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Date: **24 November 2020**

PRE-TRIAL CHAMBER II

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

**SITUATION IN DARFUR, SUDAN
IN THE CASE OF
THE PROSECUTOR v. ALI MUHAMMAD ALI ABD-AL-RAHMAN
(“ALI KUSHAYB”)**

Public

**With 1 Annex, Confidential *EX PARTE* only available to the Registry
and its Confidential redacted version**

Registry Report on Proof of Identity Documents Available to Victims of the Case

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 view of the confirmation of charges hearing presently scheduled to start on 22 February 2021, the Registry hereby submits, under instructions received from the Chamber (“Instructions”),¹ a report on the proof of identity documents available to victims in the *Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman* case (“Case”).

II. Classification

2. Pursuant to regulation 23bis(1) of the Regulations of the Court (“RoC”), the annex to the present report is classified confidential *ex parte*, only available to the Registry, as it contains information which may lead to the identification of victims before the ICC and their whereabouts. A confidential redacted version of the same annex has also been attached.

III. Procedural history

3. On 9 October 2020, the Victims Participation and Reparations Section of the Registry (“VPRS”) requested authorization from Pre-Trial Chamber II (“Chamber”) to use a modified standard application form to facilitate victim participation in the Case.²
4. On 2 November 2020, the Chamber issued its “Decision on the Prosecutor’s Request for Postponement of the Confirmation Hearing and related deadlines”, postponing the start of the confirmation of charges hearing to 22 February 2021.³

¹ Email Correspondence, Pre-Trial Chamber II Communications to Chief of VPRS, 16 September 2020 at 09:57 and Pre-Trial Chamber II, Single Judge, “Decision on the Registry’s Request for Authorisation to use a Modified Standard Application Form for Victim Participation”, 4 November 2020, ICC-02/05-01/20-198, para. 14.

² Registry, “Registry Request for Authorization to use a Modified Standard Application Form to Facilitate Victim Participation in the Case”, dated 8 October 2020 and notified on 9 October 2020, ICC-02/05-01/20-178 (“Registry Request to Use Modified Form”).

³ Pre-Trial Chamber II, “Decision on the Prosecutor’s Request for Postponement of the Confirmation Hearing and related deadlines”, 2 November 2020, ICC-02/05-01/20-196, p. 20.

5. On 4 November 2020, the Single Judge of the Chamber issued the “Decision on the Registry’s Request for Authorisation to use a Modified Standard Application Form for Victim Participation”.⁴
6. On 17 November 2020, the VPRS filed the “Registry Observations on Aspects Related to the Admission of Victims for Participation in Proceedings.”⁵

IV. Applicable Law

7. The Registry submits the present report pursuant to articles 68(1), (3) and 75 of the Rome Statute (“Statute”), rules 16(1), 85, 89 and 94 of the Rules of Procedure and Evidence (“Rules”), regulations 23*bis*(1), 24*bis*, 86 and 88 of the RoC, regulation 104 of the Regulations of the Registry (“RoR”), and in accordance with the Instructions.

V. Report

8. In the present report, the Registry describes the identity documents known to be available for the victims of the Case including: 1) those who continue to reside in Darfur (or other parts of Sudan); 2) those who reside in refugee camps in neighbouring Chad; and 3) those that live abroad in various diaspora communities. Also, the VPRS has attached an annex to the report including a non-exhaustive catalogue of available forms of identity documents that the Registry has so far been able to confirm may be available to most victims in the Case.
9. The Registry notes that the preparation of this report has required considerable time due to: 1) the Registry’s inability to conduct field missions to the relevant locations due to COVID-19-related travel restrictions and lack of established relevant protocols between the Court and Sudan; 2) the time required to cultivate

⁴ Pre-Trial Chamber II, Single Judge, “Decision on the Registry’s Request for Authorisation to use a Modified Standard Application Form for Victim Participation”, 4 November 2020, ICC-02/05-01/20-198. The Defence has since sought leave to appeal this decision, “Demande d’autorisation d’interjeter appel de la Décision ICC-02/05-01/20-198”, 9 November 2020, ICC-02/05-01/20-201.

