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No.: ICC-01/14-01/18

Date: 4 September 2019

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF
*THE PROSECUTOR V. ALFRED YEKATOM
AND PATRICE-EDOUARD NGAÏSSONA***

Public

With 387 Confidential *EX PARTE* Annexes only available to the Registry

**Registry's Fifth Transmission of Group A and First Transmission of Group B
Victims' Applications for Participation in Pre-Trial Proceedings**

Source: Registry

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

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I. Introduction

1. In paragraph 41 of the Decision Establishing the Principles Applicable to Victims' Applications for Participation ("Decision"),¹ Pre-Trial Chamber II ("Chamber") established an admission system whereby the Registry should *inter alia* "classif[y] the applicants into three categories: (a) applicants who clearly qualify as victims ("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
2. Additionally, the Chamber ordered the Registry to transmit "to the Chamber on a rolling basis and in unredacted form all complete applications and any supporting documentation in its possession",³ and to disclose "to the Prosecution and the Defence all Group C applications, redacted as needed."⁴
3. The Registry notifies the present submission pursuant to the Decision.

II. Procedural History

4. On 15 May 2019, the Registry transmitted 15 applications under the classification of "Group C" to the Parties and the Chamber, in redacted and unredacted form, respectively ("First Transmission"),⁵ and submitted a first assessment report on those applications.⁶

¹ Pre-Trial Chamber I, "Decision Establishing the Principles Applicable to Victims' Applications for Participation", 5 March 2019, ICC-01/14-01/18-141.

² *Id.* at para. 41(i).

³ *Ibid.* at para. 41(ii). In that same decision, the Chamber established an admission system whereby the Registry should *inter alia* "classif[y] the applicants into three categories: (a) applicants who clearly qualify as victims ("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").", *ibid.*, para. 41(i).

⁴ *Id.* at para. 41(iv).

⁵ Registry, "Registry's First Transmission of Group C Applications for Victims' Participation in Pre-Trial Proceedings", dated 14 May 2019 and notified on 15 May 2019, ICC-01/14-01/18-197.

⁶ Registry, "Registry's First Assessment Report on Applications for Victims' Participation in Pre-Trial Proceedings", dated 14 May 2019 and notified on 15 May 2019, ICC-01/14-01/18-198.

5. On 15 May 2019, the Chamber decided to postpone the commencement of the confirmation of charges hearing in the case *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona* ("Case") until 19 September 2019.⁷
6. On 14 June 2019, the Registry transmitted 74 applications under the classification of "Group A" to the Chamber,⁸ and submitted a second assessment report on those applications.⁹
7. On 21 June 2019, the Chamber issued a decision on the merits of the applications included in the First Transmission.¹⁰
8. On 12 July 2019, the Registry transmitted 161 applications under the classification of "Group A" to the Chamber,¹¹ and submitted a third assessment report on those applications.¹²
9. On 30 July 2019, the Registry transmitted 150 applications under the classification of "Group A" to the Chamber,¹³ and submitted a fourth assessment report on those applications.¹⁴
10. On 19 August 2019, the Registry transmitted 301 applications under the classification of "Group A" to the Chamber,¹⁵ eight applications under the classification of "Group C" to the Parties and the Chamber, in redacted and

⁷ Pre-Trial Chamber II, "Decision on the 'Prosecution's Request to Postpone the Confirmation Hearing and all Related Disclosure Deadlines'", 15 May 2019, ICC-01/14-01/18-199, p. 17.

⁸ Registry, "Registry's First Transmission of Group A Applications for Victims' Participation in Pre-Trial Proceedings", 14 June 2019, ICC-01/14-01/18-222.

⁹ Registry, "Registry's Second Assessment Report on Applications for Victims' Participation in Pre-Trial Proceedings", 14 June 2019, ICC-01/14-01/18-223.

¹⁰ Pre-Trial Chamber II, "Decision regarding the Registry's First Assessment Report on Applications for Victim Participation, the Registry's First Transmission of Group C Applications, the appointment of counsel for Victims of Other Crimes, and the victims' procedural position", 21 June 2019, ICC-01/14-01/18-227-Red.

¹¹ Registry, "Registry's Second Transmission of Group A Applications for Victims' Participation in Pre-Trial Proceedings", 12 July 2019, ICC-01/14-01/18-245.

¹² Registry, "Registry's Third Assessment Report on Applications for Victims' Participation in Pre-Trial Proceedings", 12 July 2019, ICC-01/14-01/18-247.

¹³ Registry, "Registry's Third Transmission of Group A Applications for Victims' Participation in Pre-Trial Proceedings", 30 July 2019, ICC-01/14-01/18-258.

¹⁴ Registry, "Registry's Fourth Assessment Report on Applications for Victims' Participation in Pre-Trial Proceedings", 30 July 2019, ICC-01/14-01/18-259.

¹⁵ Registry, "Registry's Fourth Transmission of Group A Applications for Victims' Participation in Pre-Trial Proceedings", 19 August 2019, ICC-01/14-01/18-279.

unredacted form, respectively,¹⁶ and a fifth assessment report on those applications.¹⁷

III. Classification

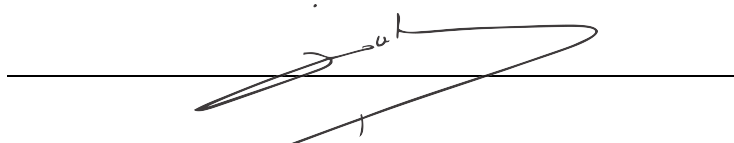
11. The annexes to the present submission are classified as confidential *ex parte* only available to the Registry in accordance with the instruction of the Chamber.¹⁸

IV. Applicable Law

12. The present submission is transmitted on the basis of 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.

V. Transmission

13. The Registry hereby transmits to the Chamber a further 376 complete applications assessed as falling under Group A and 11 applications assessed as falling under Group B, in accordance with paragraph 41(ii) of the First Decision.¹⁹



Marc Dubuisson, Director, Division of Judicial Services,

on behalf of Peter Lewis, Registrar

Dated this 4 September 2019

At The Hague, The Netherlands

¹⁶ Registry, "Registry's Second Transmission of Group C Applications for Victims' Participation in Pre-Trial Proceedings", 19 August 2019, ICC-01/14-01/18-280.

¹⁷ Registry, "Registry's Fifth Assessment Report on Applications for Victims' Participation in Pre-Trial Proceeding", 19 August 2019, ICC-01/14-01/18-281.

¹⁸ Decision, para. 41(ii).

¹⁹ The Registry notes that the total number of applications filed under Group A is now 1062, the total number of applications filed as Group B is 11 and the total number of applications filed under Group C remains 23.