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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
With one Confidential Annex
**With one Confidential *EX PARTE* annex, only available to the Registry and the
Common Legal Representatives of Victims**

**Registry's Third Assessment Report on Victim Applications for Participation in
Trial Proceedings**

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. For the purpose of organizing victim participation at the trial stage in the case of the *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud* (“Case”), Trial Chamber X (“Chamber”) decided in its Decision on the procedure for the admission of victims to participate in trial proceedings (“12 March 2020 Decision”)¹ to continue the “ABC approach” for victim admission applied at the pre-trial stage in the Case with minor modifications. Following this procedure, the Registry classifies victim applicants into three categories: (a) applicants who clearly qualify as victims (“Group A”); (b) applicants who clearly do not qualify as victims (“Group B”); and (c) applicants for whom the Registry could not make a clear determination for any reason (“Group C”).² The Chamber ordered the Registry to submit Group C application forms no later than 45 days before the start of trial, and Group A forms no later than 15 days before the start of trial,³ together with reports thereon.⁴
2. Additionally, the Chamber ordered the Registry to report on whether the participating victims (“Participating Victims”) remain within the scope of the confirmed Case (“Registry’s Review”)⁵ and to inform the Chamber on the

¹ Trial Chamber X, “Decision on the procedure for the admission of victims to participate in proceedings for the purposes of trial”, 12 March 2020, ICC-01/12-01/18-661.

² *Id.*, p. 19. The Chamber also ordered the Registry to disclose Group C applications in unredacted form to the Prosecution and to apply redactions “as needed” vis-à-vis the Defence. *See* also Pre-Trial Chamber I, “Décision fixant les principes applicables aux demandes de participation des victimes”, 24 May 2018, ICC-01/12-01/18-37, (“24 May 2018 Decision”), para. 59 (i).

³ 12 March 2020 Decision, para. 29. The Registry also notes the Chamber’s instruction with respect to Group B applications that “applications assessed by the Registry as being incomplete and/or falling outside the scope of the concerned case need not be transmitted to the Chamber”, and that “the Registry should inform the Chamber of any applications rejected on that account” (12 March 2020 Decision, para. 18). Finally, the Registry notes that the date for the commencement of trial is set for 14 July 2020 (see Trial Chamber X, “Decision Setting the Commencement Date of the Trial”, 6 January 2020, ICC-01/12-01/18-548, p. 9).

⁴ 12 March 2020 Decision, para. 29. The corresponding reports are transmitted to the parties and the common legal representatives of victims (“CLRs”) (*see id.*, para. 24).

⁵ *Id.*, p. 20.

applications assessed as incomplete and/or falling outside the scope of the Case.⁶

3. The Registry received a total of 1464 applications within the internal deadline prior to its transmissions of applications to the Chamber as per the Chamber's 12 March 2020 Decision. Of these, a total of 1097 have been assessed as falling within Group A.⁷
4. The aforementioned total of 1464 applications contains 880 applications from victims whom Pre-Trial Chamber I had authorised to participate during the pre-trial proceedings. Of these, the Registry assessed altogether 826 as complete and continuing to fall within Group A in light of the confirmed scope of the Case. The Registry also notes that 17 applications previously assessed as incomplete at the pre-trial stage have subsequently been completed and are now part of the Group A applications. Furthermore, altogether 254 applications have been to date received after the pre-trial phase and before the Registry internal deadline for the transmissions to the Chamber as per the Chamber's 12 March 2020 Decision. In addition, among the total of 1464 applications received, 47 applications (including 33 applications from the previously participating victims) were assessed by the Registry as falling within Group B (outside the scope of the confirmed Case), while 101 applications have been assessed as incomplete and still requiring supplementary information.
5. The Registry hereby submits its third report on victim applications for participation in the trial proceedings in the Case which includes:

⁶ *Id.*, para. 18 *in fine*.

⁷ This total of 1097 Group A applications is being submitted to the Chamber through the present transmission of 888 complete applications alongside its previous submission to the Chamber of 24 June containing 209 complete applications.

