

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/21
Date: 27 August 2021

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

Public

With 13 Confidential *EX PARTE* Annexes only available to the Registry

**First Registry Transmission of Group A Applications for Victim Participation in
Participation in Pre-Trial Proceedings**

Source: The Registrar

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

The Office of the Prosecutor

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Mr James Stewart
Mr Eric MacDonald

Counsel for the Defence

Ms Jennifer Naouri
Mr Dov Jacobs

Legal Representatives of the Victims

Legal Representatives of the Applicants

Ms Claudine Bagaza-Dini
Mr Celestin Nzala
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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Sarah Pellet

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. Introduction

1. On 16 April 2021, Pre-Trial Chamber II ("Chamber") issued its "Decision Establishing the Principles Applicable to Victims' Applications for Participation" ("Decision")¹ in which it *inter alia* endorsed the victim application procedure adopted in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona* ("Victim Application Procedure").² In compliance with this procedure, the Registry shall, *inter alia*, classify the 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")."³
2. Additionally, the Registry must "transmit to the Chamber on a rolling basis and in unredacted form all complete applications and any supporting documentation in its possession",⁴ and "disclose to the Prosecution and the Defence all Group C applications, redacted as needed."⁵

II. Procedural History

3. On 26 February 2021, the Registry submitted observations and recommendations on aspects related to the admission process for victims seeking to participate in the proceedings in the Case.⁶
4. On 16 April 2021, the Single Judge issued the Decision, adopting the Victim Application Procedure.⁷

¹ Pre-Trial Chamber II, "Decision Establishing the Principles Applicable to Victims' Applications for Participation", 16 April 2021, ICC-01/14-01/21-56.

² *Ibid.*, para. 35.

³ Pre-Trial Chamber II, *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, "Decision Establishing the Principles Applicable to Victims' Applications for Participation", 5 March 2019, ICC-01/14-01/18-141 ("5 March 2019 Decision"), para. 41(i).

⁴ *Ibid.*, para. 41(ii).

⁵ *Ibid.*, para. 41(iv).

⁶ Registry, "Registry Submissions on Aspects Related to the Participation of Victims in the Proceedings", 26 February 2021, ICC-01/14-01/21-25.

⁷ See *supra*, footnote 1.

5. On 9 July 2021, the Single Judge issued a decision on legal representation of victims and related matters, *inter alia*: i) ordering the Registry to transmit victim application forms in their entirety to the Chamber as part of the Victim Application Procedure; and ii) assigning the OPCV to represent the collective interests of applicant victims on a temporary and provisional basis.⁸

III. Classification

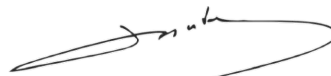
6. The annexes to the present submission are classified as confidential *ex parte* only available to the Registry, in accordance with the Victim Application Procedure.⁹

IV. Applicable Law

7. The present transmission 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, and regulations 107 to 109 of the Regulations of the Registry.

V. Transmission

8. The Registry hereby transmits 13 complete applications assessed as falling under Group A to the Chamber, in accordance with the Victim Application Procedure.¹⁰



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

Dated this 27 August 2021

At The Hague, the Netherlands

⁸ Pre-Trial Chamber II, "Decision on legal representation of victims and related matters", 9 July 2021, ICC-01/14-01/21-119, paras 30, 35 and p. 12.

⁹ 5 March 2019 Decision, para. 41(ii).

¹⁰*Id.*