

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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No.: **ICC-01/12-01/15**
Date: **11 December 2023**

TRIAL CHAMBER VIII

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Bertram Schmitt
Judge María del Socorro Flores Liera

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF *THE PROSECUTOR v. AHMAD AL FAQI AL MAHDI*

Public redacted version of

Decision on the TFV's twenty-ninth update report on the updated implementation plan including report on the finalisation of individual reparations

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

Legal Representative of Victims
Mr Mayombo Kassongo

Counsel for the Defence
Mr Mohamed Aouini

The Office of the Prosecutor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

The Office of Public Counsel for the Defence

States Representatives

Trust Fund for Victims
Ms Deborah Ruiz Verduzco

REGISTRY

Registrar
Mr Osvaldo Zavala Giler

Counsel Support Section
Mr Pieter Vanaverbeke

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**
Mr Philipp Ambach

Others

Trial Chamber VIII of the International Criminal Court, in the case of *The Prosecutor v. Ahmad Al Faqi Al Mahdi* (the ‘*Al Mahdi case*’), having regard to articles 75 and 79 of the Rome Statute, regulation 58 of the Regulations of the Trust Fund for Victims, and regulation 23*bis* of the Regulations of the Court, issues this Decision on the TFV’s twenty-ninth update report on the updated implementation plan including report on the finalisation of individual reparations (the ‘Decision’).

I. PROCEDURAL HISTORY

1. On 4 March 2019, the Chamber issued its Decision on the Updated Implementation Plan (‘UIP’), *inter alia* approving the UIP’s selected projects pertaining to individual, collective and symbolic reparations, and setting a deadline for applications for individual reparations of one year from the notification of that decision (‘Decision on the UIP’).¹
2. On 24 February 2020 and 29 April 2020, the Chamber issued decisions extending the deadline for applications for individual reparations.²
3. On 5 April 2022, the Chamber issued its Decision on the TFV’s Twenty-third update report on the UIP, *inter alia*, directing (i) the Legal Representative of Victims (‘LRV’) and the Trust Fund for Victims (‘TFV’) to conclude the collection of applications for individual reparations, at the latest, within four weeks from the notification of that decision; and (ii) the TFV to complete the implementation of individual awards, at the latest, within four months from the notification of that decision.³
4. On 14 April 2022⁴ and 18 August 2022,⁵ the Chamber issued two further decisions extending the deadlines for the consolidation of applications, and for the implementation of individuals awards.

¹ Decision on the Updated Implementation Plan from the Trust Fund for Victims (‘Decision on the UIP’), 4 March 2019, ICC-01/12-01/15-324-Conf, public redacted version filed on the same date, [ICC-01/12-01/15-324-Red](#), paras 36, 113(i)-(xii), 114(i).

² Decision on Joint Request for Extension of Reparations Application Deadline (‘February 2020 Decision’), 24 February 2020, ICC-01/12-01/15-348-Conf, para. 12, disposition and Decision on the LRV Request for Extension of Time to Submit Individual Reparations Applications (‘April 2020 Decision’), 29 April 2020, [ICC-01/12-01/15-359](#), paras 13-14, disposition.

³ Decision on the TFV’s Twenty-third update report on the updated implementation plan (‘Decision on the Twenty-third report’), 5 April 2022, [ICC-01/12-01/15-439](#), paras 15, 18, disposition.

⁴ Decision on the LRV’s Urgent Request for an extension of the time limit pursuant to ‘Decision on the TFV’s Twenty-third update report on the updated implementation plan (ICC-01/12-01/15-439-Conf)’ (‘April 2022 Decision’), 14 April 2022, [ICC-01/12-01/15-443](#), para. 13, disposition.

⁵ Decision on the LRV’s Request for an extension of the time limit (‘August 2022 Decision’), 18 August 2022, [ICC-01/12-01/15-454](#), para. 13, disposition.

