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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***

Public redacted version of

**Decision on LRV Requests for Review of Trust Fund for Victims' Administrative
Decisions on Individual Reparations Applications**

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

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**
Al Mahdi Defence

☒ **Legal Representatives of the Victims**
Al Mahdi Case

☐ **Legal Representatives of the Applicants**

☒ **Unrepresented victims**

☐ **Unrepresented Applicants**

☐ **The Office of Public Counsel for Victims**

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

☐ **Trust Fund for Victims**

☐ **Amicus Curiae**

REGISTRY

Registrar
Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and Reparations Section**

☐ **Public Information and Outreach Section**

TRIAL CHAMBER VIII of the International Criminal Court hereby issues its ‘Decision on LRV Requests for Review of Trust Fund for Victims’ Administrative Decisions on 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, and Regulations 24 and 88 of the Regulations of the Court (the ‘Regulations’).

I. Procedural history and submissions

1. On 17 August 2017, the Chamber issued its order for reparations.¹ The Chamber awarded both collective and individual reparations.² Concretely, the Chamber determined that individual reparations could be awarded in case of moral harm and for consequential economic loss, namely to those whose ancestors’ burial sites were damaged (for moral harm)³ and to those whose livelihoods exclusively depended upon the attacked ten protected objects (the ‘Protected Buildings’) (for consequential economic loss).⁴ For the implementation, the Chamber ordered the Trust Fund for Victims (the ‘TFV’) to carry out administrative eligibility screenings of potential beneficiaries.⁵
2. On 8 March 2018, the Appeals Chamber confirmed the Reparations Order and amended it to the extent that the oversight of the Chamber over the screening process should include its final endorsement of the screening results, with the possibility of amending the TFV’s conclusions on the eligibility of applications upon request or *proprio motu*.⁶ As such, applicants who are found not to be eligible are entitled to request the Chamber to review such decision.⁷

¹ Reparations Order, ICC-01/12-01/15-236 (the ‘Reparations Order’).

² Reparations Order, ICC-01/12-01/15-236, paras 67, 76-83, 90.

³ Reparations Order, ICC-01/12-01/15-236, para. 90.

⁴ Reparations Order, ICC-01/12-01/15-236, para. 81.

⁵ Reparations Order, ICC-01/12-01/15-236, paras 140-146.

⁶ Appeals Chamber, Judgment on the appeal of the victims against the ‘Reparations Order’, ICC-01/12-01/15-259-Conf-Red (the ‘Appeals Chamber Judgment’), paras 2, 69. The Appeals Chamber also determined that applicants who did not wish their identities be disclosed to Mr Al Mahdi could participate in the administrative screening process with their identities being disclosed only to the TFV (*see* paras 1(i), 95-96).

⁷ Appeals Chamber Judgment, ICC-01/12-01/15-259-Conf-Red, para. 72.

3. On 12 July 2018, the Chamber decided on the TVF's draft implementation plan for reparations.⁸ The Chamber specified the organisation of the screening process, including collection, assessment, decision and review of applications.⁹ In addition, the Chamber approved the suggested standard of proof of balance of probability and agreed with the proposal to rely on a system of attestations in relation to required supporting documents.¹⁰ In this regard, the Chamber did not take a position on specific individuals suggested as attesting authorities by the TFV, but directed the TFV to consult with the LRV and to propose alternative individuals, when necessary.¹¹ Furthermore, the Chamber reiterated the exclusive link requirement for claims of economic harm¹² and confirmed the TFV's interpretation that descendants in direct kinship (including women and children) with saints buried in the Protected Buildings are eligible for individual reparations for moral harm.¹³
4. On 4 March 2019, the Chamber formally approved the procedure for the TFV to screen applications for individual reparations.¹⁴
5. On 22 April 2020, the TFV, through its 14th update report, informed the Chamber of 91 administrative decisions taken, of which 79 were negative.¹⁵
6. On 29 April 2020, the Legal Representative of Victims (the 'LRV') filed a request for review of said 79 negative administrative decisions (the 'First Request for Review'),
requesting that the decisions be revoked and the request for individual reparations of all applicants be granted.¹⁶ The LRV argues that victims should not be arbitrarily or unjustly denied reparations as a result of defective procedures or administrative

⁸ Decision on Trust Fund for Victims' Draft Implementation Plan for Reparations, ICC-01/12-01/15-273-Conf (the 'DIP Decision'). A public redacted version was filed on the same day.

⁹ DIP Decision, ICC-01/12-01/15-273-Conf, paras 30-47.

¹⁰ DIP Decision, ICC-01/12-01/15-273-Conf, paras 60-61.

¹¹ DIP Decision, ICC-01/12-01/15-273-Conf, para. 61.

¹² DIP Decision, ICC-01/12-01/15-273-Conf, paras 62-65.

¹³ DIP Decision, ICC-01/12-01/15-273-Conf, para. 67.

¹⁴ Decision on the Updated Implementation Plan from the Trust Fund for Victims, ICC-01/12-01/15-324-Conf (public redacted version notified same day) (the 'UIP Decision'). *See also* DIP Decision, ICC-01/12-01/15-273-Conf, paras 35-46.

¹⁵ Fourteen update report on the updated implementation plan and response to LRV Request ICC-01/12-01/15-356-Conf-Red, ICC-01/12-01/15-358-Conf-Red (the 'TFV 14th Update Report'), paras 31-39 and Annex 3, ICC-01/12-01/15-358-Conf-Exp-Anx3, including the 79 TFV administrative decisions and underlying application files.

¹⁶ *Demande de réexamen par la Chambre de la Décision du Fonds relative à l'éligibilité des victimes aux mesures de réparations*, ICC-01/12-01/15-360-Conf, pages 30-31.

decisions flawed by errors of fact or law.¹⁷ According to the LRV, the decisions have insufficiently clear and detailed reasoning,¹⁸ indicate a lack of knowledge of the victims' files,¹⁹ and result from inconsistencies and a lack of transparency in the reparations implementation.²⁰ Importantly, the LRV contests the TFV's determination that the attestations submitted in support of the applications were insufficient to satisfy the balance of probabilities. According to the LRV, the TFV changed its position as to who may be capable of issuing adequate attestations and unilaterally decided who would be suitable.²¹ In addition, the LRV submits that applications should not be rejected on the ground that the forms do not make any claim of direct descent, while the accompanying attestations do.²² Finally, the LRV argues that the TFV took a restrictive approach to the applicable standard of proof which goes against applicable law and jurisprudence.²³

7. The individual arguments on each administrative decision submitted by the LRV in annex to the First Request for Review²⁴ mainly repeat the arguments set out in the main request. In addition, the LRV argues that there should be a 'presumption of descent' based on certain indicia such as a stated spiritual connection to the Protected Buildings; that the TFV acted in excess of its powers and arbitrarily when refusing the submitted attestations; and, for some of the applications, that the relevant TFV decision reinforces discrimination against women or is discriminatory and sexist by contributing to the marginalisation of women in a male-dominated system.²⁵

¹⁷ First Request for Review, ICC-01/12-01/15-360-Conf, para. 19.