- 1) A report on a second batch of 888 complete applications falling within Group A, that includes:
 - (i) a brief description of the assessment criteria applied in relation to the 888 applicants who clearly, in the Registry's assessment, qualify as victims in Group A; and
 - (ii) a list of the 888 applications falling under Group A ("List") which were separately transmitted in un-redacted version to the Chamber in accordance with the 12 March 2020 Decision, as Annex I.

- 2) The final results of the Registry's Review; and

- 3) An overview of the applications received so far in the Case, that includes:
 - (i) a brief description of the applications assessed as complete and within the confirmed scope of the Case;
 - (ii) a brief description of the applications assessed as incomplete and/or falling outside the confirmed scope of the Case, accompanied by a list of these applications (Annex II).

II. Procedural History

6. On 24 May 2018, Pre-Trial Chamber I issued a decision setting out, *inter alia*, the transmission and admission procedure for victim participation at the confirmation hearing in the Case.⁸

⁸ See *supra*, footnote 2, 24 May 2018 Decision.

7. On 1 July 2019, Pre-Trial Chamber I issued a further decision, authorising 882 victims to participate at the confirmation hearing in the Case (“Participating Victims”).⁹
8. On 30 September 2019, Pre-trial Chamber I confirmed the charges of war crimes and crimes against humanity brought against the accused and committed him to trial.¹⁰
9. On 6 January 2020, the Chamber set the start of trial on 14 July 2020.¹¹
10. On 24 January 2020, the Registry submitted a report informing the Chamber *inter alia* that it had started to review the Participating Victims’ applications in order to assess whether they remain within the scope of the confirmed Case.¹²
11. On 12 March 2020, the Chamber issued its decision establishing the procedure for the participation of victims at trial.¹³
12. On 24 April 2020, Pre-Trial Chamber I issued a decision modifying the charges confirmed against the accused.¹⁴
13. On 29 May 2020, the Registry transmitted Group C victim applications for participation at Trial,¹⁵ and on the same day submitted its first assessment

⁹ Pre-Trial Chamber I, « Décision relative à la participation des victimes à la procédure », 1 July 2019, ICC-01/12-01/18-391-Conf-Exp (“1 July 2019 Decision”). A public redacted version was filed on the same day (ICC-01/12-01/18-391-Red).

¹⁰ Pre-Trial Chamber I, “Rectificatif à la Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”, 8 November 2019, ICC-01/12-01/18-461-Conf-Corr (“Decision on Confirmation of Charges”). A public redacted version was filed on 13 November 2019 (ICC-01/12-01/18-461-Corr-Red).

¹¹ See *supra*, footnote 3.

¹² Registry, “Registry Report on the implementation of Trial Chamber X’s Decision of 20 December 2019 (ICC-01/12-01/18-536)”, 24 January 2020, ICC-01/12-01/18-563-Conf-Exp-Anx, para. 6. A confidential redacted version was filed on the same day (ICC-01/12-01/18-563-Conf-Anx-Red) as well as a public redacted version (ICC-01/12-01/18-563-Anx-Red2). The Registry also informed the Chamber that the number of Participating Victims stands at present at 880, as a result of the death of one Participating Victim, and the identification of a duplicate application (*id.*, at para. 4).

¹³ See *supra* footnote 1.

¹⁴ Pre-Trial Chamber I, “Rectificatif à la Décision portant modification des charges confirmées le 30 septembre 2019 à l’encontre d’Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”, 1 May 2020, ICC-01/12-01/18-767-Conf-Corr (“Second Decision on Confirmation of Charges”). A public redacted version was filed on 8 May 2020 (ICC-01/12-01/18-767-Corr-Red).