5. On 27 October 2022, the Chamber issued another decision, *inter alia*, (i) extending, ‘for the last time’, the deadline for the LRV to conclude the consolidation of all applications for individual reparations in his possession until 15 December 2022, at the latest; and (ii) directing the TFV to complete the implementation of individual awards by 14 March 2023, at the latest (‘October 2022 Decision’).⁶

6. On 25 August 2023, the Chamber issued its Decision on the TFV’s twenty-seventh and twenty-eighth update reports on the updated implementation plan (‘August 2023 Decision’),⁷ *inter alia*, instructing (i) the LRV to provide to the TFV, within two weeks at the latest, with all information and documentation in its possession related to all victims for which an eligibility assessment was still pending; and (ii) the TFV to directly consolidate, decide upon, and issue relevant payments, filing its final report on the implementation of individual awards within four weeks from the date it had received all information and documentation at the time within LRV.

7. On 27 October 2023, the TFV filed its Twenty-ninth update report on the updated implementation plan including report on the finalisation of individual reparations (‘Twenty-ninth Report’), *inter alia*, providing information on the security situation and operational impacts, implementation and finalisation individual reparations, and advances regarding collective reparations awards.⁸

8. Having been authorised to do so,⁹ on 14 November 2023, the LRV submitted its Response to the Twenty-ninth Report (‘Response’).¹⁰

II. SUBMISSIONS AND ANALYSIS

A. Security situation and operational impacts

9. 


⁶ Third Decision on the LRV’s Request for an extension of the time limit (‘October 2022 Decision’), 27 October 2022, [ICC-01/12-01/15-459](#), paras 14-15, disposition.

⁷ Decision on the TFV’s twenty-seventh and twenty-eighth update reports on the updated implementation plan (‘August 2023 Decision’), 25 August 2023, ICC-01/12-01/15-466-Conf-Exp, confidential redacted version filed on the same date, ICC-01/12-01/15-466-Conf-Red, public redacted version filed on 4 December 2023, [ICC-01/12-01/15-466-Red](#).

⁸ Twenty-ninth update report on the updated implementation plan including report on the finalisation of individual reparations (‘Twenty-ninth Report’), 27 October 2023, notified on 30 October 2023, ICC-01/12-01/15-467-Conf (with two confidential *ex parte* annexes, available to the LRV only).

⁹ Email of 9 November 2023 at 9:46 am.

¹⁰ Réponse du Représentant légal au «Twenty-ninth update report on the updated implementation plan including report on the finalisation of individual reparations», déposé par le Fonds au profit des victimes le 27 octobre 2023 ICC-01/12-01/15-467 (‘Response’), 14 November 2023, ICC-01/12-01/15-469-Conf.

[REDACTED]

[REDACTED]¹¹ [REDACTED]

[REDACTED]

[REDACTED]¹²

10. [REDACTED]

[REDACTED]¹³ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]¹⁴

B. Individual reparations

11. The TFV informs that, following the Chamber's August 2023 Decision, the TFV finalised the implementation of individual reparations during the reporting period.¹⁵

12. The TFV explains that, according to the division of labour agreed with the LRV, although applications were jointly collected, the LRV was in charge of compiling the required supporting documents ('consolidation') and any supplementary information identified by the TFV as required following an initial verification process ('reconsolidation').¹⁶ At the time of the issuance of the August 2023 Decision, 49 requests for reconsolidation remained unanswered, which formed the first category of applications the TFV had to deal with to finalise individual reparations.¹⁷ However, following the instruction in the August 2023 Decision for the LRV to 'transmit to the TFV all information and documentation in its possession', the LRV transmitted to the TFV 121 additional dossiers, including one previously transmitted and 25 that had already received a positive decision.¹⁸ As such, 95 additional dossiers required consolidation.¹⁹

¹¹ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 3.

¹² Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 4-6.

¹³ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 7.

¹⁴ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 7.

¹⁵ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 8.

¹⁶ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 10-11.

¹⁷ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 11.

¹⁸ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 12.

¹⁹ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 13.

