

ANNEX A

**Assessment of first set of individual applications for resumption of
actions**

1. Application on behalf of a/1841/10

1. The Chamber received an application submitted by the Successor of a/1841/10, who wishes to resume the actions initiated before the Court by a/1841/10.¹ The Chamber recalls that a/1841/10's application was transmitted to the Chamber on 15 October 2010,² and that he was authorised to participate in the trial proceedings on 23 December 2010.³
2. The Chamber notes that a/1841/10 is reported to have died on 18 November 2013, which is confirmed by the death certificate appended to the application.⁴ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,⁵ as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,⁶ designates the Successor to resume the actions initiated by a/1841/10.⁷
3. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/1841/10; (ii) the family relationship between a/1841/10 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/1841/10. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/1841/10.

2. Application on behalf of a/1443/10

4. The Chamber received an application submitted by the Successor of a/1443/10, who wishes to resume the actions initiated before the Court by a/1443/10.⁸ The Chamber recalls that a/1443/10's application was transmitted to the Chamber on

¹ ICC-01/05-01/08-3256-Conf-Exp-Anx1.

² ICC-01/05-01/08-954-Conf-Exp-Anx279.

³ Decision on 653 Applications by victims to participate in the proceedings, 23 December 2010, ICC-01/05-01/08-1091, para. 37(a).

⁴ ICC-01/05-01/08-3256-Conf-Exp-Anx1, page 3.

⁵ ICC-01/05-01/08-3256-Conf-Exp-Anx1, page 4.

⁶ ICC-01/05-01/08-3256-Conf-Exp-Anx1, page 2.

⁷ ICC-01/05-01/08-3256-Conf-Exp-Anx1, page 4.

⁸ ICC-01/05-01/08-3256-Conf-Exp-Anx2.

15 October 2010,⁹ and that she was authorised to participate in the trial proceedings on 23 December 2010.¹⁰

5. The Chamber notes that a/1443/10 is reported to have died on 6 February 2014, which is confirmed by the death certificate appended to the application.¹¹ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,¹² as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,¹³ designates the Successor to resume the actions initiated by a/1443/10.¹⁴
6. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/1443/10; (ii) the family relationship between a/1443/10 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/1443/10. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/1443/10.

3. Application on behalf of a/16402/11

7. The Chamber received an application submitted by the Successor of a/16402/11, who wishes to resume the actions initiated before the Court by a/16402/11.¹⁵ The Chamber recalls that a/16402/11's application was transmitted to the Chamber on 17 February 2012,¹⁶ and that he was authorised to participate in the trial proceedings on 5 November 2012.¹⁷

⁹ ICC-01/05-01/08-954-Conf-Exp-Anx157.

¹⁰ ICC-01/05-01/08-1091, para. 37(a).

¹¹ ICC-01/05-01/08-3256-Conf-Exp-Anx2, page 3.

¹² ICC-01/05-01/08-3256-Conf-Exp-Anx2, pages 4 to 5.

¹³ ICC-01/05-01/08-3256-Conf-Exp-Anx2, page 2.

¹⁴ ICC-01/05-01/08-3256-Conf-Exp-Anx2, pages 4 to 5.

¹⁵ ICC-01/05-01/08-3256-Conf-Exp-Anx3.

¹⁶ ICC-01/05-01/08-2130-Conf-Exp-Anx211.

¹⁷ Decision on 799 applications by victims to participate in the proceedings, 5 November 2012, ICC-01/05-01/08-2401, para. 27(a).

8. The Chamber notes that a/16402/11 is reported to have died on 23 December 2013, which is confirmed by the death certificate appended to the application.¹⁸ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,¹⁹ as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,²⁰ designates the Successor to resume the actions initiated by a/16402/11.²¹
9. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/16402/11; (ii) the family relationship between a/16402/11 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/16402/11. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/16402/11.

