to a Chamber. [...]” This is the precise scenario that exists in relation to applications in the Second Category and therefore, the provision of new information shall not *per se* exclude the applicant. Rather, the Chamber will assess, on a case-by-case basis, whether the additional information provided by the applicant is consistent with the remainder of the facts alleged in the application or whether the changes appear to be of an “opportunistic” nature, provided with the sole purpose of “fitting the alleged facts”.

32. In light of the applicable standard set out above and considering the provisions and precedents inviting the applicants and the VPRS to provide additional information, the Chamber is of the view that clarifications provided through additional information do not warrant, *ipso facto*, a rejection of the application.

⁵⁹ Decision defining the status of 54 victims who participated at the pre-trial stage, and inviting the parties’ observations on applications for participation by 86 applicants, 22 February 2010, ICC-01/05-01/08-699, paragraph 20.

B) Summary of the Annexes

33. The applicant-by-applicant analysis is set out in the appended Annexes as follows:

- Annex A, filed as *ex parte* only available to the Registry and Mr Assingambi Zarambaud: analysis of the applications belonging to Group A (alleged crimes committed in or around Bangui and PK12);
- Annex B, filed as *ex parte* only available to the Registry and Ms Marie-Edith Douzima: analysis of the applications belonging to Group B (alleged crimes committed in or around Damara and Sibut);
- Annex C, filed as *ex parte* only available to the Registry and Ms Marie-Edith Douzima: analysis of the applications belonging to Group C (alleged crimes committed in or around Boali, Bossembélé, Bossangoa and Bozoum);
- Annex D, filed as *ex parte* only available to the Registry and Ms Marie-Edith Douzima: analysis of the applications belonging to Group D (alleged crimes committed in or around Mongoumba); and
- Annex E, filed as *ex parte* only available to the Registry and Mr Assingambi Zarambaud: analysis of application filed by the one dual status individual.

V) Orders

34. For these reasons, the Trial Chamber hereby:

- a. Grants participating status to the following 264 applicants:
 - Group A: a/1405/10; a/0199/11; a/0362/11; a/0364/11; a/0366/11; a/0367/11; a/0370/11; a/0371/11; a/0372/11; a/0373/11; a/0374/11; a/0375/11; a/0376/11; a/0379/11; a/0380/11; a/0381/11; a/0382/11; a/0383/11; a/0384/11; a/0388/11; a/0389/11; a/0390/11; a/0421/11; a/0423/11; a/0424/11; a/0425/11; a/0426/11; a/0427/11; a/0428/11; a/0429/11; a/0744/10; a/1022/10;

a/1353/10; a/1748/10; a/2194/10; a/0198/11;

- Group B: a/0022/10; a/0202/11; a/0203/11; a/0204/11;
a/0205/11; a/0206/11; a/0207/11; a/0208/11; a/0209/11; a/0210/11; a/0211/11;
a/0212/11; a/0213/11; a/0214/11; a/0215/11; a/0216/11; a/0217/11; a/0218/11;
a/0219/11; a/0220/11; a/0221/11; a/0222/11; a/0223/11; a/0224/11; a/0225/11;
a/0226/11; a/0227/11; a/0228/11; a/0229/11; a/0230/11; a/0231/11; a/0232/11;
a/0233/11; a/0234/11; a/0235/11; a/0236/11; a/0237/11; a/0238/11; a/0239/11;
a/0240/11; a/0241/11; a/0242/11; a/0243/11; a/0244/11; a/0245/11; a/0246/11;
a/0247/11; a/0248/11; a/0249/11; a/0250/11; a/0251/11; a/0252/11; a/0253/11;
a/0254/11; a/0255/11; a/0256/11; a/0257/11; a/0258/11; a/0259/11; a/0260/11;
a/0261/11; a/0262/11; a/0263/11; a/0264/11; a/0265/11; a/0266/11; a/0267/11;
a/0268/11; a/0269/11; a/0270/11; a/0271/11; a/0272/11; a/0273/11; a/0274/11;
a/0275/11; a/0276/11; a/0277/11; a/0278/11; a/0279/11; a/0280/11; a/0281/11;
a/0282/11; a/0283/11; a/0284/11; a/0285/11; a/0286/11; a/0287/11; a/0288/11;
a/0289/11; a/0290/11; a/0291/11; a/0292/11; a/0293/11; a/0294/11; a/0295/11;
a/0296/11; a/0297/11; a/0299/11; a/0300/11; a/0301/11; a/0302/11; a/0303/11;
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a/0312/11; a/0313/11; a/0314/11; a/0315/11; a/0316/11; a/0318/11; a/0319/11;
a/0320/11; a/0322/11; a/0323/11; a/0324/11; a/0325/11; a/0326/11; a/0327/11;
a/0328/11; a/0329/11; a/0330/11; a/0331/11; a/0332/11; a/0333/11; a/0335/11;
a/0336/11; a/0337/11; a/0338/11; a/0339/11; a/0340/11; a/0341/11; a/0342/11;
a/0343/11; a/0345/11; a/0346/11; a/0347/11; a/0348/11; a/0368/11; a/0409/11;
a/0410/11; a/0411/11; a/0412/11; a/0413/11; a/0414/11; a/0415/11; a/0416/11;
a/1410/10; a/0306/11;

- Group C: a/0363/11; a/0365/11; a/0369/11; a/0378/11;
a/0387/11; a/0418/11; a/0419/11; a/0420/11; a/0595/08; a/0719/10; a/1261/10;
a/2156/10; a/2169/10;

- Group D: a/0186/11; a/0187/11; a/0188/11; a/0189/11;
a/0190/11; a/0191/11; a/0192/11; a/0193/11; a/0194/11; a/0195/11; a/0196/11;
a/0197/11; a/0349/11; a/0350/11; a/0351/11; a/0352/11; a/0353/11; a/0354/11;

a/0355/11; a/0356/11; a/0357/11; a/0358/11; a/0359/11; a/0360/11; a/0361/11;
 a/0386/11; a/0391/11; a/0392/11; a/0393/11; a/0395/11; a/0396/11; a/0398/11;
 a/0399/11; a/0400/11; a/0401/11; a/0402/11; a/0403/11; a/0404/11; a/0405/11;
 a/0406/11; a/0430/11; a/0431/11; a/0432/11; a/0433/11; a/0434/11; a/0435/11;
 a/0436/11; a/0437/11; a/0438/11; a/0439/11; a/0440/11; a/0441/11; a/0442/11;
 a/0443/11; a/0444/11; a/0445/11; a/0446/11; a/0447/11; a/0448/11; a/0449/11;
 a/0450/11;

- Group E: a/0407/11

b. Rejects the applications to participate of 6 applicants, namely:
 a/0417/11; a/0321/11; a/0408/11; a/0726/10; a/2161/10; a/0394/11.


c. Orders the Registry to submit to the Chamber as soon as practicable a report on any potential requests for protective and special measures of victims who have been granted status to participate;

d. Orders the Registry, in accordance with the Chamber's oral decision of 2 December 2010,⁶⁰ to provide the parties with a lesser redacted version of application a/0407/11, completed by an individual who also appeared as a witness before the Chamber;

e. Orders the Registry to (i) prepare a report compiling the extracts of the annexes to the present decision relating to applicants represented by the Office of Public Counsel for Victims ("OPCV") and whose applications were rejected; and (ii) notify this report to the OPCV as soon as practicable.

⁶⁰ Transcript of hearing of 2 December 2010, ICC-01/05-01/08-T-42-Conf-ENG, page 8, lines 10 to 13.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 25 October 2011

At The Hague, The Netherlands