

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/12-01/15**
Date: **3 September 2020**

TRIAL CHAMBER VIII

Before: Judge Raul C. Pangalangan, Presiding Judge
Judge Antoine Kesia-Mbe Mindua
Judge Bertram Schmitt

SITUATION IN THE REPUBLIC OF MALI

**IN THE CASE OF
*THE PROSECUTOR v. AHMAD AL FAQI AL MAHDI***

Confidential

**Decision on the LRV Request for Authorisation to Re-Consolidate Individual
Reparations Applications**

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

Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Mr Gilles Dutertre

Counsel for the Defence

Mr Mohamed Aouini

Legal Representatives of Victims

Mr Mayombo Kassongo

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**Office of Public Counsel for
Victims**

Office of Public Counsel for the Defence

States' Representatives

Others

Trust Fund for Victims

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Others

TRIAL CHAMBER VIII of the International Criminal Court hereby issues its 'Decision on the LRV Request for Authorisation to Re-Consolidate Individual Reparations Applications' in the case of *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, having regard to Article 75 of the Rome Statute, Rules 94 and 98 of the Rules of Procedure and Evidence.

1. On 23 July 2020, the Chamber issued a decision (the '23 July 2020 Decision') on the Legal Representative for Victims (the 'LRV') requests for review of negative administrative decisions on individual reparations applications, issued by the Trust Fund for Victims (the 'TFV')¹. In this decision, the Chamber found that those application files which were considered to contain some sort of claim regarding a parental or economic link to one of the attacked ten protected objects (the 'Protected Buildings') should be re-consolidated and re-submitted for new assessment by the TFV.²
2. On 30 July 2020, the TFV informed the Chamber that it had notified a new batch of administrative decisions to the LRV (the 'Fifth Batch'), and that in light of the 23 July 2020 Decision, it would not object for those application files regarding which the TFV identified a more or less specific claim to be re-consolidated and re-submitted as specified in the Decision.³
3. On 4 August 2020, the LRV filed a request for authorisation from the Chamber to re-consolidate and re-submit as specified in the 23 July 2020 Decision a number of application files concerned in the Fifth Batch (the 'Request').⁴
4. In its sixteenth update report, the TFV reiterated it not having any objection to the LRV proceeding to re-consolidate and re-submit those application files which it determined to contain some sort of claim of parental or economic link to the Protected Buildings.⁵

¹ Decision on LRV Requests for Review of Trust Fund for Victims' Administrative Decisions on Individual Reparations Applications, ICC-01/12-01/15-369-Conf.

² Decision, ICC-01/12-01/15-369-Conf, para. 49.

³ Email from the TFV, copying Trial Chamber VIII Communications, at 17:45.

⁴ *Demande d'autorisation aux fins de reconsolidation du cinquième lot de décisions d'éligibilité aux réparations individuelles à la suite de la décision du 23 juillet 2020 (ICC-01/12-01/15-369-Conf)*, ICC-01/12-01/15-370-Conf.

⁵ Sixteenth update report on the updated implementation plan, 24 August 2020 (filed: 26 August 2020), ICC-01/12-01/15-371-Conf, paras 23-24.

5. In light of the position expressed by the TFV, as well as bearing in mind the findings of the 23 July 2020 Decision, the Chamber considers that it is indeed efficient and appropriate for the LRV to proceed with re-consolidating and re-submitting for new assessment by the TFV those application files of the applicants which were specified in the Request.
6. Further, if, regarding additional batches of administrative decisions, the LRV and TFV similarly identify which application files may be re-consolidated and re-submitted for a new assessment under the terms of the 23 July 2020 Decision, it is unnecessary for the LRV to file another request for authorisation. It will be sufficient if the Chamber is informed, via email, by the TFV and the LRV which application files were thus identified.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the Request.

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



Judge Raul C. Pangalangan, Presiding Judge



Judge Antoine Kesia-Mbe Mindua



Judge Bertram Schmitt

Dated 3 September 2020

At The Hague, The Netherlands