¹⁸ First Request for Review, ICC-01/12-01/15-360-Conf, paras 25-31.

¹⁹ First Request for Review, ICC-01/12-01/15-360-Conf, paras 32-33.

²⁰ First Request for Review, ICC-01/12-01/15-360-Conf, paras 34-41.

²¹ First Request for Review, ICC-01/12-01/15-360-Conf, paras 42-52, 63-73 and pages 24-26.

²² First Request for Review, ICC-01/12-01/15-360-Conf, paras 78-82.

²³ First Request for Review, ICC-01/12-01/15-360-Conf, paras 83-89.

²⁴ See Annex A, ICC-01/12-01/15-360-Conf-AnxA.

²⁵ See Annex A, ICC-01/12-01/15-360-Conf-AnxA, pages 9 (a/35029/16), 17 (a/35035/16), 28 (a/35037/16), 49 (a/35041/16), 55 (a/35042/16), 62 (a/35046/16), 83 (a/35049/16), 93 (a/35051/16), 110 (a/35057/16), 167 (a/35077/16), 178 (a/35080/16), 184 (a/35082/16), 199 (a/35090/16), 209 (a/35102/16), 238 (a/35101/16), 411 (a/45002/16). The Chamber notes that this argument is also made for one applicant who appears to be male (a/35052/16), but attributes this to a mere clerical error, in particular considering that on the application form, the gender box for 'female' is ticked (see ICC-01/12-01/15-358-Conf-Exp-Anx3, pages 458 and 462).

8. On 15 May 2020, the TFV filed its response to the First Request for Review, arguing that the LRV fails to demonstrate that the assessments should be overturned.²⁶ The LRV argues that the submitted attestations of descent were not signed by an approved certifying authority; that amending the criterion of direct descent as argued by the LRV would contravene the Reparations Order; and that discussing a ‘presumption’ of direct descent is untimely and in breach of the system of attestations approved by the Chamber.²⁷
9. The TFV explains that since it had not received any applications by the time of the UIP Decision in March 2019 and thereafter, it started collecting applications jointly with the LRV and began identifying and vetting individuals who could be used as a ‘safeguard[] list’ of authorities capable to sign attestations in support of applications.²⁸ According to the TFV, it resorted to ‘individuals closely connected to the social fabric surrounding the mausoleums, and with first hand knowledge of the mausoleums’ for this purpose.²⁹ The authorities, including the one individual who signed the most of the attestations of descent for the applications at issue, were then trained jointly with the LRV.³⁰ The TFV submits that this individual, having been met and trained, was found to lack knowledge about and appropriate association with the Protected Buildings, which rendered his testimony insufficient to meet the standard of balance of probabilities.³¹ This determination was notified to the LRV.³²
10. On 21 May 2020, the LRV filed so-called ‘observations’ on the TFV Response to the First Request for Review.³³

²⁶ Trust Fund for Victims’ response to the Legal Representative of Victims’ request for review of administrative decisions on victims’ eligibility, ICC-01/12-01/15-361-Conf-Exp (the ‘TFV Response to First Request for Review’), para. 1. A confidential redacted version was submitted on 18 May 2020, see ICC-01/12-01/15-Conf-Red.

²⁷ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 4.

²⁸ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, paras 13-14, 31.

²⁹ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 31.

³⁰ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 32.

³¹ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 36.

³² TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 37.

³³ *Observations du Représentant légal sur la Réponse du Fonds au profit des victimes contre le réexamen sollicité des demandes de réparations individuelles*, ICC-01/12-01/15-362-Conf. See also E-mail from TFV to Trial Chamber VIII Communications, 22 May 2020, at 16:07, indicating that it would not request leave to sur- reply.

11. On 2 June 2020, the LRV filed its second request for review, concerning 82 negative administrative decisions (the ‘Second Request for Review’).³⁴ The LRV submits that the decisions contravene the ‘Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations’.³⁵ More specifically, in the individual arguments on each administrative decision submitted in annex to the request, which are largely repetitive, the LRV argues that it is not for the TFV to impose a list of certifying authorities as this interferes with sovereign State affairs, and that in any event the TFV exceeded its competence, acted arbitrarily, and committed manifest errors in its assessment of the direct descent-criterion.³⁶
12. The TFV responded that it fails to see the relevance of the declaration cited by the LRV, which pertains to interstate relationships and that therefore the LRV failed to demonstrate that the TFV erred in issuing the 82 applications at issue.³⁷ In annex to its response, the TFV also provided the relevant TFV decisions and underlying applications which, at that stage, had not yet been notified to the Chamber.³⁸
13. On 5 June 2020, the LRV again filed so-called ‘observations’ on the TFV Response to the Second Request for Review.³⁹
14. On 22 June 2020, the TFV filed its 15th update report, in which it informed the Chamber, *inter alia*, of the issuance of 157 negative administrative decisions.⁴⁰ 82 of

³⁴ *Deuxième demande de réexamen par la Chambre des décisions administratives du Fonds au profit des victimes relatives à l'éligibilité des victimes aux mesures de réparations*, ICC-01/12-01/15-363-Conf.

³⁵ Second Request for Review, ICC-01/12-01/15-363-Conf, paras 22-23. *See also* A/RES/2625(XXV), 24 October 1970.

³⁶ *See* Annex A, ICC-01/12-01/15-363-Conf-AnxA.

³⁷ Trust Fund for Victims’ response to the Legal Representative of Victims’ second request for review of administrative decisions on victims’ eligibility, 4 June 2020, ICC-01/12-01/15-364-Conf (the ‘TFV Response to Second Request for Review’), para. 6.

³⁸ *See* Annex 1, ICC-01/12-01/15-364-Conf-Exp-Anx1.