4. Application on behalf of a/1610/11

10. The Chamber received an application submitted by the Successor of a/1610/11, who wishes to resume the actions initiated before the Court by a/1610/11.²² The Chamber recalls that a/1610/11's application was transmitted to the Chamber on 18 November 2011,²³ and that she was authorised to participate in the trial proceedings on 21 May 2012.²⁴
11. The Chamber notes that a/1610/11 is reported to have died on 4 November 2013, which is confirmed by the death certificate appended to the application.²⁵ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,²⁶ as approved

¹⁸ ICC-01/05-01/08-3256-Conf-Exp-Anx3, page 3.

¹⁹ ICC-01/05-01/08-3256-Conf-Exp-Anx3, page 4.

²⁰ ICC-01/05-01/08-3256-Conf-Exp-Anx3, page 2.

²¹ ICC-01/05-01/08-3256-Conf-Exp-Anx3, page 4.

²² ICC-01/05-01/08-3256-Conf-Exp-Anx4.

²³ ICC-01/05-01/08-1922-Conf-Exp-Anx122.

²⁴ Decision on 1400 applications by victims to participate in the proceedings, 21 May 2012, ICC-01/05-01/08-2219, para. 20(a).

²⁵ ICC-01/05-01/08-3256-Conf-Exp-Anx4, page 3.

²⁶ ICC-01/05-01/08-3256-Conf-Exp-Anx4, pages 4 to 5.

by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,²⁷ designates the Successor to resume the actions initiated by a/1610/11.²⁸

12. With regard to the Defence submission that the *jugement d'homologation* "is defective, as it gives two different dates for the death certificate",²⁹ the Chamber finds that the submission is inaccurate since the document refers to (i) a date of death, mentioned twice; and (ii) the date of establishment of the death certificate, which was created about 16 months after the victim's death.

13. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/1610/11; (ii) the family relationship between a/1610/11 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/1610/11. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/1610/11.

5. Application on behalf of a/2695/10

14. The Chamber received an application submitted by the Successor of a/2695/10, who wishes to resume the action initiated before the Court by a/2695/10.³⁰ The Chamber recalls that a/2695/10's application was transmitted to the Chamber on 21 April 2011,³¹ and that she was authorised to participate in the trial proceedings on 21 July 2011.³²

15. The Chamber notes that a/2695/10 is reported to have died on 12 March 2014, and takes note of the appended death certificate which confirms that date.³³ The

²⁷ ICC-01/05-01/08-3256-Conf-Exp-Anx4, page 2.

²⁸ ICC-01/05-01/08-3256-Conf-Exp-Anx4, pages 4 to 5.

²⁹ ICC-01/05-01/08-3293-Conf, para. 37.

³⁰ ICC-01/05-01/08-3256-Conf-Exp-Anx5.

³¹ ICC-01/05-01/08-1381-Conf-Exp-Anx273.

³² Corrigendum to the Decision on 401 applications by victims to participate in the proceedings and setting a final deadline for the submission of new victims' applications to the Registry, 21 July 2011, ICC-01/05-01/08-1590-Corr, para. 38(a).

³³ ICC-01/05-01/08-3256-Conf-Exp-Anx5, page 3.

Chamber further notes that the *procès-verbal* of the *Conseil de famille*,³⁴ as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,³⁵ designates the Successor to resume the actions initiated by a/2695/10.³⁶

16. The Defence observes that the *jugement d'homologation* states that the death certificate is dated March 2015, whereas the certificate itself does not list the year of issuance.³⁷ The Chamber notes that while the year of the issuance of the death certificate is not specified, it refers to a *jugement de décès* of 2015, indicating that the year of issuance of the death certificate must be 2015.

17. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/2695/10; (ii) the family relationship between a/2695/10 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/2695/10. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/2695/10.

6. Application on behalf of a/2291/10

18. The Chamber received an application submitted by the Successor of a/2291/10, who wishes to resume the action initiated before the Court by a/2291/10.³⁸ The Chamber recalls that a/2291/10's application was transmitted to the Chamber on 24 September 2010,³⁹ and that he was authorised to participate in the trial proceedings on 18 November 2010.⁴⁰

³⁴ ICC-01/05-01/08-3256-Conf-Exp-Anx5, pages 4 to 5.