⁵ Registry, “Registry Observations on Aspects Related to the Admission of Victims for Participation in Proceedings”, 17 November 2020, ICC-02/05-01/20-203.

trusted relationships on the ground with relevant actors and interlocutors; and 3) the heretofore unknown logistical and security environment present in the relevant areas in Darfur as well as in Chad. Due to the abovementioned contextual circumstances and its lack of a direct field presence, the VPRS has deliberately decided to err on the side of caution to ensure that the actors it has chosen to engage with as interlocutors and partners are properly trained and that the information which it relies on for purposes of *inter alia* the present report is accurate.

10. For ease of reference, the present report on available forms of identification documents has been divided into three sub-sections:

- A. Darfur, Sudan;
- B. Chad;
- C. Diaspora Communities (excluding Chad).

A. Darfur, Sudan

Background

11. In order to obtain official identification documentation from a Sudanese authority, potential applicants from Darfur will need to be in possession of at least a birth certificate.⁶ Within Sudan, birth registration rates of all the children born in the territory have fluctuated between 40% and 67% in the past 15 years⁷ with the instability in the country having severely affected registration in several provinces and conflict areas, including Darfur.⁸ Problems such as poverty are common in Sudan and impact more than a third of the people in its territory.⁹ As will be described *infra*, this situation has a direct impact on access

⁶ Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), Darfur, COI Compilation, 2017, page 130. Available at: <https://www.refworld.org/docid/59ce00bb4.html>.

⁷ UNICEF Data Warehouse; birth registration data, 2005-2020. Available at: <https://www.data.unicef.org/>.

⁸ See *supra*, fn. 6.

⁹ African Development Bank Group, Statistics Department (ECST), Sudan Poverty Profile, "Results of the National Baseline Household Budget Survey", 2018, page 8. Available at:

to identification documentation, especially for potential applicants for participation in Darfur.¹⁰

Legal Framework in Sudan

12. The 1994 Nationality Act stipulates that children born outside the country before the coming into force of the Act and whose fathers were born in Sudan are Sudanese. Furthermore, the law provides that all children residing in Sudan at the coming into force of the Act whose ancestors from the father's side were residing in Sudan since 1956 are Sudanese by descent. After 1994, the law also grants nationality by descent to children when the father is a Sudanese national.¹¹
13. The law was amended in 2005 to allow a child born to a Sudanese mother to request Sudanese nationality by birth, however, this is not guaranteed. Women have to request this process¹² and the application of the provisions from the 1994 Act might contradict Article 7 of the Interim Sudanese Constitution that guarantees that *"every person born to a Sudanese mother or father shall have an inalienable right to enjoy Sudanese nationality and citizenship"*.¹³
14. The Sudanese parliament amended the nationality law in 2011 and subsequently in 2018 to address the abovementioned contradictions¹⁴ and, later in 2019, the constitutional declaration states that every child born to a Sudanese

https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Brief-Sudan_Poverty_Profile_2014-2015_-_Key_Findings.pdf.

¹⁰ Plan International, Birth registration in emergencies. Pages 41-42. Available at: https://www.ohchr.org/Documents/Issues/Children/BirthRegistrationMarginalized/PlanInternational_Geneva_5.pdf.

¹¹ The Sudanese Nationality Act 1994 and Sudanese Nationality Act (Amendment) 2011 (English translation), Article 4.1. Available at: <https://www.refworld.org/docid/502cc1b92.html>. Article 4.1.

¹² UNHCR, "Background Fn. on Gender Equality, Nationality Laws and Statelessness", 2020, page 10, para 3. Available at: <https://www.refworld.org/docid/5f0d7b934.html>.

¹³ Interim National Constitution of the Republic of the Sudan, 2005. Article 7. Available at: <https://www.refworld.org/docid/4ba749762.html>.