³⁹ *Observations du Représentant légal sur la « Trust Fund for Victims’ response to the Legal Representative of Victims’ second request for review of administrative decisions on victims’ eligibility »*, ICC-01/12-01/15-365-Conf. *See also* E-mail from TFV to Trial Chamber VIII Communications, 9 June 2020, at 18:31, indicating that it would not request leave to sur-reply.

⁴⁰ Fifteenth update report on the updated implementation plan, ICC-01/12-01/15-366-Conf, paras 23-38.

these decisions are subject of the Second Request for Review; a further 75 negative decisions and the underlying applications files were appended to the report.⁴¹

15. On 3 July 2020, the LRV filed a third request for review, concerning 55 out of the 75 remaining negative decisions notified to the Chamber by way of the TFV 15th update report (the ‘Third Request for Review’; together with the First and Second Request for Review, the ‘Requests’).⁴² Both in the main request and in the individualised arguments on each decision annexed to the request, the LRV reiterates the arguments presented in the first two requests for review.⁴³
16. In its response to the Third Request for Review, the TFV submits that the LRV’s argument on customary international law is irrelevant since if attestations such as those required ‘fell within the usual range of certifications of state authorities’, the TFV would not have required a specific document or have had recourse to a ‘safeguard list’ of certifying authorities.⁴⁴ The TFV requests that if the Chamber were to find its approach to determine the ancestral and/or economic link procedurally unfair or unreasonable, it ‘be accorded the opportunity to consult with the communities of the Protected Buildings before a determination, in consultation with the LRV, of any additional authorities in order to ensure that the Court’s decision will be well accepted within the community’.⁴⁵ In addition, the TFV submits that while in certain individual cases applicants may have difficulties receiving an attestation from a person on the ‘safeguard list’, it would be the task of the LRV to bring any such issues to the attention

⁴¹ See Annex 1, ICC-01/12-01/15-366-Conf-Exp-Anx1; Annex 2a, ICC-01/12-01/15-366-Conf-Exp-Anx2a; Annex 2b, ICC-01/12-01/15-366-Conf-Exp-Anx2b; Annex 2c, ICC-01/12-01/15-366-Conf-Exp-Anx2c.

⁴² *Troisième demande de réexamen par la Chambre des décisions administratives du Fonds au profit des victimes relatives à l’éligibilité des victimes aux mesures de réparations*, ICC-01/12-01/15-367-Conf. The Chamber notes, however, that the individualised arguments in annex to the request do not seem to include submissions for 21 applications (concerning a/35027/16, a/35028/16, a/35084/16, a/35109/16, a/35110/16, a/35113/16, a/35116/16, a/35129/16, a/35130/16, a/35131/16, a/35132/16, a/35133/16, a/35134/16, a/35135/16, a/35137/16, a/35138/16, a/35139/16, a/40013/16, a/40015/17, a/40022/17, a/50000/20 (former a/40000/17)). In light of the LRV’s submission in the main request, the Chamber understands that the LRV did not challenge the TFV negative administrative decisions for these applicants. Their applications will therefore not be considered in the context of this decision. This means that overall, out of 236 TFV negative administrative decisions notified to date, 215 are subject to the Requests and the current decision.

⁴³ See Third Request for Review, ICC-01/12-01/15-367-Conf, paras 19, 25 and Annex A, ICC-01/12-01/15-367-Conf-AnxA.

⁴⁴ Trust Fund’s response to LRV’s third request for review of administrative decisions, 20 July 2020, ICC-01/12-01/15-368-Conf, with confidential annex A (the ‘TFV Response to Third Request for Review’), para. 18.

⁴⁵ TFV Response to Third Request for Review, ICC-01/12-01/15-368-Conf, paras 19, 27.

of the TFV to take such individual circumstances into account.⁴⁶ In relation to individuals who signed attestations but whose identity was not further established, the TFV argues that the LRV would have had many opportunities to address the TFV to add names to the list of authorities.⁴⁷ Finally, the TFV reiterates its arguments presented in the TFV Response to First Request for Review.⁴⁸

II. Analysis

17. At the outset, the Chamber notes that following the TFV's responses to the First and Second Request for Review, the LRV filed further submissions entitled 'observations'. These 'observations' in fact amount to replies in the sense of Regulation 24(5) of the Regulations. Yet, the LRV has failed to first request leave from the Chamber to file such replies. While the Chamber has, on an exceptional basis, decided to consider these submissions for reasons of efficiency and fairness to the participating victims, the LRV is hereby reminded of the obligation to first file a request for leave to reply under Regulation 24(5) of the Regulations, before proceeding to make further submissions. In the future, such additional submissions in reply without seeking prior leave will not be considered by the Chamber.
18. Turning to the substance of the Request, the Chamber, having reviewed the relevant administrative decisions of the TFV as well as the underlying applications, considers that the applications can be broadly categorised as follows: (i) applicants who did not make any claim in their applications which could be interpreted as making them eligible to receive individual reparations as determined in the Reparations Order; and (ii) applicants who did make such a claim in their applications, even if broadly interpreted.
19. Applications in both categories were accompanied by a variety of attestations, such as in a number of cases attestations on descent or parental link ('*attestation de filiation*' and/or '*attestation de lien de parenté*'), and in some other cases '*attestations tenant lieu de déclaration de revenus*'⁴⁹ or '*attestations de sépulture*'.⁵⁰ At the same time, a

⁴⁶ TFV Response to Third Request for Review, ICC-01/12-01/15-368-Conf, para. 21.

⁴⁷ TFV Response to Third Request for Review, ICC-01/12-01/15-368-Conf, para. 22.

⁴⁸ TFV Response to Third Request for Review, ICC-01/12-01/15-368-Conf, para. 23.

⁴⁹ Concerning a/35002/16, a/35032/16, a/35033/16.

number of applications within both categories were not accompanied by any attestations.

⁵¹ The ‘*attestations de lien de parenté*’, ‘*attestations de sépulture*’ and ‘*attestations tenant lieu de déclaration de revenus*’ for all applications were signed by a number of different individuals⁵² or in a few cases did not specify the name of the signee.⁵³ As for the attestations of descent, a number were again signed by various individuals,⁵⁴ while the majority of these attestations were signed by the individual who was determined by the TFV to be inapt to attest in order to meet the standard of balance of probabilities.⁵⁵

20. Starting the analysis with the applications falling into the first category (i.e. applicants which did not appear to make any specific claim in their applications),⁵⁶ the Chamber notes that the majority of application forms under review were collected before the Reparations Order was issued. Of those application forms which were collected after the issuance of the Reparations Order, some did not make any specific claim which could be considered as rendering the applicants eligible for individual reparations, and

⁵⁰ Concerning a/35021/16, a/35030/16, a/35034/16, a/35043/16, a/35056/16, a/35112/16, a/35114/16, a/35115/16, a/35122/16, a/35124/16.