¹⁵ Registry, “Registry Transmission of Group C Victim Applications for Participation at Trial”, 29 May 2020, ICC-01/12-01/18-834.

report on complete applications falling under Group C and an overview of the preliminary results of the Registry's Review.¹⁶

14. On 12 June 2020, the Chamber extended the deadline for the final transmission of newly collected victim applications to the end of the Prosecution's case.¹⁷
15. On 17 June 2020, the Chamber issued its decision on a number of Group C application forms.¹⁸
16. On 24 June 2020, the Registry transmitted a first batch of Group A applications.¹⁹
17. On 29 June 2020, the Registry transmitted a second batch of Group A applications.²⁰

III. Applicable Law

18. The present report is submitted in accordance with article 68(1) and (3) of the Rome Statute, rules 85 to 89 and 92 of the Rules of Procedure and Evidence, regulation 86 of the Regulations of the Court ("RoC"), and regulations 107 to 109 of the Regulations of the Registry.

IV. Classification

¹⁶ Registry, "Registry First Assessment Report on Victim Applications for Participation in Trial Proceedings", 29 May 2020, ICC-01/12-01/18-835.

¹⁷ Trial Chamber X, "Decision on request for extension of deadlines for the final transmission of victim applications for participation at trial", 12 June 2020, ICC-01/12-01/18-880 ("12 June 2020 Decision"), para. 13 and Disposition, p. 8.

¹⁸ Trial Chamber X, "Second decision on the admission of victims to participate in trial proceedings", 17 June 2020, ICC-01/12-01/18-886-Conf-Exp ("17 June 2020 Decision"). A public redacted version was filed on 23 June 2020.

¹⁹ Registry, "Registry First Transmission of Group A Victim Applications for Participation in Trial Proceedings", 24 June 2020, ICC-01/12-01/18-901.

²⁰ Registry, "Registry Second Transmission of Group A Victim Applications for Participation in Trial Proceedings", 29 June 2020, ICC-01/12-01/18-900.

19. In accordance with the regulation 23bis(1) RoC, Annex I to the present report is classified as confidential and Annex II is classified as confidential *ex parte* in compliance with paragraphs 18 and 29 of the 12 March 2020 Decision.

V. Submissions

1) Details on the Assessment Criteria and List of Applications Falling within Group A

20. Applying the criteria set out in the 24 May 2018 Decision²¹ and the 17 June 2020 Decision,²² the Registry has assessed each of the 888 applications transmitted within Group A as complete. In conducting its *prima facie* assessment in accordance with paragraph 48 of the 24 May 2018 Decision,²³ the Registry confirms that each of the 888 applicants whose applications have been transmitted in Group A have met the following criteria:

- i. His or her identity as a natural person is established;²⁴

²¹ Para. 46. The Registry notes that in its 12 March 2020 Decision the Chamber highlighted that “[o]n substantive legal issues regarding the definition of victims, [it] refers to the consistent jurisprudence on Rule 85 of the Rules, as set out by the PTC I Single Judge” (12 March 2020 Decision, para. 8).

²² See *supra* footnote 18.

²³ See *supra* footnotes 2 and 18.

²⁴ The Registry notes that six applicants whose applications have been filed under Group A (a/35016/16, a/45307/18, a/20445/19, a/45282/18, a/45194/18 and a/45172/18) were under the age of 18 at the time of the submission of their applications for participation in the proceedings. Noting the ICC’s applicable Rules and Regulations, the prevailing jurisprudence of the Court [cited below], the relevant international conventions including the Convention on the Rights of the Child (particularly art. 12 of the latter, UNGA Resolution 44/25 of 20 November 1989) and the clarification received from the victims’ legal representative on the demonstrated maturity of the applicants and the contextual circumstances surrounding their decision to participate individually and not with a person acting on their behalf or their confirmed wish to participate to the proceedings expressed after having reached the age of 18, the Registry considers that these applicants qualify as victim in Group A. The Registry considers the following jurisprudence to be relevant to this assessment: i) *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, Trial Chamber I, Decision on victims’ participation status, 7 January 2016, ICC-02/11-01/15-379, para. 60) *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Trial Chamber II, Grounds for the Decision on the 345 Applications for Participation in the Proceedings Submitted by Victims, 23 September 2009, ICC-01/04-01/07-1491-Conf-tENG, para. 98) *The Prosecutor v. Thomas Lubanga Dyilo*, Trial Chamber I, Annex 1 to the Corrigendum to “Decision on the applications by victims to participate in the proceedings”, 13 January 2009, ICC-01/04-01/06-1556-Corr-Anx1, paras 91-97.