¹⁴ World Bank Group, Achieving Universal Access to ID: Gender-based Legal Barriers Against Women and Good Practice Reforms, 2019, page 21, para 5. Available at: <https://openknowledge.worldbank.org/handle/10986/32474>.

mother or father has the inviolable right to enjoy Sudanese nationality and citizenship.¹⁵

15. Although the legislation provides that all children have the right to birth registration, the law does not appear to take into consideration the particular circumstances of the many people in conflict-affected regions, such as Darfur.¹⁶

Birth Registration

16. The government agencies responsible for registering births and issuing birth certificates or an estimation of the date of birth, are the Sudanese Civil Registry Authority under the Ministry of the Interior, the Department of Statistics on Birth and Death Registry under the Ministry of Health and the Central Bureau of Statistics.¹⁷
17. Normally the Registrar responsible for birth registrations is notified by the medical center where the birth occurred, or if the birth did not occur at a hospital, the parents should register the child within fifteen days of birth.¹⁸ This process should be provided free of charge.¹⁹ However in practice, economic charges can apply for registration of births that happen after the first year of birth.²⁰ If the registration does not take place during this time frame, there are additional requirements: (i) if the birth took place within the last year, the registration can be made after an investigation by the Registrar; and (ii)

¹⁵ United States Department of State, Country Reports on Human Rights Practices - Sudan, 2019, page 36. Available at: <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/sudan/>.

¹⁶ See *supra*, fn. 10, page 41.

¹⁷ UNICEF, CRVS (Civil Registration and Vital Statistic) profile of Sudan. Available at: <https://data.unicef.org/crvs/sudan/>

¹⁸ Sudan: The Civil Registry Act, 2011(English version), Section 20.1. Available at: <https://www.refworld.org/docid/5ecf65284.html>.

¹⁹ See *supra*, fn. 17.

²⁰ Consortium for Street Children, Legal Atlas, Legal Identity Report, 2019, para. 3. Available at: <https://www.streetchildren.org/legal-atlas/map/sudan/legal-identity/can-a-child-obtain-retroactive-or-replacement-birth-registration-documents>.

registration shall not be made if the time since birth exceeded one year, except with the approval of the Director-General of the Civil Registry Department.²¹

18. In practice, children up to fifteen years old can be registered at local Civil Registry Offices.²² Unregistered children older than fifteen years will be referred to the Medical Commission Functioning by the Civil Registry Office to undergo an age estimate and birth registration. Parents of unregistered children are required to provide proof of identity and to obtain a certificate from a court to certify that they are the child's parents.²³
19. It should be noted that less than one-third of children in Sudan have birth certificates and *in rural areas or conflict-affected communities, more than half of births are not registered*.²⁴ As open sources have shown and relevant interlocutors of the Registry have confirmed, despite the efforts done and the progress achieved, Sudan's birth registration system appears to remain incomplete and parents could be unaware of the legal processes for registering their children or discouraged by the economic costs.²⁵

Identification Cards

20. The official state-issued identification document in Sudan is the national identification card. In order to obtain a national identification card in Sudan, the person must have a registration or birth certificate in advance. Applications for the national identification card must be done in person.²⁶ The identification card is mandatory and contains the name, date of birth, address, and signature of the

²¹ See *supra*, fn. 18, Section 20.5.

²² See *supra*, fn. 19, para. 4.

²³ See *supra* fn. 10, page 44.

²⁴ UNICEF, Child Protection Programme, Sudan, para. 2.

Available at: <https://www.unicef.org/sudan/child-protection>

²⁵ See *supra*, fn.20, para 2.

²⁶ Immigration and Refugee Board of Canada, "Sudan: National identity cards, including issuance procedures; information contained in the cards, including physical description" 2013, para.7. Available at: <https://www.refworld.org/docid/52cea1d24.html>. Also see Annex (ii) for reference.

cardholder. The process to obtain an identification card is not free of charge.²⁷ Besides the identification card, some applicants in Sudan could also present a driver's license,²⁸ birth certificate, or passport.

21. When there is a lack of evidence or documents of proof of nationality, in practice applicants might be asked to provide two witnesses (male relatives or tribal leaders). When issuing national identification cards, the civil registration database is checked to ensure that the applicant is Sudanese. In case of doubt, the authorities might even ask for four witnesses if no close relatives are available.²⁹
22. Some potential victim applicants who reside in camps for internally displaced persons (IDPs) may not have a national identification card but instead a "camp" registration or a ration card for obtaining food rations provided in the camp.³⁰
23. There could also be cases of potential applicants using the previous Sudanese identification card that was issued before 2011, which was paper-based. This identification document contained the thumbprint, a photo of the cardholder, the blood group, place of issue, date of issue, and the signature of the administrative director of Passports, Immigration, and Nationality.³¹
24. The current identity card has all of the information digitized in Arabic. The card contains the identification number, name, date and place of birth, a photograph of the cardholder, the signature, and the place and date of issue.³²

²⁷ *Ibid.* para 10.