⁵¹ Concerning a/25075/14, a/25098/14, a/25114/14, a/35009/16, a/35010/16, a/35023/16, a/35024/16, a/35025/16, a/35060/16, a/35061/16, a/35063/16, a/35065/16, a/35066/16, a/35068/16, a/35073/16, a/35075/16, a/35081/16, a/35087/16, a/35093/16, a/35094/16, a/35096/16, a/35103/16, a/35123/16, a/35136/16, a/35143/16, a/40020/17, a/40191/17, a/50002/20 (former a/40002/17).

⁵² Concerning a/35002/16, a/35020/16, a/35021/16, a/35030/16, a/35032/16, a/35033/16, a/35034/16, a/35037/16, a/35038/16, a/35041/16, a/35042/16, a/35043/16, a/35045/16, a/35046/16, a/35048/16, a/35051/16, a/35052/16, a/35053/16, a/35054/16, a/35055/16, a/35056/16, a/35057/16, a/35059/16, a/35071/16, a/35077/16, a/35079/16, a/35080/16, a/35082/16, a/35085/16, a/35086/16, a/35091/16, a/35092/16, a/35098/16, a/35099/16, a/35101/16, a/35101/16, a/35102/16, a/35111/16, a/35112/16, a/35114/16, a/35115/16, a/35122/16, a/35124/16, a/40005/17, a/40006/17, a/40007/17, a/40011/17, a/40012/17, a/40039/17, a/40040/17, a/40041/17, a/40042/17, a/40047/17, a/40049/17, a/40055/17, a/40056/17, a/40058/17, a/40062/17, a/40072/17, a/40101/17, a/40126/17, a/40128/17, a/40186/17, a/40198/17, a/45003/18, a/45006/18, a/45063/18, a/50022/20, a/50023/20, a/50024/20, a/50025/20, a/50028/20, a/50029/20. The Chamber notes that for some application files (concerning a/35086/16, a/40056/17, a/40101/17, a/40128/17), the relevant TFV administrative decisions do not mention the appended attestations of parental link (see Annex 3, ICC-01/12-01/15-358-Conf-Exp-Anx3, pages 279 and 287; Annex 1, ICC-01/12-01/15-364-Conf-Exp-Anx1, pages 114 and 123, 322 and 331, 349 and 361). As for the validity of these attestations, the Chamber refers to its discussion below, at paras 27.

⁵³ Concerning a/35021/16, a/35030/16, a/35032/16, a/35033/16, a/35098/16.

⁵⁴ Concerning a/35056/16, a/35104/16, a/35106/16, a/35107/16, a/35114/16, a/35115/16, a/35117/16, a/35118/16, a/35119/16, a/35120/16, a/35121/16, a/35122/16, a/35124/16, a/35125/16, a/35126/16, a/35127/16, a/35128/16, a/40004/17, a/40008/17, a/40009/17, a/40014/17, a/40016/17, a/40017/17, a/40019/17, a/40021/17, a/50001/20 (former a/40001/17).

⁵⁵ See above, para. 9.

⁵⁶ The Chamber notes that for a number of applications, the TFV indicated that the applicants made some claim of ancestral connection to a saint of one of the Protected Buildings, whereas the Chamber was unable to discern any such claim from the underlying application files (other than the information included in the accompanying attestations, if any) even under the broadest of interpretations. Therefore, these applicants were considered by the Chamber not to have made any claim which could qualify them for individual reparations. This concerns the following applicants: a/35040/16, a/35060/16, a/35061/16, a/35067/16, a/35118/16, a/40198/17.

are as such dealt with as part of the first category.⁵⁷ The application forms from after the Reparations Order that are determined to make such a claim are considered as part of the second category.⁵⁸

21. As concerns the application forms whose collection pre-dates the Reparations Order, the criteria which the Chamber would set in order for applicants to qualify as eligible for individual reparations were not yet known. In its DIP Decision, the Chamber clarified that applicants whose applications were already in the case record at the time would not have to re-submit their applications, but would merely need to provide any missing information as requested by the VPRS and with the assistance of the LRV.⁵⁹
22. Bearing this in mind, the Chamber is of the view that once the relevant criteria were known, the LRV would have had the opportunity to review the applications collected until then to assess whether additional information may be necessary.
23. In this regard, the Chamber does not accept the submission of the LRV that even for applicants which in their initial forms did not make any specific claim which could fall under the relevant criteria, a ‘presumption’ of descent should prevail, based on indicia such as a stated spiritual connection to one of the Protected Buildings.⁶⁰ As the Chamber made clear in its Reparations Order, it decided that persons would be eligible for individual reparations on the basis of economic harm because ‘their loss relative to

⁵⁷ Concerning a/40185/17, a/40198/17, a/45003/18, a/45016/18, a/45020/18, a/45028/18, a/45033/18, a/45035/18, a/45041/18, a/45048/18, a/45072/18, a/45128/18, a/50020/20 (former a/45051/18), a/50027/20 (former a/45066/18).

⁵⁸ Concerning a/40186/17, a/40188/17, a/40191/17, a/40194/17, a/40195/17, a/45006/18, a/45009/18, a/45010/18, a/45015/18, a/45017/18, a/45018/18, a/45026/18, a/45029/18, a/45032/18, a/45038/18, a/45040/18, a/45042/18, a/45044/18, a/45045/18, a/45063/18, a/45074/18, a/45075/18, a/45077/18, a/45079/18, a/45081/18, a/45126/18, a/45127/18, a/50021/20 (former a/45059/18), a/50022/20 (former a/45060/18), a/50023/20 (former a/45061/18), a/50024/20 (former a/45062/18), a/50025/20 (former a/45064/18), a/50028/20 (former a/45067/18), a/50029/20 (former a/45068/18), a/50031/20 (former a/45071/18), a/50032/20 (former a/45076/18), a/50033/20 (former a/45078/18), a/50034/20 (former a/45080/18), a/50035/20 (former a/45082/18), a/50036/20 (former a/45083/18), a/50037/20 (former a/45084/18), a/50038/20 (former a/45085/18), a/50039/20 (former a/45086/18)). The Chamber notes in this regard that some applicants did not make a specific claim in their actual application forms, but the additional information sheet signed by the LRV states that the applicants ‘confirm’ their direct descent in connection to one of the Protected Buildings (concerning a/40193/17, 45002/18, 45024/18, 45057/18). In fairness to the applicants, the Chamber considered these applications to include a claim of direct descent, even though not as such specific in the application forms.

