



Original: English

**No. ICC-01/12-01/18
Date: 20 September 2021**

TRIAL CHAMBER X

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

SITUATION IN THE REPUBLIC OF MALI

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

Public

Ninth decision on the admission of victims to participate in trial proceedings

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

The Office of the Prosecutor

Karim A. A. Khan
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Counsel for the Defence

Melinda Taylor

Legal Representatives of Victims

Seydou Doumbia
Mayombo Kassongo
Fidel Luvengika Nsita

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

The Office of Public Counsel for Victims

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Philipp Ambach

Other

TRIAL CHAMBER X of the International Criminal Court, in the case of *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, having regard to Article 68 of the Rome Statute, Rules 85, 86 and 89 to 92 of the Rules of Procedure and Evidence (the ‘Rules’), and Regulation 86 of the Regulations of the Court, issues the following ‘Ninth decision on the admission of victims to participate in trial proceedings’.

I. Procedural history

1. On 12 March 2020, the Chamber issued its ‘Decision on the procedure for the admission of victims to participate in proceedings for the purposes of trial’ (the ‘First Decision on Victims’ Participation’), notably instructing the Registry to transmit Group A applications (applicants who clearly qualify as victims) and Group B applications (applicants who clearly do not qualify as victims) to the Chamber no later than 15 days before the commencement of trial.¹
2. On 12 June 2020, on the basis of the ongoing COVID-19 pandemic, the Chamber issued a decision extending the deadline for the final transmission of victim applications until the end of the Prosecution case, except for applications already received, for which the initial deadline remained.² The Chamber instructed the Registry to file the newly collected applications on a rolling basis in periodic intervals.³
3. On 12 March 2021, the Chamber issued a further decision on victim participation in which it notably specified ‘that individuals whose applications were received and assessed by the Registry as incomplete before the initial cut-off deadline, as well as applicants who had their initial application rejected, may come forward with complementary information by the extended deadline which was set to the end of the Prosecution case’.⁴

¹ First Decision on Victims’ Participation, ICC-01/12-01/18-661, para. 29.

² Decision on request for extension of deadlines for the final transmission of victim applications for participation at trial, ICC-01/12-01/18-880 (hereinafter: ‘Decision Extending the Deadline’), paras 9-14.

³ Decision Extending the Deadline, ICC-01/12-01/18-880, para. 13.

⁴ Sixth decision on the admission of victims to participate in trial proceedings, ICC-01/12-01/18-1364, para. 17.

4. On 27 August 2021, the Registry filed its tenth assessment report on victim applications for participation (the ‘Tenth Report’),⁵ together with a transmission of 70 Group A applications to the Chamber.⁶

II. Analysis

5. The Chamber incorporates by reference the legal framework applicable to the participation of victims.⁷
6. The Chamber notes that the Tenth Report refers to 70 applications⁸ which, based on the Registry’s assessment, fall within Group A as they meet the required conditions for the granting of victim status under Rule 85 of the Rules.⁹
7. The Chamber has not identified any clear and material error in the Registry assessment and, in line with the system for admission of victims for participation in trial proceedings, authorises the participation as victims of these 70 applicants.
8. Moreover, the Chamber notes that the Registry reports that these 70 applicants are already represented or have expressed their willingness to be represented by the single team of LRVs currently representing victims participating at trial.¹⁰ Accordingly, and in line with its prior rulings on this matter,¹¹ the LRVs shall represent the 70 victims hereby admitted.

⁵ Registry’s Tenth Assessment Report on Victim Applications for Participation in Trial Proceedings, ICC-01/12-01/18-1666 (with one confidential annex).

⁶ Registry’s Tenth Transmission of Group A Victim Applications for Participation in Trial Proceedings, ICC-01/12-01/18-1665 (with 70 confidential *ex parte* annexes available only to the Registry and the LRVs).

⁷ First Decision on Victims’ Participation, ICC-01/12-01/18-661, para. 8.

⁸ These are a/50820/20, a/10652/21, a/10655/21, a/10711/21, a/10712/21, a/10713/21, a/10714/21, a/10715/21, a/10716/21, a/10718/21, a/10719/21, a/10720/21, a/10721/21, a/10722/21, a/10723/21, a/10724/21, a/10725/21, a/10726/21, a/10727/21, a/10728/21, a/10729/21, a/10730/21, a/10731/21, a/10732/21, a/10733/21, a/10734/21, a/10735/21, a/10736/21, a/10737/21, a/10738/21, a/10739/21, a/10740/21, a/10741/21, a/10742/21, a/10743/21, a/10744/21, a/10745/21, a/10746/21, a/10747/21, a/10748/21, a/10749/21, a/10750/21, a/10751/21, a/10752/21, a/10753/21, a/10754/21, a/10755/21, a/10756/21, a/10757/21, a/10758/21, a/10759/21, a/10760/21, a/10771/21, a/10772/21, a/10773/21, a/10774/21, a/10775/21, a/10776/21, a/10777/21, a/10778/21, a/10779/21, a/10780/21, a/10811/21, a/10812/21, a/10813/21, a/10815/21, a/10816/21, a/10817/21, a/10818/21, a/10962/21.

⁹ Tenth Report, ICC-01/12-01/18-1666, paras 20-21.

¹⁰ Tenth Report, ICC-01/12-01/18-1666, para. 22 (n. 36).

¹¹ See Seventh decision on the admission of victims to participate in trial proceedings, ICC-01/12-01/18-1493, para. 8.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

DECIDES to admit the 70 aforementioned applicants as participating victims for the purpose of the trial proceedings; and

DECIDES that the LRVs shall represent the 70 victims hereby admitted.

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



Judge Antoine Kesia-Mbe Mindua
Presiding Judge



Judge Tomoko Akane



Judge Kimberly Prost

Dated this Monday, 20 September 2021

At The Hague, The Netherlands