- ii. He or she has suffered harm;
- iii. The harm suffered is a result of an incident falling within the temporal, geographic and material scope of the *Al Hassan* case.

21. In relation to point (i), the Registry noted that certain applications²⁵ falling under Group A contain minor discrepancies pertaining to *inter alia* the

²⁵ The applications with minor discrepancies include: a/25006/14; a/25009/14; a/35016/16; a/40000/17; a/40127/17; a/45130/18 to a/45132/18; a/45138/18; a/45142/18; a/45145/18 to a/45147/18; a/45149/18; a/45152/18; a/45155/18; a/45156/18; a/45172/18; a/45174/18; a/45177/18 to a/45179/18; a/45181/18 to a/45184/18; a/45186/18; a/45189/18; a/45191/18; a/45195/18; a/45197/18; a/45199/18; a/45204/18 to a/45206/18; a/45208/18; a/45211/18; a/45216/18; a/45217/18; a/45227/18; a/45228/18; a/45232/18; a/45233/18; a/45242/18; a/45244/18; a/45246/18 to a/45249/18; a/45252/18 to a/45254/18; a/45257/18; a/45262/18; a/45266/18; a/45267/18; a/45269/18 to a/45273/18; a/45275/18 to a/45277/18; a/45281/18; a/45288/18; a/45289/18; a/45291/18; a/45294/18; a/45297/18 to a/45299/18; a/45300/18; a/45307/18; a/45318/18; a/45319/18; a/45325/18; a/45331/18; a/45333/18; a/45339/18; a/45348/18 to a/45354/18; a/45356/18; a/45357/18; a/45359/18; a/45360/18; a/45362/18; a/45364/18; a/45366/18; a/45367/18; a/45373/18 to a/45381/18; a/45384/18; a/45385/18; a/45387/18; a/45390/18; a/45396/18; a/45397/18; a/45400/18; a/45402/18; a/45403/18; a/45405/18; a/45407/18; a/45412/18; a/45414/18; a/45416/18 to a/45419/18; a/45421/18; a/45422/18; a/45425/18 to a/45427/18; a/45430/18; a/45431/18; a/45433/18; a/45438/18; a/45441/18; a/45445/18; a/45458/18; a/45462/18; a/45470/18; a/45472/18; a/45478/18; a/45480/18; a/45482/18; a/45483/18; a/45486/18; a/45487/18; a/45489/18 to a/45493/18; a/45495/18; a/45501/18; a/45505/18; a/45509/18; a/45512/18; a/45515/18 to a/45518/18; a/45520/18; a/45523/18; a/45525/18; a/45527/18; a/45533/18; a/45536/18 to a/45538/18; a/45542/18; a/45544/18; a/45547/18; a/45550/18; a/45560/18; a/45562/18 to a/45569/18; a/45573/18 to a/45576/18; a/45579/18; a/45580/18; a/45584/18 to a/45586/18; a/45588/18; a/45590/18; a/45591/18; a/45593/18; to a/45598/18; a/45600/18; a/45602/18 to a/45604/18; a/45606/18; a/45608/18; a/45614/18; a/45616/18 to a/45623/18; a/45626/18; a/45629/18; a/45631/18; a/45633/18 to a/45637/18; a/45639/18; a/45642/18; a/20000/19; a/20001/19; a/20003/19; a/20005/19; a/20007/19; a/20012/19 to a/20014/19; a/20016/19; a/20018/19; a/20025/19; a/20026/19; a/20028/19; a/20029/19; a/20032/19; a/20036/19; a/20037/19; a/20039/19; a/20043/19; a/20046/19; a/20047/19; a/20050/19; a/20051/19; a/20058/19; a/20059/19; a/20061/19; a/20064/19 to a/20068/19; a/20070/19; a/20072/19; a/20076/19; a/20080/19; a/20084/19; a/20091/19 to a/20093/19; a/20096/19; a/20097/19; a/20099/19; a/20100/19; a/20105/19; a/20106/19; a/20110/19; a/20111/19; a/20114/19; a/20115/19; a/20117/19; a/20119/19; a/20131/19 to a/20134/19; a/20137/19; a/20144/19; a/20148/19; a/20151/19; a/20155/19 to a/20158/19; a/20161/19; a/20164/19; a/20165/19; a/20167/19; a/20169/19; a/20170/19; a/20172/19; a/20173/19; a/20176/19; a/20178/19 to a/20180/19; a/20182/19; a/20191/19; a/20192/19; a/20194/19; a/20195/19; a/20201/19; a/20203/19; a/20207/19; a/20208/19; a/20210/19 to a/20219/19; a/20221/19; a/20222/19; a/20224/19 to a/20226/19; a/20228/19 to a/20230/19 to a/20232/19; a/20234/19; a/20235/19; a/20237/19 to a/20239/19; a/20243/19; a/20246/19; a/20248/19; a/20252/19; a/20255/19; a/20256/19; a/20260/19; a/20263/19; a/20269/19; a/20270/19 to a/20273/19; a/20275/19; a/20276/19; a/20279/19; a/20281/19 to a/20283/19; a/20285/19; a/20287/19; a/20291/19; a/20294/19; a/20295/19; a/20298/19; a/20299/19; a/20301/19; a/20303/19; a/20307/19 to a/20311/19; a/20313/19; a/20315/19; a/20317/19 to a/20320/19; a/20322/19 to a/20325/19; a/20327/19; a/20328/19; a/20334/19; to a/20336/19; a/20338/19 to a/20340/19; a/20342/19; a/20344/19; a/20346/19; a/20350/19; a/20351/19; a/20360/19; a/20363/19; a/20364/19; a/20366/19; a/20369/19; a/20370/19; a/20373/19; a/20375/19; a/20376/19; a/20381/19; a/20383/19; a/20390/19; a/20391/19; a/20395/19; a/20396/19;

