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No.: ICC-01/12-01/18
Date: 17 February 2022

TRIAL CHAMBER X

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Kimberly Prost

**SITUATION IN THE REPUBLIC OF MALI
IN THE CASE OF
THE PROSECUTOR *v.* AL HASSAN AG ABDOUL AZIZ AG MOHAMED AG
MAHMOUD**

Public

**With 250 Confidential *EX PARTE* Annexes, only available to the Registry and the
Common Legal Representatives of Victims**

**Thirteenth Registry Transmission of Group A Victim Applications for
Participation in Trial Proceedings**

Source: Registry

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

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Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

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REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. Introduction

1. For the purpose of organizing victim participation at the trial stage in the case of the *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud* (“Case”), Trial Chamber X (“Chamber”) ruled in its ‘Decision on the procedure for the admission of victims to participate in proceedings for the purposes of trial’ (“12 March 2020 Decision”) to continue the “ABC approach” for victim admission as applied at the pre-trial stage in the Case, with minor modifications.¹ Following this procedure, the Registry classifies victim applicants into three categories: (a) applicants who clearly qualify as victims in the Case (“Group A”); (b) applicants who clearly do not qualify as victims (“Group B”); and (c) applicants for whom the Registry could not make a clear determination for any reason (“Group C”).² The Chamber also ordered the Registry to submit Group A application forms to the Chamber no later than 15 days before the start of trial.³
2. On 12 June 2020, the Chamber decided to extend the deadline set by the 12 March 2020 Decision for the final transmission of newly collected victim applications to the end of the Prosecution case on the basis of the current COVID-19 pandemic (“12 June 2020 Decision”). The Chamber instructed the Registry to file any newly collected applications on a rolling basis in periodic intervals; as was previously the case, the Registry’s final corresponding reports must be notified within the same deadline.⁴

¹ Trial Chamber X, “Decision on the procedure for the admission of victims to participate in proceedings for the purposes of trial”, 12 March 2020, ICC-01/12-01/18-661.

² *Id. at* paras 19-21; See also Pre-Trial Chamber I, “Decision Establishing the Principles Applicable to Victims’ Applications for Participation”, 24 May 2018, ICC-01/12-01/18-37, para 59 (i).

³ 12 March 2020 Decision, para. 29. The Registry notes that in accordance with para. 39 of 12 March 2020 Decision, that the “future victim applicants be represented by the single team of LRVs currently representing Participating Victims”. The Registry therefore deems it necessary to notify them of the confidential *ex parte* annexes to the present transmission.

⁴ Trial Chamber X, “Decision on request for extension of deadlines for the final transmission of victim applications for participation at trial”, 12 June 2020, ICC-01/12-01/18-880, paras 10-14 and Disposition, p. 8. On 24 November 2020, the Chamber clarified that applications received prior to the case-specific application process may be transmitted to the Chamber insofar as they are assessed by the Registry as

3. To date, the Registry has transmitted to the Chamber a total of 1,946 Group A applications⁵ and five Group C applications. It has also informed the Chamber regarding 47 Group B applications and 101 applications presently assessed as incomplete.⁶

complete and falling within the scope of the Case (email from Trial Chamber X communications to Chief of VPRS, on 24 November 2020, at 10:50; see also “Registry Fourth Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 18 December 2020, ICC-01/12-01/18-1216, paras 5-6).

⁵ Among the 1,946 Group A applications, there are 826 applications from victims that had already been authorised to participate during pre-trial proceedings and who remain within the scope of the Case for the purpose of trial (see “Registry’s Third Assessment Report on Victim Applications for Participation in Trial Proceedings”, 29 June 2020, ICC-01/12-01/18-910, paras 4 and 24). The Registry notes that the number of 1,946 does not count one consolidated application re-transmitted in Group A applications (see “Twelfth Registry Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 14 December 2021, ICC-01/12-01/18-2070, footnote 7). To date, the Chamber has admitted all Group A applications transmitted by the Registry as participating victims for the purposes of trial proceedings.

⁶ See Registry, “Registry Transmission of Group C Victim Applications for Participation at Trial”, 29 May 2020, ICC-01/12-01/18-834, and “Registry First Assessment Report on Victim Applications for Participation in Trial Proceedings”, 29 May 2020, ICC-01/12-01/18-835; “Registry First Transmission of Group A Victim Applications for Participation in Trial Proceedings”, dated 24 June 2020 and notified on 25 June 2020, ICC-01/12-01/18-901, and “Registry’s Second Assessment Report on Victim Applications for Participation in Trial Proceedings”, 24 June 2020, ICC-01/12-01/18-900; “Registry Second Transmission of Group A Victim Applications for Participation in Trial Proceedings”, dated 29 June 2020 and notified on 30 June 2020, ICC-01/12-01/18-913, and “Registry’s Third Assessment Report on Victim Applications for Participation in Trial Proceedings”, 29 June 2020, ICC-01/12-01/18-910; “Registry Third Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 13 November 2020, ICC-01/12-01/18-1153, and “Registry’s Fourth Assessment Report on Victim Applications for Participation in Trial Proceedings”, 13 November 2020, ICC-01/12-01/18-1152; “Registry Fourth Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 18 December 2020, ICC-01/12-01/18-1216, and “Registry’s Fifth Assessment Report on Victim Applications for Participation in Trial Proceedings”, 18 December 2020, ICC-01/12-01/18-1214; “Registry’s Fifth Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 22 January 2021, ICC-01/12-01/18-1259, and “Registry’s Sixth Assessment Report on Victim Applications for Participation in Trial Proceedings”, 22 January 2021, ICC-01/12-01/18-1260; “Registry’s Sixth Transmission of Group A Victims Applications for Participation in Trial Proceedings”, dated 5 March 2021 and notified on 8 March 2021, ICC-01/12-01/18-1343, and “Registry’s Seventh Assessment Report on Victim Applications for Participation in Trial Proceedings”, dated 5 March 2021 and notified on 8 March 2021, ICC-01/12-01/18-1342; “Registry’s Seventh Transmission of Group A Victims Applications for Participation in Trial Proceedings”, 19 May 2021, ICC-01/12-01/18-1489, and “Registry’s Eighth Assessment Report on Victim Applications for Participation in Trial Proceedings”, 19 May 2021, ICC-01/12-01/18-1488; “Registry’s Eighth Transmission of Group A Victim Applications for Participation in Trial Proceedings”, dated 10 June 2021 and notified on 11 June 2021, ICC-01/12-01/18-1510, and “Registry’s Ninth Assessment Report on Victim Applications for Participation in Trial Proceedings”, dated 10 June 2021 and notified on 11 June 2021, ICC-01/12-01/18-1509; “Ninth Registry Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 27 August 2021, ICC-01/12-01/18-1665, and “Tenth Registry Assessment Report on Victim Applications for Participation