²⁸ Council of the European Union's Public Register of Authentic Travel and Identity Documents Online (PRADO). Available at: <https://www.consilium.europa.eu/prado/en/SDN-FO-01001/index.html>. Also see Annex (iv) for reference.

²⁹ United Kingdom Home Office, Report of a fact-finding mission to Khartoum, Sudan, 2018, pages 110, 116, 137, 159, 168 and 172. Available at: <https://www.gov.uk/government/publications/sudan-country-policy-and-information-notes>.

³⁰ UNHCR, Initiative on Internal Displacement 2020 – 2021, page 13. Available at <https://reporting.unhcr.org/sites/default/files/UNHCR%20Initiative%20on%20Internal%20Displacement%202020-2021.pdf>. Also see Annex (vi) for reference.

³¹ See *supra* fn 26, para 3. Also see Annex (iii) for reference.

³² *Ibid.* para. 7 See also Annex (ii) for reference.

25. Important barriers of access for identification documents to potential applicants are the difficult economic situation for many, the inaccessibility of some areas, and the lack of documentary evidence, in addition to the security issues.³³

Availability in the Darfur Region

26. According to the latest reports from the United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS) and the United Nations-African Union Hybrid Operation in Darfur (UNAMID), the situation in Darfur is challenging, with numerous reports of violent incidents and attacks.³⁴ In addition, natural disasters, such as floods, have exacerbated the humanitarian situation; there is acute poverty, lack of access to basic services such as health care, education, and employment.³⁵ The situation in Darfur is complex and therefore it can be expected that some potential applicants from Darfur will not have any official proof of identity.³⁶
27. Challenges include, by way of example, some Darfuris might face obstacles in accessing identification documentation because of their origins.³⁷ Birth in the territory of Darfur might not be enough to be recognised as a Sudanese national. In practice, the person might be requested to prove that they ethnically belonged to a Sudanese tribal group, which in some cases might not be possible because of the lack of evidence and documentary proof available to sustain their claim.³⁸
28. In some cases, a person might require a male relative from their father's side, with documents proving their identity. The UNHCR and Asylum Research Centre

³³ See *supra* fn.10, page 44, para 5.

³⁴ Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, paras 10, 12 and 20. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/S_2020_912_E.pdf.

³⁵ OCHA, Sudan Humanitarian Needs Overview, 2020. Pages 8-15 and 17-24. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/Sudan_2020_HNO.pdf.

³⁶ See *supra* fn 6, pages 129-131. However, as noted *infra*, there are other methods available to the Court to adequately establish the identities of potential applicants.

³⁷ Home Office, United Kingdom, Country Policy and Information. Sudan: Non-Arab Darfuri, 2018, pages 43-44. Available at: <https://www.refworld.org/docid/5bb5d6527.html>.

³⁸ ARC Asylum Research Consultancy, Country Report Sudan: the situation in Darfur, 2015. Page 197, para 9.2. Available at: <https://www.refworld.org/pdfid/5629ff1b4.pdf>.

report that this requirement for documentary proof stops many people from getting their identification card.³⁹

29. Although potential applicants from Darfur may have some form of identification documentation, others may experience difficulties acquiring the national identification card or might have lost it.⁴⁰ The process for obtaining this document could be particularly difficult for victims in an already vulnerable situation. This includes, for example, Darfuri women and children who fled their villages without any documents.⁴¹

VPRS recommendation concerning victims who continue to reside in Darfur

30. Based on the information available, the VPRS anticipates that some potential applicants from Darfur could encounter access barriers to official documentation for reasons that include lack of birth registration, or any other obstacles of the kind outlined above.⁴²
31. As has been done in other cases where similar situations have arisen, the VPRS recommends the authorization of alternative means of establishing an applicant's identity when they are not in possession of formal documentation as detailed above. As recognized by Pre-Trial Chamber III in the *Bemba* case and affirmed by the Chamber in the *Yekatom and Ngaissona* case, "*it is, therefore appropriate to take a flexible approach which is adapted to the realities in the individual situation country*".⁴³
32. A flexible approach will allow potential applicants to demonstrate their identity by other means of evidence that provide a comparable level of assurance through an alternative certifying authority, including for example:

³⁹ UNHCR and ARC, Country Report on Sudan, 2019, pages 55, 58, 90. Available at: https://www.ecoi.net/en/file/local/2002368/ARC_Darfur-country-report_January-2019.pdf

⁴⁰ International Refugee Rights Initiative (IRRI), The Disappearance of Sudan? Life in Khartoum for citizens without rights, 2013, para 5. Available at: <https://www.refworld.org/docid/53b3d8994.html>,

⁴¹ See *supra* fn.29, page 64, para 3.6.7.

⁴² See *supra* fn. 12, pages 08 and 24.

⁴³ *Bemba* Pre-Trial Chamber III, "Fourth Decision on Victims' Participation", 12 December 2008, ICC-01/05-01/08-320, para. 34. And ICC-01/14-01/18 Pre-Trial Chamber II Decision Establishing the Principles Applicable to Victims' Applications for Participation para 25.

- i. Authorizing substitute forms of identification, such as sworn statements or letters where applicants provide a brief explanation of why a national identity card is not available to them;
 - ii. Signed declarations from two witnesses who themselves provide national identity cards;⁴⁴ or
 - iii. Signed declaration from a community chief or elder together with the chief's or elder's national identity card.
33. If the Chamber were minded to accept the aforementioned alternative means of identification, potential applicants missing the required standard forms of identification would not be hindered in accessing the ICC's victim participation regime.

B. Chad

34. The government of Chad, collaborating with United Nations agencies, such as the UNHCR, has actively taken measures to aid and protect refugees, IDPs and persons at risk of statelessness in Chad.⁴⁵ The Chadian National Commission for the Reception and Reintegration of Refugees and Returnees (CNARR) and the Direction for Political Affairs and Civil Status (DAPEC) of Chad are the institutions in charge of assisting this specific population.⁴⁶
35. As of 31 December 2019, Chad was host to nearly 442.700 refugees of whom 332.000 are Sudanese refugees mostly from Darfur. Refugees of Sudanese nationality living in Chad have settled and live mainly between 12 different camps and host villages near Ennedi-Est, Wadi Fira, Ouaddai and Sila, close to

⁴⁴ Registry "Registry's Report on Proof of Identity Documents Available in Mali and Transmission of Proposed Application Forms for Rule 85(b) RPE Victims and Groups of Victims", 18 May 2018, ICC-01/12-01/18-33-AnxI, para. 23.

⁴⁵ UNHCR, N'Djamena Initiative on the Eradication of Statelessness in Central Africa, 2018. Available at: <https://www.refworld.org/docid/5c2f3f8b4.html>.

⁴⁶ UNHCR Chad Factsheet, 2018, page 2. Available at: <https://reliefweb.int/report/chad/unhcr-chad-factsheet-july-2018>.

Chad's border with Sudan.⁴⁷ In 2019, of the total Sudanese refugees the UNHCR had registered in Chad, 93% live in camps, 6% in host villages, while the remaining were urban refugees, living mostly in N'Djamena. However, this might vary since the CNARR is implementing a process of villagisation to move refugee groups in the camps to host communities to live alongside the local population.⁴⁸

36. The Government of Chad and organizations in the field have been implementing an ongoing refugee registration process in all camps in Chad. Examples of this are the biometric registration in some camps, which began in July 2020 by the UNHCR and the Chadian government⁴⁹ and in addition to this process, there has also been political commitment regarding the issuance of personal documentation.⁵⁰

VPRS recommendation with respect to victims who continue to reside in Chad

37. Relevant sources as above indicate that most of the potential victim applicants present in Chad will have at least one identification document⁵¹ (camp registration card, refugee attestation -a family-level document-, ration card, or identification document from the government of Chad).⁵²

⁴⁷ UNHCR, Global Focus Operational Data Portal, 2019 Year-End report, 2020, page 4. Available at : <https://reporting.unhcr.org/sites/default/files/pdfsummaries/GR2019-Chad-eng.pdf>.