spelling of the applicants' names.²⁶ In these cases, the Registry took note of Pre-Trial Chamber I's instruction that "a certain degree of flexibility must be shown" and considers that the discrepancies presented in these applications "do not call into question the overall credibility of the information provided by the applicant [...]"²⁷

a/20398/19; a/20402/19 to a/20404/19; a/20420/19; a/20422/19; a/20433/19; a/20434/19; a/20441/19; a/20443/19; a/20445/19 to a/20449/19; a/20451/19; a/20455/19; a/20460/19; a/20465/19; a/20466/19; a/20472/19; a/20478/19; a/20480/19; a/20482/19; a/20486/19; a/20494/19; a/20496/19; a/20501/19; a/20505/19; a/20511/19; a/50046/20; a/50050/20; a/50052/20; a/50053/20; a/50056/20; a/50061/20; a/50074/20; a/50077/20 to a/50081/20; a/50084/20 to a/50089/20; a/50090/20; a/50093/20; a/50096/20; a/50099/20; a/50100/20 to a/50102/20; a/50104/20; a/50105/20; a/50107/20; a/50109/20; a/50110/20; a/50112/20 to a/50115/20; a/50119/20 to a/50121/20; a/50123/20; a/50133/20 to a/50140/20; a/50142/20; a/50145/20 to a/50148/20; a/50150/20 to a/50152/20; a/50154/20; a/50155/20; a/50157/20 to a/50159/20; a/50163/20; a/50164/20; a/50167/20; a/50172/20; a/50173/20; a/50178/20; a/50181/20; a/50183/20; a/50185/20 to a/50193/20; a/50195/20 to a/50197/20; a/50201/20; a/50202/20; a/50206/20; a/50208/20; a/50209/20; a/50211/20 to a/50216/20; a/50218/20 to a/50220/20; a/50222/20; a/50228/20; a/50229/20; a/50231/20 to a/50234/20; a/50236/20; a/50237/20; a/50240/20; a/50241/20; a/50243/20; a/50244/20; a/50249/20; a/50251/20 to a/50255/20; a/50257/20; a/50259/20; a/50261/20; a/50263/20; a/50264/20; a/50267/20; a/50270/20 to a/50273/20 and a/50275/20 to a/50277/20.

