

Annex 3

Public Redacted

From: [REDACTED]
Sent: 12 January 2024 10:42
To: Associate Legal Officer-Court Officer
Cc: VPRS Darfur
Subject: FOR Quarterly Report on Email Decisions : VPRS Request to TCI regarding victim mapping in Abd-Al-Rahman case

[ICC] RESTRICTED

Dear colleagues,
 For the next quarterly report.
 Could you please let us know when do you intent to file the report?
 Best regards,
 [REDACTED]

From: Trial Chamber I Communications [REDACTED]
Sent: 11 January 2024 16:55
To: Ambach, Philipp [REDACTED]; Trial Chamber I Communications [REDACTED]
Cc: Abd Al Rahman Prosecution Team [REDACTED] D31 Abd-Al-Rahman Defence Team [REDACTED]; V47 Abd Al Rahman LRV Team [REDACTED]
 [REDACTED] Office of the Director DJSS [REDACTED]
 [REDACTED]
 [REDACTED]
Subject: RE: VPRS Request to TCI regarding victim mapping in Abd-Al-Rahman case

[ICC] RESTRICTED

Dear Mr Ambach,
 Dear colleagues,

The Chamber has taken note of the VPRS' request in relation to the mapping of potential beneficiaries of reparations (the 'Request'). The Chamber notes that the Prosecution (Email of 4 December 2023, at 16:39) and the Common Legal Representatives (Email of 4 December 2023, at 17:12) do not oppose the Request and submit that the VPRS should be granted access to the confidential record of the case.

In its response, the Defence questions the purpose of the Request and argues that if VPRS needs access to confidential information, it shall be made accessible to them without the need for a judicial ruling, pursuant to Section 16.1(b) of the ICC Information Protection Policy.

The Chamber notes that, contrary to the Defence's assertion, the different organs of the Registry cannot gain access to 'all filings and judicial documents in the Case and Situation, whatever their level of classification', simply by requesting it internally.

Pursuant to Regulation 31(1) of the Regulations of the Court, it is the participant submitting a document who first determines the level of confidentiality and the recipients of that document. If a different level of confidentiality or recipients are subsequently requested by another participant, a judicial ruling from the Chamber is required. The Chamber finds that the issue of confidentiality of filings is part of the litigation between the parties and participants and therefore necessitates adjudication by the Chamber.

The Chamber further notes that, notwithstanding its aforementioned submission, the Defence does not object to the Request as such. The Chamber therefore finds that, as the parties and participants do not object to granting access to the confidential record of the case to the VPRS, the Request is authorised.

Kind regards,

[REDACTED]
(on behalf of Trial Chamber I)

From: Ambach, Philipp [REDACTED]
Sent: 27 November 2023 10:56
To: Trial Chamber I Communications [REDACTED]
Cc: Abd Al Rahman Prosecution Team [REDACTED] D31 Abd-Al-Rahman Defence Team [REDACTED] V47 Abd Al Rahman LRV Team [REDACTED] Office of the Director DJSS [REDACTED]
Subject: VPRS Request to TCI regarding victim mapping in Abd-Al-Rahman case

[ICC] RESTRICTED

Dear Trial Chamber I,
Dear Colleagues,

In accordance with Trial Chamber I's "Second decision on the admission of victims to participate in trial proceedings" ([ICC-02/05-01/20-761](#), paras 16-18), VPRS is in the process of mapping potential beneficiaries of reparations in the *Abd-Al-Rahman* Case (beyond the participating victims in the proceedings) and the different types of harm they have suffered.

[REDACTED]
[REDACTED]
[REDACTED] However, VPRS does not have access to the evidence or material shared between parties and participants in this case. As we did in other proceedings, we intend to ask parties and participants to assist us in identifying documents we should consider for the purpose of our mapping. To access such documents, we would need an authorisation from the Chamber. We consider that granting us such access to the confidential record of the case would facilitate our inquiries with parties and participants, who would be in a position to direct us in an efficient manner to relevant information in the record of the case – and us being able to access it without having to lodge several requests for specific items once identified.

To this end, I hereby kindly request the Chamber's authorisation for VPRS to have access to any victim-related record on the case file that the parties and/or participants may direct us at.

I thank you in advance for your guidance on the matter.

Kind regards,

Philipp Ambach
(VPRS)