⁴⁸ UNHCR, Global Compact on Refugees report of Chad, 2019. Available at : <https://globalcompactrefugees.org/article/chad>.

⁴⁹ UNHCR, Emergency Update Chad, 2020, page 2. Available at: <https://data2.unhcr.org/en/documents/details/78962>.

⁵⁰ In 2019 the President of the Republic of Chad signed a statement to issue free birth certificates for at least 120.000 refugee children; since then to date, about 70% all the births of children that occurred in refugee camps in Chad, were issued with birth certificates, UNHCR, Chad Dashboard, Prévention de l'apatridie, page 1. Available at: <https://data2.unhcr.org/en/documents/details/82612>.

⁵¹ UNHCR, Chad helps returnees at risk of statelessness to get papers, 2017. Available at: <https://www.unhcr.org/news/latest/2017/1/5880d4c04/chad-helps-returnees-risk-statelessness-papers.html>. Also see Annex (vi) for reference.

⁵² UNHCR, Displaced and Disconnected Country Reports, 2019, pages 26-27. Available at: <https://reliefweb.int/report/world/country-reports-displaced-and-disconnected>.

38. The VPRS respectfully requests the Chamber to authorize the use of each of these forms of identification for the potential applicants currently residing in Chad.

C. Diaspora Communities (excluding Chad)

39. The situation in Darfur has forced thousands of people to flee the country since 2003.⁵³ There are established and organized communities of victims in several countries,⁵⁴ including *inter alia*, Saudi Arabia, United Arab Emirates, Egypt, Qatar, Libya, Canada, Australia, Sweden, United States, United Kingdom, Norway, The Netherlands and Israel.⁵⁵
40. Most of the victims in the diaspora communities will have identification documents from the host country, including refugee identification documents, passports, driver's licenses, etc.⁵⁶

Final Recommendations

41. Mindful of the challenging health and security context on the ground, the Registry will continue to inquire on existing documents or alternative mechanisms that can be used to establish the identity of applicants and will report to the Chamber should additional forms of identification become known.
42. In light of the information presented above regarding the challenges currently faced by potential applicants of this Case to prove their identity, the Registry respectfully recommends that the Chamber endorse a flexible approach as already adopted by the Pre-Trial and Trial Chambers in other cases with respect

⁵³ SANA and HSBA, *Diaspora in Despair: Darfurian Mobility at a Time of International Disengagement*, 2020, pages 14-15. Available at : <http://www.smallarmssurveysudan.org/fileadmin/docs/reports/HSBA-Report-Darfur-mobility.pdf>.

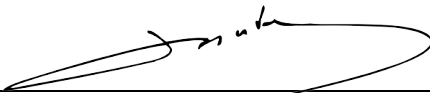
⁵⁴ *Ibid.* pages 54-68.

⁵⁵ UNDP, *The potential of Sudanese diaspora remittances*, 2020, page 17. Available at : https://www.arabstates.undp.org/content/rbas/en/home/library/Sustainable_development/the-potential-of-sudanese-diaspora-remittances.html.

⁵⁶ International Organization for Migration (IOM), *Country Profile Sudan*, 2011, pages 62-70. Available at : .

to the documentary requirements for participation.⁵⁷ In this regard, the Chamber may be minded to:

- (i) Accept the types of identity documents indicated in the abovementioned report and listed in the annex;
- (ii) accept alternative forms of identification as referred to above in paragraphs 31 and 32 in the event that a potential applicant does not have access to one of the forms of identification under (i);
- (iii) consider for acceptance any other documents appended by future applicants which have similar features as those referred to under (i) and (ii), following assessments and recommendations provided by the Registry to the Chamber to that effect, as appropriate.



 Marc Dubuisson, Director, Division of Judicial Services
 on behalf of Peter Lewis, Registrar

Dated this 24 November 2020
 At The Hague, The Netherlands

⁵⁷ *Yekatom and Ngaissona* Pre-Trial Chamber II, “Decision Establishing the Principles Applicable to Victims’ Applications for Participation”, 5 March 2019, ICC-01/14-01/18-141, para. 25; *Al Hassan* Pre-Trial Chamber I, “Decision Establishing the Principles Applicable to Victims’ Applications for Participation”, 24 May 2018, ICC-01/12-01/18-37-tENG, para. 31.