

# Annex 9

# Public

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 27 June 2022 10:35  
**To:** Associate Legal Officer-Court Officer  
**Cc:** Ambach, Philipp; [REDACTED]  
**Subject:** Quarterly Report on Email Decisions - FW: VPRS request to TC I on R94(2) notification

FYI

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**From:** Trial Chamber I Communications [REDACTED]  
**Sent:** 17 June 2022 14:42  
**To:** Trial Chamber I Communications [REDACTED]  
**Cc:** Office of the Director DJSS [REDACTED]  
**Subject:** RE: VPRS request to TC I on R94(2) notification

Dear [REDACTED]

The Chamber authorises the VPRS to proceed as suggested.

Kind regards,

[REDACTED]  
(on behalf of Trial Chamber I)

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**From:** Trial Chamber I Communications [REDACTED]  
**Sent:** 16 June 2022 11:11  
**To:** Ambach, Philip [REDACTED] Trial Chamber I Communications  
**Cc:** Office of the Director DJSS [REDACTED]  
**Subject:** RE: VPRS request to TC I on R94(2) notification

Dear Mr. Ambach,

I acknowledge receipt of your email, which has been transmitted to the Chamber.

Kind regards,

[REDACTED]  
(on behalf of Trial Chamber I)

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**From:** Ambach, Philipp [REDACTED]  
**Sent:** 16 June 2022 10:11  
**To:** Trial Chamber I Communications [REDACTED]  
**Cc:** Office of the Director DJSS [REDACTED]; [REDACTED]  
**Subject:** VPRS request to TC I on R94(2) notification

Dear Trial Chamber I,

Following the status conference held on 23 March 2022, the Victims Participation and Reparations Section (“VPRS”) kindly seeks the Chamber’s guidance in relation to the implementation of Rule 94(2) of the Rules of Procedure and Evidence (“RPE”). This topic was addressed during the status conference at the request of the Defence counsel, who sought an update on the Registry receipt of applications for reparations (ICC-02/05-01/20-T-025-CONF-ENG ET, pp. 3 to 12 ).

At the hearing, the VPRS clarified that the standard application form contains a *participation* and a *reparations* component, and applicants are free to choose either or both. In the present case, all applications for participation accepted at pre-trial stage and at trial stage to date also contain reparation requests. In keeping with the ABC approach, the VPRS has not transmitted any applications for reparations to the Defence – apart from Group C application forms. Yet, following the Defence’s reference to Rule 94(2) RPE during the aforementioned status conference, the Registry stands ready to provide notification of all reparation requests received at present to the Defence. The Registry understands this to mean informing the Defence of the *existence*, and number, of applications for reparations received to date.

The Registry notes that any notification would follow a Chamber’s instruction to that effect (“[...] the Court shall ask the Registrar to provide notification of the request [...]”, rule 94(2) RPE). During the status conference, the Presiding Judge indicated that the Chamber “will urge both the Registry and the Victims to give [the Defence] the information to which [it is] entitled as soon as possible” (ICC-02/05-01/20-T-025-CONF-ENG ET, p.12, lines 3-4). The Registry respectfully seeks the Chamber’s guidance whether the Presiding Judge’s aforementioned indication can be understood as the required instruction to provide relevant notification to the Defence.

As to the content of a notification to the Defence pursuant to Rule 94(2) RPE, the VPRS has reviewed the applications for reparations registered to date and is in a position to provide the Defence with the following information:

- the number of applications for reparation it considers might fall within the scope of the case (this includes the applications it has assessed as clearly falling within the scope of case (group A) as well as those for which additional information is being sought),
- an overview of the age and gender of the applicants,
- an overview of the type of charged incidents the applications relate to (*i.e.* whether they suffered from the charged crimes in Bindisi, Kodoom, Mukjar and Deleig)
- an overview of the types of reparation claims made by the applicants.

The VPRS is grateful for the Presiding Judge's guidance and stands ready to proceed with the notification by way of a filing on the record following said guidance.

Kind regards,

Philipp Ambach

(VPRS)