13. After conducting its analysis, contacting the victims, and collecting the missing information, the TFV informs that it managed to (re)consolidate 121 applications that received a positive decision.²⁰ The TFV further reports that 119 victims were notified of the positive outcome of their application and received payment of their award, while two individuals remain to be traced and could not be reached within the deadline set by the Chamber.²¹

14. The TFV further informs that it issued 21 negative decisions on 27 October 2023 and informed the LRV on the same date.²² These negative decisions, the TFV recalls, would become final on 14 November 2023 should the LRV fail to appeal them before the Trial Chamber.²³

15. The Chamber commends the TFV's efforts to consolidate and reconsolidate applications, adopt administrative decisions, and issue payments of individual reparations awards to all but two eligible beneficiaries within the final time frame set by the Chamber, notwithstanding the challenges faced.²⁴ Despite the expiration of the final deadline, the Chamber authorises the TFV to continue its efforts to locate²⁵ and execute payments to the two outstanding eligible beneficiaries of individual reparations, as soon as they can be traced and reached. Regarding negative decisions, the Chamber notes that the LRV did not submit a request for review within the applicable time-frame. Accordingly, these negative decisions have become final.

16. The above therefore concludes the judicial stage of the process of collection of applications for individual reparations and implementation of individual awards in the *Al Mahdi* case.

17. The Chamber notes that, according to the preliminary data provided by the TFV, during the programme for individual reparations 1,977 administrative decisions were issued, 406 negative and 1,571 positive.²⁶ 53% of the successful applicants are women and 47% are men.²⁷

²⁰ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 14-24. The TFV notes that these correspond to 62 female and 59 male, 49 of whom are minors, who were eligible for either moral, economic harm or both, and related to the different protected buildings

²¹ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 25-27.

²² Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 28-29.

²³ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 30.

²⁴ *See, inter alia*, Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 12.

²⁵ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 41.

²⁶ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 32-33.

²⁷ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 35.

98% of beneficiaries received reparations on account of moral harm, 2% on account of economic harm and 1% on account of both, economic and moral harm.²⁸

C. Applications for individual reparations not handed over to the TFV

18. In its Twenty-ninth report, the TFV informs the Chamber that, while reaching out to victims during the (re)consolidation process conducted in the past weeks, over 100 individuals approached the TFV and indicated that they had submitted an application but had never received a response as to the outcome, including some victims for which the TFV had already issued negative decisions.²⁹ The TFV indicates that it ran checks of these individuals against data in its possession and concluded that the majority did fill out application forms, which were transmitted to the LRV for consolidation but did not reach the VPRS or the TFV.³⁰

19. The TFV further submits that these individuals are in no different position than those whose applications were transmitted by the LRV in September 2023.³¹ In light of the principles of equal treatment and do no harm and in order to avoid misunderstandings within the community and extended families, the TFV states that it is prepared to establish fresh applications for these individuals and consolidate their files expeditiously, should the Chamber decide to provide them with an opportunity to have their applications reviewed.³²

20. In its Response, the LRV complains that the TFV does not provide details about the period of collection or the place of residence of these individuals.³³ The LRV also indicates that he was surprised to learn about this when reading the Twenty-ninth Report and expresses his dissatisfaction for not having been contacted by the TFV to discuss and resolve the situation directly before bringing the matter to the Chamber.³⁴ According to the LRV, several explanations could be considered for the non-transmission of these files, including that the individual is not eligible in light of the criteria set by the Chamber, that the file is not complete, or that the person filed a claim in another case and wrongly claims to have submitted it in this case.³⁵ The LRV argues that he is currently unable to provide an explanation as he does not know the identity of these individuals and had transmitted all documents in his possession to

²⁸ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 36.

²⁹ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 41-42 and footnote 20.

³⁰ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 42-43.

³¹ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 43.

³² Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 43-44.

³³ Response, ICC-01/12-01/15-469-Conf, para. 10.

³⁴ Response, ICC-01/12-01/15-469-Conf, paras 11-13.