²⁶ The discrepancies identified include: a spelling mistake in the applicant's first name (or second first name) and/or surname in the application form compared to the identification document; a mix up in the applicant's first name (or second first name) and/or surname in the application form compared to the identification document; the applicants' first name and surname are in the reverse order in the application form; the applicant's first name or second first name was not written in the application or in the identification document; the applicant's face is slightly obscured on the ID card due to the poor quality of the picture; the applicant's date of birth does not appear in the application form; the date of birth written on the form differs slightly from that on the applicant's state identity card; the applicant's gender –when mentioned at the applicant's gender question in the application form– differs from that on the applicant's state identity card (which is probably due to an inadvertent error as the gender is clearly established in the context of the form and in the identity card); the date of signature differs slightly from the date in which the application was actually filled by the applicant; the date and/or place of signature is missing on the application form; the applicant signed in the person acting on behalf box instead of the victim's signature box; the applicant's nationality –when mentioned at the applicant's nationality question in the application form– differs from that on the applicant's state identity card. The Registry notes also that certain applications were missing an additional page continuing the description of the events alleged, however the Registry considered that the content of the application was sufficient for conducting its assessment and received CLR's clarification that the application forms should be considered complete at such and that the missing pages will be transmitted as soon as possible noting that COVID-19-related restrictions particularly in the field have slowed down the process of gathering required additional information from victim applicants. Finally the Registry notes that certain applications contain an additional page not signed by the applicants, however the Registry received the CLR's confirmation that the additional page belongs to the form to which they were attached and was read to the applicant before he/she signed the application form.

²⁷ 24 May 2018 Decision, para. 50.

22. The Registry has provided a table in Annex I with the list of the second batch of applications that fall within Group A.

2) Result of the Registry's Review

23. Since the Decision of Confirmation of Charges, the Registry has carried out a comprehensive review of the 880 Participating Victims'²⁸ applications in order to assess whether they remain within the scope of the confirmed Case.

24. The result from the Registry's Review is as follows:

-) 826 applications have been assessed as remaining within the scope of the confirmed Case;
-) 33 applications have been assessed as falling outside the scope of the confirmed Case, due to the fact that the victims mentioned that the alleged incidents occurred either in April 2012, or in May 2012 and at a specific date *before 7 May 2012, ie before the relevant period of responsibility of the Accused as confirmed in the present Case;*
-) 22 applications have been assessed as incomplete and requiring supplementary information.²⁹

3) Overview of the applications received in the Case

25. The Registry has received a total of 1464 victim applications for participation in the Case since the beginning of the proceedings ("Applications Received").³⁰

²⁸ The Registry notes that the number of Participating Victims stands at present at 880, as a result of the death of one Participating Victim (a/20425/19) for which no resumption of action has been received so far by the Registry. The Registry also notes that it has identified a duplicate application (a/45521/18 duplicate of a/25078/14).

²⁹ These applications are reported in Annex II to the present report. The clarifications requested by the Registry include for example: the lack of information regarding the personal harm of victims having witnessed crimes perpetrated against individuals who are not their relatives (following the 17 June 2020 Decision); the unclear date of crime alleged by the applicant (following the confirmed temporal scope of the Case); the crimes alleged by the applicants becoming unclear due to a later reception of a duplicate application providing different information.

