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No.: **ICC-01/12-01/15**

Date: **24 March 2017**

**TRIAL CHAMBER VIII**

**Before:** Judge Raul C. Pangalangan, Presiding Judge  
Judge Antoine Kesia-Mbe Mindua  
Judge Bertram Schmitt

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

**Public  
with  
5 confidential *EX PARTE* annexes, Registry and Legal Representative of Victims  
only**

**Second Transmission and Report on Applications for Reparations**

**Source: Registry**

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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**Unrepresented Applicants for  
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**Amicus Curiae**

**REGISTRY**

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**Registrar**

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**Counsel Support Section**

**Victims and Witnesses Section**

**Detention Section**

**Victims Participation and Reparations  
Section**

Mr Philipp Ambach

**Others**

Trust Fund for Victims

## I. Introduction

1. The Registry hereby transmits to Trial Chamber VIII (“Chamber”) four new applications for reparations in the case of *The Prosecutor v. Ahmad Al Faqi Al Mahdi* (“Al-Mahdi case”), together with the Registry’s report on its assessment of these four applications against the requirements of rule 85 of the Rules of Procedure and Evidence (“Assessment Report”), in accordance with the Chamber’s “Decision Appointing Reparations Experts and Partly Amending Reparations Calendar” (“Amended Reparations Calendar”).<sup>1</sup>

## II. Procedural History

2. On 29 September 2016, the Chamber issued the “Reparations Phase Calendar”, indicating that any applications for reparations must be filed by 16 December 2016 and setting 11 January 2017 as the deadline for submission of any information that the parties wish for the Chamber to consider in its reparations order.<sup>2</sup>
3. On 16 and 22 December 2016 respectively, the Registry transmitted 135 applications for reparations (“135 Applications”) in their original version to the Chamber and the Legal Representative of the Victims (“LRV”)<sup>3</sup> and in a redacted version to the Defence<sup>4</sup> (“First Transmission”).

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<sup>1</sup> Trial Chamber VIII, *The Prosecutor v. Ahmad Al Faqi Al Mahdi* “Decision Appointing Reparations Experts and Partly Amending Reparations Calendar”, 19 January 2017, ICC-01/12-01/15-203-Red, para. 8 (i).

<sup>2</sup> Trial Chamber VIII, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, “Reparations Phase Calendar”, 29 September 2016, ICC-01/12-01/15-172, para. 2 (v).

<sup>3</sup> Registry, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, “First Transmission and Report on Applications for Reparations”, 16 December 2016, ICC-01/12-01/15-200.

<sup>4</sup> Registry, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, “First Transmission to the Defence of Redacted Versions of Applications for Reparations”, 22 December 2016, ICC-01/12-01/15-202 and ICC-01/12-01/15-200-Conf-Anx1-135-Red.

4. On 19 January 2017, the Chamber issued the Amended Reparations Calendar, re-setting the deadline for submission of additional information to 24 March 2017.<sup>5</sup>
5. On 24 February 2017, the LRV filed a request to the Chamber for authorisation to submit new applications for reparations as well as supplementary information related to the 135 Applications.<sup>6</sup>
6. On 16 March 2017, the LRV submitted a request to the Chamber for an extension until 28 April 2017 of the 24 March 2017 deadline previously set by the Chamber for the submission of additional information.<sup>7</sup>
7. On 20 March 2017, the Chamber issued its “Decision on LRV requests for submission of additional reparation applications and for an extension of time”, directing the LRV to file any materials in his possession, including any newly collected reparation applications and supporting documents, by 24 March 2017 (“Decision on LRV Requests”).<sup>8</sup>
8. On that same date, the LRV handed over to the Victims Participation and Reparations Section of the Registry four new applications for reparations (“New Applications”).

### III. Classification

9. Pursuant to regulations 23bis(1) of the Regulations of the Court (“RoC”), the annexes to the present submission are classified as confidential *ex parte*, Registry

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<sup>5</sup> See *supra*, note 1, para. 8.

<sup>6</sup> LRV, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, « Requête du Représentant légal des victimes aux fins d’autorisation au dépôt de demandes en réparation additionnelles », 24 February 2017, ICC-01/12-01/15-204-Conf.

<sup>7</sup> LRV, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, « Requête du Représentant légal des victimes aux fins de prorogation de délai en vertu de la Norme 35 du Règlement de la Cour », ICC-01/12-01/15-207-Conf.

<sup>8</sup> Trial Chamber VIII, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, “Decision on LRV requests for submission of additional reparation applications and for an extension of time”, 20 March 2017, ICC-01/12-01/15-209.

and LRV only, since they contain information that may lead to the identification of victims.

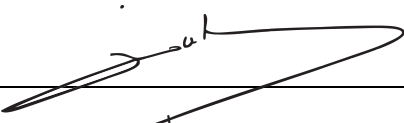
#### IV. Applicable Law

10. The Registry submits the present document pursuant to articles 68(1) and 75 of the Statute, rules 85 and 94 of the Rules of Procedure and Evidence (“Rules”), regulation 88 of the RoC and regulation 110 of the Regulations of the Registry, and in accordance with the Amended Reparations Calendar and the Decision on LRV Requests.

#### V. Submissions

11. The Registry hereby transmits to the Chamber:

- Annexes 1 to 4: confidential *ex parte*, Registry and LRV only, unredacted versions of the four New Applications;
- Annex 5: confidential *ex parte*, Registry and LRV only, Registry’s Assessment Report.<sup>9</sup>

  
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Marc Dubuisson, Director, Division of Judicial Services,  
*per* delegation of Herman von Hebel, Registrar

Dated this 24 March 2017

At The Hague, The Netherlands

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<sup>9</sup> When assessing the New Applications against the requirements of rule 85 of the Rules, the Registry followed the approach as described in paragraphs 8 to 10 of the Registry’s First Transmission.