II. Applicable Law

4. The present transmission is submitted in accordance with article 68(1) and (3) of the Rome Statute, rules 85 to 89 and 92 of the Rules of Procedure and Evidence, regulation 86 of the Regulations of the Court, and regulations 107 to 109 of the Regulations of the Registry.

III. Classification

5. The annexes to the present transmission are classified as confidential *ex parte* in accordance with paragraph 29 of the 12 March 2020 Decision and because they contain information that could potentially lead to the identification of victim applicants.

IV. Transmission

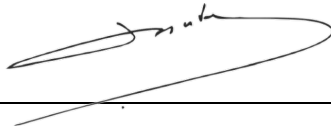
6. The Registry hereby transmits 249 additional applications for participation in the proceedings in their original version to the Chamber, in accordance with paragraph 13 of the 12 June 2020 Decision, and re-transmits one consolidated application.⁷ The additional applications have been assessed by the Registry as

in Trial Proceedings”, 27 August 2021, ICC-01/12-01/18-1666; “Tenth Registry Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 18 October 2021, ICC-01/12-01/18-1816, and “Eleventh Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, 18 October 2021, ICC-01/12-01/18-1817; “Eleventh Registry Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 12 November 2021, ICC-01/12-01/18-1917, and “Twelfth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, 12 November 2021, ICC-01/12-01/18-1918; “Twelfth Registry Transmission of Group A Victim Applications for Participation in Trial Proceedings”, 14 December 2021, ICC-01/12-01/18-2070 and “Thirteenth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, 14 December 2021, ICC-01/12-01/18-2069.

⁷ The application under reference a/50680/20 (transmitted previously within Group A on 13 November 2020, ICC-01/12-01/18-1153-Conf-Exp-Anx161, and accepted for participation in the proceedings by the Chamber’s 14 December 2020 Decision, ICC-01/12-01/18-1204, para. 11), is re-transmitted under Group A as a consolidated document including the original and new form filled in by victim a/50680/20 for the completeness of the case record. The present transmission replaces the original transmission of application a/50680/20 following Chamber’s previous instructions on similar case (see “Thirteenth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, 14 December 2021, ICC-01/12-01/18-2069, footnote 29).

complete and falling within Group A. The Registry's assessment report pertaining to these applications is being filed simultaneously under separate cover.

7. The current proceeding is reaching the end of the Prosecution case⁸ which was set by the Chamber as the deadline for the last transmission of the victim application in trial proceedings in the *Al Hassan* case.⁹ In accordance with the guidance received from the Chamber in its 12 June 2020 Decision and 24 November 2020 clarification, the Registry has transmitted victim applications together with reports thereon on a rolling basis and in regular intervals and respectfully informs the Chamber that this Transmission constitutes the last transmission on victim applications in trial proceedings, unless otherwise instructed by the Chamber.
8. As encouraged by the Chamber, after the expiry of the deadline for the final transmission of victim applications at trial, the Registry will continue to collect application forms for the purposes of any future reparations proceedings.¹⁰



Marc Dubuisson, Director, Division of Judicial Services

On behalf of Peter Lewis, Registrar

Dated this 17 February 2022

At The Hague, The Netherlands

⁸ See *infra* para. 2 and footnote 4, 12 June 2020 Decision, paras 10-14 and Disposition, p. 8.

⁹ See Trial Chamber X, "Decision on LRVs requests to present evidence and views and concerns", 9 December 2021, ICC-01/12-01/18-2063-Conf, para. 49, and its public redacted version 2063-Red, para. 49 mentioning that "as things stands, the closure of the Prosecution case can be expected during the first half of February 2022"; see also Trial Chamber X's updated information on the date of the closure of the Prosecution case to be expected by 19 February 2022 (e-mail correspondence from Trial Chamber X Communications to the Chief of VPRS, on 7 February 2022 at 10h49).

¹⁰ The victim applications for reparations collected will not be filed or transmitted to the Chamber during the trial proceedings, as per Chamber's 12 June 2020 Decision, para. 15.