³⁵ Response, ICC-01/12-01/15-469-Conf, para. 14.

the TFV for consolidation.³⁶ Accordingly, in the interest of these individuals, the LRV requests from the Chamber a brief period of time to exchange with the TFV and come to a successful resolution regarding these files.³⁷

21. The Chamber recalls once again that in its Decision on the UIP, issued in March 2019, it determined that one year from its notification was a reasonable and appropriate deadline for the implementation of all individual reparations ‘to ensure the efficient conduct of the reparations proceedings’.³⁸ Notwithstanding the above, the Chamber extended such deadline on six occasions,³⁹ underscoring – now more than one year ago – in its October 2022 Decision that it would be ‘the very last extension it grants’, and clearly instructing the LRV to deploy ‘all available means’ to finalise the consolidation of applications.⁴⁰

22. As already noted in the August 2023 Decision,⁴¹ the Chamber regrets that, in spite of the extensions received, the LRV failed to comply with the multiple deadlines set by the Chamber for the consolidation of pending applications. The Chamber underscores its concern with the information provided in the Twenty-ninth Report, as it appears that the LRV also failed to promptly inform all applicants as to the outcome of the TFV administrative decisions.⁴²

23. In light of the above, considering that the judicial stage of collection of applications and implementation of individual awards has now concluded,⁴³ and that the TFV has already been entrusted with the full responsibility to finalise all pending matters related to individual reparations,⁴⁴ the Chamber hereby exceptionally allows the TFV to conduct a limited and expeditious administrative process of consolidation and determination of all applications for individual reparations pending a determination.

24. Accordingly, the Chamber instructs the TFV to (i) check the information in its possession in order to determine the list of individuals who did fill out an application form within the relevant deadlines but have not yet been the subject of an administrative decision as

³⁶ Response, ICC-01/12-01/15-469-Conf, para. 15.

³⁷ Response, ICC-01/12-01/15-469-Conf, paras 17-21.

³⁸ Decision on the UIP, [ICC-01/12-01/15-324-Red](#), paras 36, 114(i).

³⁹ February 2020 Decision, ICC-01/12-01/15-348-Conf, para. 12, disposition; April 2020 Decision, [ICC-01/12-01/15-359](#), paras 13-14, disposition; Decision on the TFV’s Twenty-third report, [ICC-01/12-01/15-439](#), paras 15, 18, disposition; April 2022 Decision, [ICC-01/12-01/15-443](#), para. 14, disposition; August 2022 Decision, [ICC-01/12-01/15-454](#), para. 13, disposition; October 2022 Decision, [ICC-01/12-01/15-459](#), paras 14-15, disposition.

⁴⁰ October 2022 Decision, [ICC-01/12-01/15-454](#), para. 15.

⁴¹ August 2023 Decision, [ICC-01/12-01/15-466-Red](#), para. 13.

⁴² Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 12-13, 42 and footnote 20.

⁴³ See para 16 above.

⁴⁴ August 2023 Decision, [ICC-01/12-01/15-466-Red](#), para. 14.

to their eligibility for individual reparations in the case by the TFV; (ii) promptly contact all these applicants in order to obtain directly from them all information and documentation required to consolidate their files expeditiously; and (iii) decide upon and issue relevant payments to all additional victims entitled to individual reparations in the present case.

25. Regarding any negative administrative decisions to be issued in relation to these applicants – and any applicant in relation to whom a negative decision has already been issued, which was not challenged before the Chamber by the LRV, and the person claims not to have been notified of such determination by the LRV – the TFV is instructed to directly notify the relevant applicant of its decision, detailing the criteria considered to reach such negative outcome. After notification, applicants will have 15 days to further supplement their dossiers, including any required attestation, and clarify their accounts directly before the TFV, who shall carefully reconsider its decision.

26. The administrative process described above shall be conducted independently by the TFV and be fully concluded within six months from the notification of the present Decision. The Chamber underscores that the process above only relates to applicants who did already fill out application forms within the deadlines previously set by the Chamber, but were not consolidated by the LRV or duly transmitted to the TFV or the VPRS. No new applications are to be collected during this process.