⁵⁹ DIP Decision, ICC-01/12-01/15-273-Conf, para. 31.

⁶⁰ See First Request for Review, ICC-01/12-01/15-360-Conf, paras 83-89 and Annex A, ICC-01/12-01/15-360-Conf-AnxA.

the rest of the community [was] more acute and exceptional',⁶¹ whereas those whose ancestors' burial sites were damaged in the attack would be eligible because they had 'a different kind of emotional connection to the destroyed sites than the rest of the Timbuktu population'.⁶² This determination was made after having reviewed the applications which were in the case record at the time, and having found that the harm caused by Mr Al Mahdi's actions is primarily collective in nature.⁶³ It was on this basis that the Chamber decided that individual reparations should be awarded only to the carefully circumscribed categories of individuals mentioned above.⁶⁴ Indeed, also the LRV pointed out in the past that those whose ancestor's burial sites were damaged in the attack suffered particular moral harm compared to the rest of the Timbuktu population.⁶⁵

24. Furthermore, the Chamber recalls that the question of the applicable standard of proof was discussed and decided upon in the DIP Decision, wherein the Chamber approved the standard of proof of balance of probability.⁶⁶ Notably, this approval followed after consideration of also the LRV's arguments at the time, who submitted already in that context that the exclusive link requirement and the direct descent criterion were too restrictive.⁶⁷ However, as further outlined below, the Chamber in its review of the applications interpreted the information broadly in order to take into account that the criteria which were established in the Reparations Order were not yet known at the time the majority of the application forms at issue were filled in.⁶⁸
25. In a similar vein, the Chamber approved recourse to a system of attestations in relation to the required supporting documents to meet this standard of proof, bearing in mind

⁶¹ Reparations Order, ICC-01/12-01/15-236, para. 81.

⁶² Reparations Order, ICC-01/12-01/15-236, paras 89-90.

⁶³ Reparations Order, ICC-01/12-01/15-236, para. 76. *See also* paras 73, 85.

⁶⁴ *See* Reparations Order, ICC-01/12-01/15-236, paras 81-82, 89-90.

⁶⁵ *See Observations du Représentant Légal des victimes sur les principes et modalités du droit à réparation*, 2 December 2016, ICC-01/12-01/15-190-Conf, para. 77. A public redacted version was filed on 3 January 2017, *see* ICC-01/12-01/15-190-Red.

⁶⁶ DIP Decision, ICC-01/12-01/15-273-Conf, para. 60.

⁶⁷ *See* DIP Decision, ICC-01/12-01/15-273-Conf, paras 56-57.

⁶⁸ *See below*, para. 28.

‘the reality of the situation in Timbuktu’ and having had regard to the concerns expressed by both TFV and LRV in relation to supporting documents.⁶⁹

26. In light of the above, the Chamber confirms the rejection of their applications for those applicants within the first category (i.e. who did not make any claim in their application which could be interpreted as falling within the criteria established by the Chamber) which were also not accompanied by any relevant attestation.⁷⁰
27. With regard to those applications within the first category which did include some form of attestation, the Chamber will first discuss the discrepancy between the information provided by the applicants in their application forms and that included in the attestations, and then turn to a determination to which extent the accompanying attestations can be considered adequate for purposes of the Chamber. The latter part of the discussion will be equally of relevance with regard to applications falling within the second category.
28. At the outset, the Chamber notes, as recalled above, that the application forms at issue were collected before the Reparations Order and thus at a time when the criteria to qualify for individual reparations were not yet known. Therefore, the Chamber interpreted the information contained in the application forms broadly and only considered as not making any specific claim those which did not in any way refer to a possible descent and/or economic link to one of the Protected Buildings.
29. For those applications, the Chamber is of the view that it cannot be established on which basis the accompanying attestations were issued. The Chamber recalls that it approved use of a system of attestations which concerned the required supporting documentation for applications.⁷¹ Yet, without any details of a claim contained in the application forms, it is unclear what the accompanying attestations purport to certify. While the attestations on parental link are generally signed by witnesses, the attestations on descent are signed only by the attesting authority, so it remains equally unclear whether the information may have been provided by the applicants themselves

⁶⁹ See DIP Decision, ICC-01/12-01/15-273-Conf, paras 54, 58, 61.

⁷⁰ Concerning a/25114/14, a/35060/16, a/35061/16, a/35063/16, a/35065/16, a/35066/16, a/35068/16, a/35073/16, a/35075/16, a/35093/16, a/35094/16, a/35096/16.

⁷¹ DIP Decision, ICC-01/12-01/15-273-Conf, para. 61.

when gathering the attestations. Indeed, the Chamber recalls that in the general parameters it set for the screening process, it stated that ‘the TFV may base itself only on information made available’.⁷²

30. In addition, the Chamber notes that according to the TFV, the attestations which were signed by varying individuals (such as attestations of descent, parental link, or livelihood) were not accompanied by the required proof of identity of the signee. The application files at issue indeed only include copies of IDs of the applicants and in some cases of ‘witnesses’. The TFV submits that in order to assist with the screening process, it had agreed for the LRV to provide a proof of identity and background information for such attesting individuals just once per email, instead of with every individual application file.⁷³
31. It is recalled in this regard that the TFV has posited in the past that it would not reject *in limine* an attestation signed by an individual absent from its list of certifying authorities and that it would accept also traditional leaders to the extent it is provided with background information establishing in what way the individuals concerned are traditional leaders.⁷⁴ In the same submission, the TFV also stated it agreed that the attestations already in the record of the case be complemented by receiving missing information on traditional leaders and on how any of the submitted authorities were in a position to attest to the application forms.⁷⁵
32. In this context, the LRV submits that it had been agreed with the TFV in October 2018 that no new attestations would be sought for applications already submitted or collected at the time.⁷⁶
33. The Chamber also recalls that the matter of how the ‘group of 409’ applications collected at an early stage of the proceedings would be treated in the screening process

⁷² Reparations Order, ICC-01/12-01/15-236, para. 146 (iii).

⁷³ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 30.

