

ANNEX 17

PUBLIC

From: Trial Chamber V Communications
Sent: 15 July 2021 08:43
To: [REDACTED]
Cc: V44 LRV Team OPCV; V44 LRV Team; Suprun, Dmytro; [REDACTED]
 [REDACTED] Dimitri, Mylene; [REDACTED]; Knoops, Geert-Jan;
 [REDACTED] Vanderpuye, Kweku; Office of the Director DJSS;
 [REDACTED] Chamber Decisions Communication; Associate Legal Officer-
 Court Officer; Trial Chamber V Communications
Subject: RE: VPRS request for TC V's approval of new type of identity document for victim application process

Dear colleagues from the VPRS,

The Chamber notes that the VPRS seeks the Chamber's approval 'to consider the "*reçu de paiement*" as an alternative document that can be used to establish the identity of an applicant in the Case' (the 'Request').

The Chamber recalls Pre-Trial Chamber II's 'Decision Establishing the Principles Applicable to Victims' Applications for Participation' (see ICC-01/14-01/18-141, para. 25). The Chamber also recalls confirming that the victim application procedure established in this decision remains in place at the trial stage of the proceedings, unless otherwise indicated (see ICC-01/14-01/18-459, para. 8).

With regard to the '*reçu de paiement*', the Chamber notes the VPRS's submission that 'some victims who requested a new national identity card in the recent years were no longer provided with the document entitled "*récépissé de dépôt de demande de carte nationale d'identité*" issued previously and accepted in the 5 March Decision [ICC-01/14-01/18-141] as a valid ID document'. The Chamber further notes that, according to the VPRS, applicants use the '*reçu de paiement*' 'to facilitate travel and for police checks pending the issuance of their new identity cards'. In addition, the Chamber notes that the '*reçu de paiement*' has similar features to the documents included by the Registry in the 'non-exhaustive list of documents establishing identification of individuals in the CAR' (see ICC-01/14-01/18-133-AnxI, para. 6). The Chamber is therefore satisfied that, at this stage, the '*reçu de paiement*' sufficiently establishes the applicants' identity and can be accepted by the Registry as proof of identity.

Accordingly, the Chamber grants the Request.

Kind regards, TC V

From: Ambach, Philipp [REDACTED]
Sent: 07 July 2021 16:06
To: Trial Chamber V Communications [REDACTED]
Cc: V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED] Suprun, Dmytro [REDACTED]; [REDACTED]
 [REDACTED] Dimitri, Mylene
 [REDACTED] Knoops, Geert-Jan [REDACTED]
 [REDACTED] Vanderpuye, Kweku [REDACTED]
 [REDACTED] Office of the Director DJSS [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
Subject: VPRS request for TC V's approval of new type of identity document for victim application process

Dear Trial Chamber V,

Dear Colleagues,

I hope this email finds you well.

VPRS kindly seeks the Chamber's guidance in relation to the processing of applications, and more specifically the approval of a new type of identification provided by new applicants, as further explained below.

In the "Decision Establishing the Principles Applicable to Victims' Applications for Participation" issued on 5 March 2019 (ICC-01/14-01/18-141, "5 March Decision"), Pre-Trial Chamber II accepted as proof of identity the documents listed in the Registry's report on identity documents available in the Central African Republic ("Registry Report") notified on 28 February 2019 (ICC-01/14-01/18-133-AnxI). The Chamber further indicated that if applicants present documents not listed in the Registry's Report ("Other documents"), it will "decide whether to accept such documents upon receipt of the Registry's assessments and recommendations" (para. 25).

During its ongoing processing of applications, VPRS has identified a new type of such Other documents used by applicants to establish their identity in lieu of any other type of identification, namely a "*reçu de paiement*", stamped by an official authority. Samples of this document can be found below in this correspondence.

As previously reported by the Registry, the issuance of national identity cards in Central African Republic is problematic and difficult to get to (*see* ICC-01/14-01/21-25, footnote 26). Moreover, the Registry found that some victims who requested a new national identity card in the recent years were no longer provided with the document entitled "*récépissé de dépôt de demande de carte nationale d'identité*" issued previously and accepted in the 5 March Decision as a valid ID document. In the absence of such documents, applicants have used the "*reçu de paiement*" - an official receipt issued by the company responsible for producing relevant ID cards (Al Madina) - along with a photograph and an authentication by the Police (stamp). In light of substantial delays in issuing the proper ID cards, the "*recu de paiement*" document is thus used by applicants to facilitate travel and for police checks pending the issuance of their new identity cards.

1. The level of information which appears on these receipts varies slightly. Yet, certain key information is common to these documents. In the samples provided, the two major types of "*reçu de paiement*" which the Registry has received so far include the following information:

- First and last names of the person requesting a national identity card
- Unique number of receipt
- Date and time of issuance of the receipt
- Unique reference number
- Unique Bar Code

- Amount paid and type of payment
- Photography of the beneficiary
- Stamp of (judicial) police
- Title and signature of police representative.

Due to the similarity of such "*recus de paiement*" to the identity documents previously accepted by the Chamber, as well as the prevailing challenges on the ground currently faced by applicants to prove their identity, **VPRS respectfully seeks the Chamber's approval to consider the "*reçu de paiement*" as an alternative document that can be used to establish the identity of an applicant in the Case.**

If the Chamber considers that this matter should be resolved by way of a formal exchange on the case record, VPRS stands ready to raise this question through a formal submission.

We remain at the Chamber's disposition for any clarification/further information that you may consider necessary.

Kind regards,

Philipp Ambach

(VPRS)

Example (a/20201/21) with date of birth included (an unredacted version is submitted to the Chamber ex parte under separate cover)

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