27. Regarding the parties' role in the administrative process described above, the Chamber considers that their intervention is not required, taking into account the advance stage of implementation of individual reparations in the present case and that legal representation is not warranted outside the context of judicial proceedings.⁴⁵

⁴⁵ For a similar approach see Trial Chamber II, *The Prosecutor v. Thomas Lubanga Dyilo*, Public redacted version of Twelfth Decision on the TFV's administrative decisions on applications for reparations and additional matters ('Lubanga Twelfth Decision'), 10 October 2023, [ICC-01/04-01/06-3558-Red](#), para. 19, referring to Trial Chamber II, *The Prosecutor v. Bosco Ntaganda*, Public redacted version of First Decision on the Trust Fund for Victims' Draft Implementation Plan for Reparations, 30 August 2023, [ICC-01/04-02/06-2860-Red](#), para. 182; Appeals Chamber, *Situation in the Democratic Republic of the Congo*, Judgment on victim participation in the investigation stage of the proceedings in the appeal of the OPCD against the decision of Pre-Trial Chamber I of 7 December 2007 and in the appeals of the OPCD and the Prosecutor against the decision of Pre-Trial Chamber I of 24 December 2007, [ICC-01/04-556](#) (OA4 OA5 OA6), 19 December 2008, para. 45; Appeals Chamber, *Situation in Darfur*, Judgment on victim participation in the investigation stage of the proceedings in the appeal of the OPCD against the decision of Pre-Trial Chamber I of 03 December 2007 and in the appeals of the OPCD and the Prosecutor against the decision of Pre-Trial Chamber I of 6 December 2007, [ICC-02/05-177](#), 2 February 2009, para. 7. On the general issue of *locus standi* outside the context of judicial proceedings see Pre-Trial Chamber II, *Situation in the Republic of Kenya*, Decision on Application for Leave to Participate under Articles 58, 42(5), (7)-(8)(a) of the Rome Statute and Rule 34(1)(d) and (2) of the Rules of Procedure and Evidence No. 18 February 2011, [ICC-01/09-47](#), para. 5; Pre-Trial Chamber II, *Situation in the Republic of Kenya*, Decision on

28. In addition to the above, as to the Defence’s involvement, the Chamber notes that Mr Al Mahdi’s interests at this stage of the proceedings are limited, considering that his monetary liability has already been determined and the results of these limited additional administrative decisions will have no impact on his rights.

29. Regarding the LRV, the Chamber reiterates its concern for the LRV’s repeated failure to complete his tasks in spite of the multiple extensions of time granted. In addition, as stressed by the Chamber in the August 2023 Decision, only ‘the TFV is vested with the authority to issue administrative decisions on the eligibility of applications to individual reparations’.⁴⁶ As such, the LRV should have transmitted all applicants’ files, without any exception, as ‘[a]pplicants should only be definitively informed of their eligibility or non-eligibility to individual reparations after the TFV has issued such administrative decisions. The LRV does not have the authority to determine the eligibility of applicants’.⁴⁷

30. In light of the above, and recalling that the judicial stage of collection of applications and implementation of individual awards has now concluded, the Chamber considers that the LRV’s intervention is no further required in the present proceedings and that no hand-over is required, as the LRV already transmitted all documents and information in his possession to the TFV.⁴⁸

31. Notwithstanding the above, the Chamber underscores that, as part of its oversight function and whenever it deems it required to protect the rights and interests of the convicted person or the victims, it may request the intervention of the Office of the Public Counsel for

the “Application for Leave to Participate in the Proceedings before the Pre-Trial Chamber relating to the Prosecutor’s Application under Article 58(7)”, 11 February 2011, [ICC-01/09-42](#), paras 6, 9, 11, 20; Pre-Trial Chamber II, *Situation in the Republic of Kenya*, Decision on Application for Leave to Submit *Amicus Curiae* Observations, 18 January 2011, [ICC-01/09-35](#), para. 10. *See also* Pre-Trial Chamber II, *Prosecutor v. Kony, Otti, Odhiambo, Lukwiya, Ongwen*, Decision on legal representation, appointment of counsel for the defence, protective measures and time-limit for submission of observations on applications for participation a/0010/06, a/0064/06 to a/0070/06, a/0081/06 to a/0104/06 and a/0111/06 to a/012, 2 February 2007, [ICC-02/04-01/05-134](#), para. 3; Pre-Trial Chamber II, *Situation in the Republic of Kenya*, Decision on the “Application for Leave to Participate in the Proceedings before the Pre-Trial Chamber relating to the Prosecutor’s Application under Article 58(7)”, 25 September 2012, [ICC-01/09-42](#), paras 18, 20; Pre-Trial Chamber I, *Prosecutor v. Katanga and Chui*, Decision on the confirmation of charges, 30 September 2008, [ICC-01/04-01/07-717](#), para. 93.