⁷⁴ Trust Fund for Victims’ submission of draft application form, 26 October 2018, ICC-01/12-01/15-289-Conf (the ‘TFV Submission of 26 October 2018’), para. 48.

⁷⁵ TFV Submission of 26 October 2018, ICC-01/12-01/15-289-Conf, para. 50.

⁷⁶ First Request for Review, ICC-01/12-01/15-360-Conf, para. 71.

was reported on by the TFV in February 2020.⁷⁷ According to this report, the LRV had suggested in January 2020 to take a different approach to the supporting documents for the ‘group of 409’ applications, which, again according to this report, was rejected by the TFV.⁷⁸ The LRV thereafter filed ‘observations’ on this report, refuting some of the information provided by the TFV, and in particular referring also to the alleged agreement of October 2018 according to which no new attestations would be required.⁷⁹ The TFV, in turn, stood by the information provided in its report.⁸⁰

34. It is of relevance to recall that the Chamber specifically determined that individual reparations would be awarded on the basis of an administrative screening by the TFV.⁸¹ While, in line with the judgment of the Appeals Chamber on the Reparations Order, judicial oversight over the process is maintained,⁸² the Chamber also found that the specific details of the screening would be determined by the TFV, subject to certain general parameters set by the Chamber.⁸³ Indeed, the Chamber did not pronounce itself on a specific list of certifying authorities proposed by the TFV in the past, and instead directed the TFV to consult with the LRV on the matter.⁸⁴ The Chamber also clarified in the past that it would be ‘best that any doubts regarding the contours [of the eligibility criteria] be resolved in the course of the screening procedure’ and that ‘[s]hould the TFV make unduly restrictive assessments [...], the Chamber may correct them when reviewing any decisions by the TFV to reject applications for individual reparations’.⁸⁵
35. While the Chamber is not in a position to determinatively pronounce on the question of which agreements the TFV and LRV may or may not have reached in the past, or what their exact contours may have been, it can be concluded from the administrative

⁷⁷ Confidential Redacted Version of ‘Thirteenth update report on the updated implementation plan’ submitted on 20 February 2020, 20 February 2020, ICC-01/12-01/15-346-Conf-Red (the ‘TFV 13th Update Report’), paras 39-49.

⁷⁸ TFV 13th Update Report, ICC-01/12-01/15-346-Conf-Red, paras 44-45.

⁷⁹ *Observations du Représentant légal des victimes quant au « Thirteenth update report on the updated implementation plan » déposé par le Fonds au profit des victimes le 20 février 2020*, 4 March 2020, ICC-01/12-01/15-351-Conf.

⁸⁰ TFV 14th Update Report, ICC-01/12-01/15-358-Conf-Red, para. 9, n. 29.

⁸¹ Reparations Order, ICC-01/12-01/15-236, para. 144.

⁸² See above, para. 2.

⁸³ Reparations Order, ICC-01/12-01/15-236, para. 146.

⁸⁴ DIP Decision, ICC-01/12-01/15-273-Conf, para. 61.

⁸⁵ UIP Decision, ICC-01/12-01/15-324-Conf, paras 38, 114(ii).

decisions and the underlying application files that the attesting individuals at stake did not sufficiently establish their identity. Under these circumstances the identities of the attesting individuals cannot be sufficiently established, which is a necessary prerequisite to determine whether the individuals in question were in fact capable to attest in order to satisfy the standard of balance of probabilities.⁸⁶ Therefore, and on the basis of this information, the Chamber is of the view that the attestations signed by individuals for whom according to the TFV insufficient proof of identity and background information was submitted cannot be accepted as valid.

36. In this regard the Chamber also notes the LRV's argument that the TFV would have refused to accept attestations of traditional authorities because of their role.⁸⁷ However, it appears clear from the TFV administrative decisions that these attestations were not rejected because they were signed by traditional authorities as opposed to official or state-appointed ones, but rather because their signees failed to establish their identity and to provide the necessary background information for the TFV to be able to determine whether they would be in a position to satisfy the applicable standard.
37. Of additional specific import in the context of the Requests is the determination whether attestations which were signed by the individual who was assessed by the TFV not to be apt to attest to meet the relevant standard⁸⁸ can be considered adequate for purposes of the Chamber and in the context of the screening process.
38. It appears from the submissions of the TFV that by May 2019 it had not received information on the attesting authority proposed by the LRV, reason for which it started creating a 'safeguard' list of other authorities who would be in a position to produce attestations.⁸⁹ According to the TFV, it seems that the LRV then participated in a training of these authorities,⁹⁰ and was further informed of the fact that the individual

⁸⁶ The Chamber also notes that the TFV's position on requirements for valid attestations, including the need to provide a proof of identity and an explanation concerning how the individual in question is capable of confirming the veracity of its content was stated already in November 2018: *see* Fourth monthly update report on the updated implementation plan with four confidential annexes, 14 November 2018, ICC-01/12-01/15-299- Conf, paras 20-21. A public redacted version is also available, *see* ICC-01/12-01/15-299-Red.

⁸⁷ First Request for Review, ICC-01/12-01/15-360-Conf, pages 24-26.

⁸⁸ *See above*, para. 9.

⁸⁹ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 31.

⁹⁰ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 32.

suggested – and resorted to – by him would not be accepted as certifying authority at the latest by 25 October 2019.⁹¹

39. The LRV argues that the attestations signed by the individual in question should be accepted [REDACTED] [REDACTED] as such, it is submitted, he has the authority to sign attestations which meet the required standard.⁹² In addition, the LRV argues that by imposing a list of vetted certifying authorities, the TFV exceeds its competence and acts arbitrarily, and even interferes in sovereign State affairs in light of the contested individual holding a position accorded by the State.⁹³
40. The Chamber takes due note of the fact that the individual in question holds an official position which vests him with authority according to the applicable national law. However, in the view of the Chamber, the fact of the TFV not accepting his testimony in support of the individual reparations applications does not mean that the TFV is contesting the person's role and function within the national governmental system which confers on him certain competencies under national law.
41. Rather, at stake is the question whether, for purposes of the screening process in order to identify persons eligible to receive individual reparation awards under the terms of the Reparations Order, the contested individual is in a position to issue supporting documents which could satisfy the relevant standard of proof. This is related to the implementation of the Reparations Order with which the TFV is tasked and does not in any way amount to interference with a national legal system or usurping the competencies of a State.
42. The TFV has outlined the reasons for which it determined that the individual in question is not in a position to issue adequate attestations.⁹⁴ In the view of the Chamber, the LRV has not provided any additional arguments which could justify for which

⁹¹ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 37. *See also* Confidential Redacted Version of 'Eleventh update report on the updated implementation plan' submitted on 25 October 2019, ICC-01/12-01/15-336-Conf-Red, para.11, n. 20.