³⁵ ICC-01/05-01/08-3256-Conf-Exp-Anx5, page 2.

³⁶ ICC-01/05-01/08-3256-Conf-Exp-Anx5, pages 4 to 5.

³⁷ ICC-01/05-01/08-3293-Conf, para. 43.

³⁸ ICC-01/05-01/08-3256-Conf-Exp-Anx6.

³⁹ ICC-01/05-01/08-900-Conf-Exp-Anx202.

⁴⁰ Decision on 772 applications by victims to participate in the proceedings, 18 November 2010, ICC-01/05-01/08-1017, para. 63(a).

19. The Chamber notes that a/2291/10 is reported to have died on 16 March 2012, which is confirmed by the death certificate appended to the application.⁴¹ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,⁴² as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,⁴³ designates the Successor to resume the actions initiated by a/2291/10.⁴⁴
20. The Defence challenges the application on the basis that (i) the *jugement d'homologation* is defective as it gives two different dates for the appointment of the *Conseil de famille*; and (ii) the birthdate provided in the Application Form is inconsistent with the birth date appearing on the identity document appended to the Application Form.⁴⁵ Regarding the date of signature of the *procès-verbal* of the *Conseil de famille*, the Chamber notes that the first paragraph in the *jugement d'homologation* contains two references to a date which corresponds to the date provided in the *procès-verbal* itself, while the last paragraph refers to a different date. Given that the date provided twice in the *jugement d'homologation* corresponds to the date mentioned in the *procès-verbal*, the Chamber considers that the reference to a different date in the last paragraph the *jugement d'homologation* may be the result of an inadvertent error and does not affect the validity of the document as such. Regarding the discrepancies as to the date of birth of a/2291/10 in the Application Form, the Chamber recalls that in its decision authorising a/2291/10 to participate in the proceedings, while “not[ing] a discrepancy of five years between the date of birth as appearing in the application form and the date of birth provided on the professional card attached thereto”, it found that “given that the remainder of the information provided in the professional card is consistent with the data entered in the application form”, this inconsistency “might be the result of inadvertent error in filling in the form” and

⁴¹ ICC-01/05-01/08-3256-Conf-Exp-Anx6, page 3.

⁴² ICC-01/05-01/08-3256-Conf-Exp-Anx6, pages 4 to 5.

⁴³ ICC-01/05-01/08-3256-Conf-Exp-Anx6, page 2.

⁴⁴ ICC-01/05-01/08-3256-Conf-Exp-Anx6, pages 4 to 5.

⁴⁵ ICC-01/05-01/08-3293-Conf, para. 48.

was therefore "satisfied that the documents provided sufficiently demonstrate the identity of the applicant."⁴⁶ The Chamber sees no reason to revisit this conclusion.

21. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/2291/10; (ii) the family relationship between a/2291/10 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/2291/10. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/2291/10.

7. Application on behalf of a/1829/10

22. The Chamber received an application submitted by the Successor of a/1829/10, who wishes to resume the actions initiated before the Court by a/1829/10.⁴⁷ The Chamber recalls that a/1829/10's application was transmitted to the Chamber on 29 October 2010,⁴⁸ and that he was authorised to participate in the trial proceedings on 23 December 2010.⁴⁹

23. The Chamber notes that a/1829/10 is reported to have died on 8 January 2014, which is confirmed by the death certificate appended to the application.⁵⁰ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,⁵¹ as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,⁵² designates the Successor to resume the actions initiated by a/1829/10.⁵³

24. The Defence submits that the *jugement d'homologation* is defective as it gives two different dates for the appointment of the *Conseil de famille*.⁵⁴ However, the

⁴⁶ ICC-01/05-01/08-1017-AnxA-Red2, page 228.

⁴⁷ ICC-01/05-01/08-3256-Conf-Exp-Anx7.

⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx7.

⁴⁹ ICC-01/05-01/08-1091, para. 37(a).

⁵⁰ ICC-01/05-01/08-3256-Conf-Exp-Anx7, pages 3 and 6.