⁴⁶ August 2023 Decision, ICC-01/12-01/15-466-Conf-Exp, para. 34, referring to Decision on the TFV Request for Amendment of the Screening Process, 23 September 2020, [ICC-01/12-01/15-374](#), para. 4, disposition; Decision on Trust Fund for Victims’ Draft Implementation Plan for Reparations, 12 July 2018, ICC-01/12-01/15-273-conf, public redacted version filed on the same date, [ICC-01/12-01/15-273-Red](#), para. 45; Judgement on the appeal of the victims against the “Reparations Order”, 8 March 2018, ICC-01/12-01/15-259-Conf-Exp, public redacted version filed on the same date, [ICC-01/12-01/15-259-Red2](#), para. 72; Reparations Order, [ICC-01/12-01/15-236](#), paras 144, 146.

⁴⁷ August 2023 Decision, ICC-01/12-01/15-466-Conf-Exp, para. 34.

⁴⁸ Response, ICC-01/12-01/15-469-Conf, para. 15.

Victims or the Office of the Public Counsel for the Defence or decide to appoint legal representation where the interests of justice may so require.⁴⁹

D. Collective Reparations and Supportive activities

32. Regarding collective reparations, the Chamber takes note of the update provided by the TFV in its Twenty-ninth Report as to the activities conducted during the reporting period regarding (i) collective reparations for moral harm suffered by the Timbuktu community, particularly, memorialisation⁵⁰ and psychological support;⁵¹ (ii) collective reparations for economic harm suffered by the Timbuktu community, channelled through the Economic Resilience Facility, particularly, the activities conducted within the microproject support fund for local and grassroots organisations,⁵² and the provision of support to the Timbuktu Municipality to complement collective reparation measures;⁵³ and (iii) the protection and maintenance of the protected buildings.⁵⁴

33. In addition, the TFV reports that during the period it conducted (i) [REDACTED]
[REDACTED]
[REDACTED]⁵⁵ and ensuring that the finalisation of individual reparations is properly understood and accepted by the community and is not harmful to the continuation of other reparations measures;⁵⁶ (ii) gender mainstreaming, undertaken in order to ensure the equal participation of women in the reparation measures;⁵⁷ and (iii) external evaluation.⁵⁸

34. The Chamber commends the TFV's advances in the implementation of collective reparations and supportive activities as detailed in the Twenty-ninth Report and reiterates its expectation that there will be no further deviation from the planned time frame for the completion of implementation of all reparations in the case.

⁴⁹ *Lubanga* Twelfth Decision, [ICC-01/04-01/06-3558-Red](#), para. 19

⁵⁰ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 47-57.

⁵¹ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 58-60.

⁵² Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 60-67.

⁵³ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, para. 68.

⁵⁴ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 69-73.

⁵⁵ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 75-78.

⁵⁶ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 79-83.

⁵⁷ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 84-85.

⁵⁸ Twenty-ninth Report, ICC-01/12-01/15-467-Conf, paras 86-87.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY,

AUTHORISES the TFV to continue its efforts to locate and execute payments to the two outstanding eligible beneficiaries of individual reparations, as soon as they can be traced and reached;

NOTES that the 21 negative administrative decisions issued by the TFV on 27 October 2023 have become final;

DECLARES the judicial stage of the process of collection of applications for individual reparations and implementation of individual awards in the case concluded;

EXCEPTIONALLY ALLOWS the TFV to conduct a limited and expedite administrative process of consolidation and determination of all applications for individual reparations pending a determination, in accordance with the procedure detailed in paragraphs 23 to 27 above, within six months from the notification of the present Decision; and

DIRECTS the LRV and the TFV to review their underlying submissions and either file public redacted versions, request the reclassification as public, or justify the need to maintain the current classification, within five days from the notification of the present Decision.

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



Judge Antoine Kesia-Mbe Mindua
Presiding Judge



Judge Bertram Schmitt



Judge María del Socorro Flores Liera

Dated this Monday, 11 December 2023

At The Hague, The Netherlands