⁹² First Request for Review, ICC-01/12-01/15-360-Conf, paras 65-73.

⁹³ *See* in general Annex A, ICC-01/12-01/15-360-Conf-AnxA; Second Request for Review, ICC-01/12-01/15-363-Conf and Annex A, ICC-01/12-01/15-363-Conf-AnxA; Third Request for Review, ICC-01/12-01/15-367-Conf and Annex A, ICC-01/12-01/15-367-Conf-AnxA.

⁹⁴ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 36.

reasons the contested individual may after all be in a position to issue adequate attestations. Again, this does not in any way relate to negating the authority conferred upon him by national law. Instead, it concerns an assessment in the context of the implementation of reparations as ordered by the Chamber. The Chamber therefore concludes that the attestations signed by the individual in question are not sufficient to meet the required standard of proof.

43. The above also makes clear that applications in the first category which were accompanied both by attestations signed by individuals who did not sufficiently establish their identity and by attestations signed by the individual found not fit to attest to meet the relevant standard cannot be considered to have brought the required supporting documentation. If the attestations submitted are not considered adequate on their own, they equally cannot be considered adequate if submitted in combination.
44. On the basis of the above, the Chamber confirms also the rejection of the applications for those applicants within the first category (i.e. who did not make any claim in their applications which could be interpreted as falling within the criteria established by the Chamber) which were nonetheless accompanied by an attestation (whether of descent, parental link, or other).⁹⁵
45. The Chamber now turns to the applications within the second category, i.e. applicants who did make a claim in their applications which could be interpreted – even if broadly – as falling into the categories of individuals who would be eligible to receive individual reparations as determined by the Chamber.⁹⁶ As explained before,⁹⁷ because of the time at which most of the application forms were collected, the Chamber took a broad interpretative approach and considered applicants to make such claims even if

⁹⁵ Concerning a/25113/14, a/35031/16, a/35039/16, a/35040/16, a/35047/16, a/35048/16, a/35058/16, a/35062/16, a/35064/16, a/35067/16, a/35069/16, a/35070/16, a/35072/16, a/35074/16, a/35076/16, a/35078/16, a/35082/16, a/35083/16, a/35088/16, a/35089/16, a/35090/16, a/35095/16, a/35100/16, a/35118/16, a/40004/17, a/40040/17, a/40047/17, a/40056/17, a/40076/17, a/40101/17, a/40128/17, a/40136/17, a/40185/17, a/40198/17, a/45003/18, a/45016/18, a/45020/18, a/45028/18, a/45033/18, a/45035/18, a/45041/18, a/45048/18, a/45072/18, a/45128/18, a/50003/20 (former a/40127/17), a/50006/20 (former a/40135/17), a/50007/20 (former a/40137/17), a/50020/20 (former a/45051/18), a/50027/20 (former a/45066/18).

⁹⁶ The Chamber notes that for some applications, the TFV concluded that no specific claim (either of ancestral connection or of an economic link) was made, whereas the Chamber, having reviewed the application files, is of the view that the applicants did make such a claim, even if interpreted in the broadest possible terms. Therefore, these applications were considered to be part of the second category of applications. This concerns the following applicants: a/25075/14, a/35021/16, a/35024/16, a/35050/16.

⁹⁷ See above, paras 24, 28.

they did not, as such and in specific terms, refer to a claim of direct descent (for moral harm) or exclusive link (for economic harm).⁹⁸

46. The Chamber recalls its determination above that the attestations which were submitted for the applications under review are not adequate in the sense of not being able to fulfil the requisite standard.⁹⁹
47. In this context the Chamber also notes that according to the TFV, the LRV did attempt to secure attestations from individuals who were approved as certifying authorities by the TFV for the group of 409 applications which were collected at an early stage in the proceedings; the applications currently under review form part of this group.¹⁰⁰ Yet, it appears that this was largely unsuccessful.¹⁰¹
48. However, in light of the fact that these applicants included more or less specific claims as to their descent and/or economic connection to a Protected Building in their application forms, and this for part of the applications even before it was known which criteria would be applied, the Chamber is of the view that it would not be in the interests of these victimsto confirm the rejection of their applications at the outset and merely on the basis of a lack of (adequate) attestations.
49. The Chamber considers that instead, and in particular bearing in mind that their applications did include more or less specific claims, it is in the best interest of these applicants for the LRV to re-consolidate their applications by having recourse to the certifying authorities approved by the TFV, and to re-submit the applications with valid attestations for a renewed assessment by the TFV. In addition, to ensure that this is meaningful, in particular in light of the fact that the LRV seems to already have tried to secure attestations from TFV-approved authorities, the LRV is directed to carefully

⁹⁸ The Chamber notes in this regard that the vast majority of applications under review concern claims which could qualify for reparations for moral harm, whereas only a small number make reference to what could be interpreted as an economic link (concerning a/35002/16, a/35009/16, a/35010/16, a/35021/16, a/35023/16, a/35024/16, a/35025/16, a/35032/16, a/35033/16, a/35081/16, a/35136/16, a/40008/17, a/50001/20 (former a/40001/17)). The Chamber notes with regard to applicant a/35136/16 that it is not entirely clear which mausoleum seems to be connected to his claim.

⁹⁹ See above, paras 28-42.

¹⁰⁰ TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 34.

¹⁰¹ According to the TFV, the LRV informed that only eight out of the 409 applications were retained by TFV-recognised certifying individuals. See TFV Response to First Request for Review, ICC-01/12-01/15-361-Conf-Red, para. 34.

assess whether additional information may need to be gathered from the applicants in order to further support and/or specify their claims.¹⁰² In this context, the LRV will also have to consider whether, on the basis of the information received from the applicants, it may be more appropriate to explain the contours of the Reparations Order in detail to the applicants in order to manage their expectations as concerns potentially receiving individual reparation awards. In any event, the LRV is directed to submit any such re-consolidated applications no later than by the general time limit set by the Chamber in its last decision on the matter.¹⁰³

50. Finally, the Chamber emphasises that the fact of directing the LRV to re-consolidate and re-submit the applications in question for renewed assessment by the TFV does not automatically mean that, once submitted again, they will be accepted. It will be for the TFV as part of its administrative screening process to assess whether the applicants fulfil the criteria to be eligible for individual reparations as set by the Chamber, including whether their applications are accompanied by any appropriate supporting documents. The Chamber equally emphasises that the rejection of an application for individual reparations is in no way related to the possibility of the applicant to partake in collective reparations.¹⁰⁴ Moreover, in case further requests for review are to be filed in the future, the considerations in the present decision should be taken into account by the requesting participant.