(i) *Brief description of the applications assessed as complete and within the confirmed scope of the Case*

26. Among the Applications Received to date, 1097 applications have been assessed as complete and within the scope of the Case and have been transmitted to the Chamber as Group A applications.³¹

27. The Registry notes that 1096 application forms are from individuals³² and one is from an organisation. All of the applicants alleged to have suffered personal harm resulting from one or several crimes, including attacks against protected objects, committed in Timbuktu and the region between 7 May 2012 and 28 January 2013.

(ii) *Brief description of the applications assessed as incomplete and/or outside the confirmed scope of the Case*

28. Among the Applications Received, 47 have been assessed by the Registry as outside the territorial and/or temporal scope of the confirmed Case³³ and 101

³⁰ This number includes 57 duplicates and the application of a deceased applicant. The Registry was able to assess and/or reassess all application forms received before the internal deadline set on 15 May 2020 by the Registry for the transmission of applications to the Registry (1313 applications). The Registry also received 161 newly collected applications after this internal deadline.

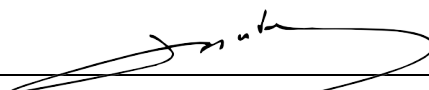
³¹ See *supra* footnotes 19 and 20. These transmissions include 826 Victims Participating at pre-trial phase, four applications for which the Chamber decided to retain their status as participating victims for the purpose of the trial proceedings (17 June 2020 Decision, Disposition p. 10), and 267 applications that were either completed after the pre-trial stage or newly collected for the purpose of participation at Trial.

³² The Registry notes that approximately 210 applicants have alleged harm as a result of the same incident related to the destruction of a protected object not listed under the protected objects within count 7. However the Registry assessed them as falling under the crime of persecution (count 13).

³³ Among these applications, four have been rejected at pre-trial stage as outside the territorial scope of the Case (a/45546/18, a/45549/18, a/45561/18 and a/20055/19, the later was reassessed also as outside the temporal scope of the Case) and one deferred was reassessed by the Registry as falling outside the temporal scope of the Case (a/25069/14), see Pre-Trial Chamber I's 1 July 2019 Decision; 33 Participating Victim applications have been reassessed as outside the temporal scope of the Case; 7 applications which have not been transmitted in the proceedings as they have been assessed incomplete have been reassessed as outside the temporal scope (among the 7 applications and following the Registry's request of supplementary information, 6 have been completed and one remains incomplete).

have been assessed as incomplete and requiring supplementary information.³⁴
The Registry has provided a table in Annex II with the list of applications that fall in both categories.

29. Finally, the Registry will continue its activities in accordance with the guidance received by the Chamber in its 12 June 2020 Decision.³⁵



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

Dated this 29 June 2020

At The Hague, The Netherlands

³⁴ Clarifications which have been requested by the Registry to the legal representatives of the applicants include *inter alia*: missing signature of the applicant in the application form; missing identification document of the applicant and/or of the person acting on his/her behalf; missing documentation supporting the indirect harm resulting from a crime committed against the applicant's relative; a major discrepancy in the date of birth mentioned in the application form compared to the identification document provided (*i.e.* a 20 year gap); missing explicit consent of the applicant where the application is made by a person acting on behalf of the applicant; the discrepancy on the name of the applicant in the form compared to the identification document provided; the lack of information regarding the personal harm of victims having witnessed crimes perpetrated against individuals who are not their relatives (following the 17 June 2020 Decision); the unclear date of crime alleged by the applicant (following the temporal scope confirmed); the missing or unclear place of crime in the application form; the lack and/or vagueness of information regarding the causal link between the crime(s) alleged and the harm suffered by the applicant; and the lack and/or vagueness of the elements provided in relation to the acts alleged.

³⁵ The Registry will transmit the newly collected applications assessed by the Registry on a rolling basis in periodic intervals before the end of the Prosecution case pursuant to the reporting regime as established by the Chamber in its 12 March 2020 Decision, para. 18.