⁵¹ ICC-01/05-01/08-3256-Conf-Exp-Anx7, pages 4 to 5 and 8 to 9.

⁵² ICC-01/05-01/08-3256-Conf-Exp-Anx7, pages 2 and 6.

⁵³ ICC-01/05-01/08-3256-Conf-Exp-Anx7, pages 4 to 5 and 8 to 9.

⁵⁴ ICC-01/05-01/08-3293-Conf, para. 53.

Chamber notes that both the *jugement d'homologation* and the *procès-verbal* consistently refer to the same date for the appointment of the *Conseil de famille*.

25. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/1829/10; (ii) the family relationship between a/1829/10 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/1829/10. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/1829/10.

8. Application on behalf of a/1710/10

26. The Chamber received an application submitted by the Successor of a/1710/10, who wishes to resume the actions initiated before the Court by a/1710/10.⁵⁵ The Chamber recalls that a/1710/10's application was transmitted to the Chamber on 15 October 2010,⁵⁶ and that he was authorised to participate in the trial proceedings on 23 December 2010.⁵⁷

27. The Chamber notes that a/1710/10 is reported to have died on 18 December 2013, which is confirmed by the death certificate appended to the application.⁵⁸ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,⁵⁹ as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,⁶⁰ designates the Successor to resume the actions initiated by a/1710/10.⁶¹

28. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/1710/10; (ii) the family relationship between a/1710/10 and the Successor; and (iii) the Successor's mandate to resume the

⁵⁵ ICC-01/05-01/08-3256-Conf-Exp-Anx8.

⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx237.

⁵⁷ ICC-01/05-01/08-1091, para. 37(a).

⁵⁸ ICC-01/05-01/08-3256-Conf-Exp-Anx8, page 3.

⁵⁹ ICC-01/05-01/08-3256-Conf-Exp-Anx8, page 4.

⁶⁰ ICC-01/05-01/08-3256-Conf-Exp-Anx8, page 2.

⁶¹ ICC-01/05-01/08-3256-Conf-Exp-Anx8, page 4.

actions initiated by a/1710/10. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/1710/10.

9. Application on behalf of a/0497/11

29. The Chamber received an application submitted by the Successor of a/0497/11, who wishes to resume the actions initiated before the Court by a/0497/11.⁶² The Chamber recalls that a/0497/11's application was transmitted to the Chamber on 9 September 2011,⁶³ and that she was authorised to participate in the trial proceedings on 15 December 2011.⁶⁴

30. The Chamber notes that a/0497/11 is reported to have died on 1 January 2012, which is confirmed by the death certificate appended to the application.⁶⁵ The Chamber further notes that the *procès-verbal* of the *Conseil de famille*,⁶⁶ as approved by the *jugement d'homologation* of the *Tribunal de Grande Instance de Bimbo*,⁶⁷ designates the Successor to resume the actions initiated by a/0497/11.⁶⁸

31. The Chamber therefore finds that the Supporting Documents provide sufficient evidence of (i) the death of a/0497/11; (ii) the family relationship between a/0497/11 and the Successor; and (iii) the Successor's mandate to resume the actions initiated by a/0497/11. Accordingly, the Chamber authorises the Successor to resume the actions initiated before the Court by a/0497/11.

⁶² ICC-01/05-01/08-3256-Conf-Exp-Anx9.

⁶³ ICC-01/05-01/08-1723-Conf-Exp-Anx48.

⁶⁴ Decision on 418 applications by victims to participate in the proceedings, 15 December 2011, ICC-01/05-01/08-2011, para. 22(a).

⁶⁵ ICC-01/05-01/08-3256-Conf-Exp-Anx9, page 3.

⁶⁶ ICC-01/05-01/08-3256-Conf-Exp-Anx9, pages 4 to 5.

⁶⁷ ICC-01/05-01/08-3256-Conf-Exp-Anx9, page 2.

⁶⁸ ICC-01/05-01/08-3256-Conf-Exp-Anx9, pages 4 to 5.