¹⁰² The Chamber notes that some application files provide information which may necessitate clarification. For these applications in particular, the LRV will have to assess whether additional information may have to be collected to further specify the claim and potentially solve discrepancies. This concerns, in the least, the following applicants: a/35052/16, a/35071/16, a/35086/16, a/35136/16, a/40193/17, 45002/18, 45024/18, 45057/18.

¹⁰³ See Decision on the LRV Request for Extension of Time to Submit Individual Reparations Applications, 29 April 2020, ICC-01/12-01/15-359-Conf.

¹⁰⁴ See also Reparations Order, ICC-01/12-01/15-236, para. 82, with reference to Appeals Chamber, *Prosecutor v. Thomas Lubanga Dyilo*, Judgment on the appeals against the 'Decision establishing the principles and procedures to be applied to reparations of 7 August 2012' with Amended order for reparations (Annex A) and public annexes 1 and 2, 3 March 2015, ICC-01/04-01/06-3129 A A2 A3, para. 155.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

REJECTS in part the First, Second and Third Request for Review, to the extent they demand reversal of the TFV negative administrative decisions, and to this extent confirms the underlying administrative decisions, on the applications of the following applicants:

a/25113/14	a/35070/16	a/40004/17	a/45072/18
a/25114/14	a/35072/16	a/40040/17	a/45128/18
a/35031/16	a/35073/16	a/40047/17	a/50003/20
a/35039/16	a/35074/16	a/40056/17	(former
a/35040/16	a/35075/16	a/40076/17	a/40127/17)
a/35047/16	a/35076/16	a/40101/17	a/50006/20
a/35048/16	a/35078/16	a/40128/17	(former
a/35058/16	a/35082/16	a/40136/17	a/40135/17)
a/35060/16	a/35083/16	a/40185/17	a/50007/20
a/35061/16	a/35088/16	a/40198/17	(former
a/35062/16	a/35089/16	a/45003/18	a/40137/17)
a/35063/16	a/35090/16	a/45016/18	a/50020/20
a/35064/16	a/35093/16	a/45020/18	(former
a/35065/16	a/35094/16	a/45028/18	a/45051/18)
a/35066/16	a/35095/16	a/45033/18	a/50027/20
a/35067/16	a/35096/16	a/45035/18	(former
a/35068/16	a/35100/16	a/45041/18	a/45066/18);
a/35069/16	a/35118/16	a/45048/18	

ORDERS the LRV to re-consolidate and re-submit for new consideration by the TFV, no later than by the time limit for all individual reparations applications to be submitted as specified in decision ICC-01/12-01/15-359-Conf, the applications of the following applicants:

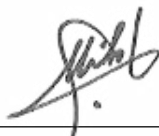
a/25075/14	a/35020/16	a/35025/16	a/35033/16
a/25098/14	a/35021/16	a/35026/16	a/35034/16
a/35002/16	a/35022/16	a/35029/16	a/35035/16
a/35009/16	a/35023/16	a/35030/16	a/35036/16
a/35010/16	a/35024/16	a/35032/16	a/35037/16

a/35038/16	a/35105/16	a/40021/17	a/45029/18
a/35041/16	a/35106/16	a/40039/17	a/45032/18
a/35042/16	a/35107/16	a/40041/17	a/45038/18
a/35043/16	a/35108/16	a/40042/17	a/45040/18
a/35044/16	a/35111/16	a/40048/17	a/45042/18
a/35045/16	a/35112/16	a/40049/17	a/45044/18
a/35046/16	a/35114/16	a/40055/17	a/45045/18
a/35049/16	a/35115/16	a/40058/17	a/45057/18
a/35050/16	a/35117/16	a/40062/17	a/45063/18
a/35051/16	a/35119/16	a/40072/17	a/45074/18
a/35052/16	a/35120/16	a/40078/17	a/45075/18
a/35053/16	a/35121/16	a/40081/17	a/45077/18
a/35054/16	a/35122/16	a/40089/17	a/45079/18
a/35055/16	a/35123/16	a/40109/17	a/45081/18
a/35056/16	a/35124/16	a/40110/17	a/45087/18
a/35057/16	a/35125/16	a/40121/17	a/45126/18
a/35059/16	a/35126/16	a/40126/17	a/45127/18
a/35071/16	a/35127/16	a/40131/17	a/50001/20
a/35077/16	a/35128/16	a/40186/17	(former
a/35079/16	a/35136/16	a/40188/17	a/40001/17)
a/35080/16	a/35143/16	a/40191/17	a/50002/20
a/35081/16	a/40005/17	a/40193/17	(former
a/35085/16	a/40006/17	a/40194/17	a/40002/17)
a/35086/16	a/40007/17	a/40195/17	a/50021/20
a/35087/16	a/40008/17	a/45002/18	(former
a/35091/16	a/40009/17	a/45006/18	a/45059/18)
a/35092/16	a/40011/17	a/45009/18	a/50022/20
a/35098/16	a/40012/17	a/45010/18	(former
a/35099/16	a/40014/17	a/45015/18	a/45060/18)
a/35101/16	a/40016/17	a/45017/18	a/50023/20
a/35102/16	a/40017/17	a/45018/18	(former
a/35103/16	a/40019/17	a/45024/18	a/45061/18)
a/35104/16	a/40020/17	a/45026/18	a/50024/20

(former	a/45068/18)	a/50034/20	(former
a/45062/18)	a/50031/20	(former	a/45084/18)
a/50025/20	(former	a/45080/18)	a/50038/20
(former	a/45071/18)	a/50035/20	(former
a/45064/18)	a/50032/20	(former	a/45085/18)
a/50028/20	(former	a/45082/18)	a/50039/20
(former	a/45076/18)	a/50036/20	(former
a/45067/18)	a/50033/20	(former	a/45086/18).
a/50029/20	(former	a/45083/18)	
(former	a/45078/18)	a/50037/20	

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 23 July 2020

At The Hague, The Netherlands