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**No. ICC-01/12-01/18
Date: 17 January 2022**

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

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

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

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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 ‘Twelfth 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) 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 14 December 2021, the Registry filed its thirteenth assessment report on victim applications for participation (the ‘Thirteenth 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 Thirteenth Report refers to 70 applications 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.⁸ The relevant transmission includes a consolidated application including a form newly filled by a/50783/20,⁹ an individual who has already been authorised to participate in the present proceedings.¹⁰
7. The Chamber has not identified any clear and material error in the Registry assessment. Accordingly, in line with the system for admission of victims for participation in trial proceedings, the Chamber authorises the participation as victims of the remaining 69 applicants.¹¹

⁵ Thirteenth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings, ICC-01/12-01/18-2069 (with one confidential annex).

⁶ Twelfth Transmission of Group A Victim Applications for Participation in Trial Proceedings, ICC-01/12-01/18-2070 (the ‘Twelfth Transmission’) (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 Thirteenth Report, ICC-01/12-01/18-2069, paras 20-21.

⁹ Annex I to the Twelfth Transmission, ICC-01/12-01/18-2070-Conf-Exp-Anx1.

¹⁰ Fifth decision on the admission of victims to participate in trial proceedings, 29 January 2021, ICC-01/12-01/18-1271, referring notably to Annex 48 to the Registry Fourth Transmission of Group A Victim Applications for Participation in Trial Proceedings, 18 December 2020, ICC-01/12-01/18-1216-Conf-Exp-Anx48.

¹¹ These are a/10980/21, a/11022/21, a/11036/21, a/11074/21, a/11075/21, a/11077/21, a/11079/21, a/11080/21, a/11081/21, a/11082/21, a/11084/21, a/11085/21, a/11087/21, a/11089/21, a/11090/21, a/11091/21, a/11092/21, a/11093/21, a/11095/21, a/11096/21, a/11097/21, a/11098/21, a/11099/21, a/11100/21, a/11102/21, a/11103/21, a/11104/21, a/11105/21, a/11106/21, a/11107/21, a/11108/21, a/11109/21, a/11110/21, a/11112/21, a/11113/21, a/11114/21, a/11116/21, a/11118/21, a/11124/21, a/11126/21, a/11127/21, a/11129/21, a/11132/21, a/11133/21, a/11134/21, a/11135/21, a/11137/21, a/11138/21, a/11139/21, a/11140/21, a/11141/21, a/11144/21, a/11146/21, a/11149/21, a/11151/21, a/11152/21, a/11153/21, a/11155/21, a/11156/21, a/11157/21, a/11158/21, a/11159/21, a/11160/21, a/11162/21, a/11163/21, a/11164/21, a/11165/21, a/11166/21, a/11294/21. The Chamber does not consider that a further ruling is required with respect to a/50783/20.

8. Noting that these 69 applicants are already represented by counsels currently representing victims participating at the present trial proceedings,¹² the Chamber considers it appropriate for the single team of LRVs to continue to represent the 69 victims hereby admitted.

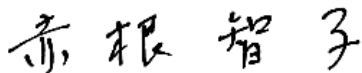
FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

DECIDES to admit the 69 aforementioned applicants as participating victims for the purpose of the trial proceedings who shall be represented by the LRVs.

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, 17 January 2022

At The Hague, The Netherlands

¹² Thirteenth Report, ICC-01/12-01/18-2069, para 22.