



**Original: English**

**No. ICC-02/05-01/20**

**Date: 19 March 2021**

**PRE-TRIAL CHAMBER II**

**Before: Judge Rosario Salvatore Aitala, Single Judge**

**SITUATION IN DARFUR, SUDAN**

**IN THE CASE OF**

***THE PROSECUTOR V. ALI MUHAMMAD ALI ABD-AL-RAHMAN ('ALI  
KUSHAYB')***

**Public**

Decision regarding the Registry's First Assessment Report, legal representation, and the victims' procedural position

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

**The Office of the Prosecutor**

Ms Fatou Bensouda  
Mr Julian Nicholls

**Counsel for Mr Abd-Al-Rahman**

Mr Cyril Laucci

**Legal Representatives of Victims**

Ms Amal Clooney  
Mr Nasser Mohamed Amin Abdalla

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
for Participation/Reparations**

**The Office of Public Counsel  
for Victims**

Ms Paolina Massida

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and  
Reparations Section**

Mr Philipp Ambach

**Other**

**JUDGE ROSARIO SALVATORE AITALA**, acting as Single Judge on behalf of Pre-Trial Chamber II of the International Criminal Court (the ‘Court’),<sup>1</sup> having regard to articles 67(1), 68(1) and (3), and 69(4), of the Rome Statute (the ‘Statute’), rules 16, 85-93, and 121-122 of the Rules of Procedure and Evidence (the ‘Rules’), regulations 24, 79-81 and 86 of the Regulations of the Court (the ‘Regulations’), and regulation 112 of the Regulations of the Registry (the ‘Regulations of the Registry’), issues this Decision regarding the Registry’s First Assessment Report, legal representation, and the victims’ procedural position.

## **I. PROCEDURAL HISTORY**

1. On 27 April 2007, Pre-Trial Chamber I granted the Prosecutor’s application under article 58(7) of the Statute<sup>2</sup> and decided<sup>3</sup> to issue a warrant of arrest against Mr Ali Muhammad Ali Abd-Al-Rahman (‘Mr Abd-Al-Rahman’) for crimes against humanity and war crimes allegedly committed in the localities of Kodoom, Bindisi, Mukjar, Arawala and their surrounding areas in Darfur, Sudan, between August 2003 and March 2004 (‘First Warrant’).<sup>4</sup>
2. On 16 January 2018, Pre-Trial Chamber II, in its previous composition, granted the Prosecutor’s application to amend the First Warrant pursuant to article 58(6) of the Statute,<sup>5</sup> issuing a second warrant of arrest against Mr Abd-Al-Rahman for crimes against humanity and war crimes allegedly committed in the locality of Deleig and surrounding areas in Darfur, Sudan, between on or about 5 to 7 March 2004 (‘Second Warrant’).<sup>6</sup>

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<sup>1</sup> [Decision on the designation of a Single Judge](#), 9 June 2020 (notified on 10 June 2020), ICC-02/05-01/07-80.

<sup>2</sup> [Prosecutor’s Application under Article 58 \(7\)](#), 27 February 2007, ICC-02/05-55-US-Exp (public redacted version notified on the same day, ICC-02/05-56).

<sup>3</sup> [Decision on the Prosecution Application under Article 58\(7\) of the Statute](#), ICC-02/05-01/07-1-Corr.

<sup>4</sup> [Warrant of Arrest for Ali Kushayb](#), ICC-02/05-01/07-3-Corr.

<sup>5</sup> [Prosecution’s application pursuant to article 58\(6\) of the Rome Statute to amend the warrant of arrest for Ali Muhammad Ali Abd-Al-Rahman \(“Ali Kushayb”\) by adding new crimes](#), 3 November 2017, ICC-02/05-01/07-73-Secret-Exp (confidential redacted and public redacted versions notified on 25 June 2020 and 26 June 2020, respectively: ICC-02/05-01/20-6-Conf-Red and ICC-02/05-01/20-6-Red2).

<sup>6</sup> [Second warrant of arrest for Ali Muhammad Ali Abd-Al-Rahman \(“Ali Kushayb”\)](#), ICC-02/05-01/07-74-Secret-Exp (public redacted version notified on 11 June 2020, ICC-02/05-01/07-74-Red).

3. On 9 June 2020, Mr Abd-Al-Rahman surrendered himself and was transferred to the Detention Centre of the Court. On 15 June 2020, as ordered by the Chamber,<sup>7</sup> Mr Abd-Al-Rahman made his first appearance before the Single Judge.<sup>8</sup>
4. On 8 October 2020, the Registry, through the Victims Participation and Reparations Section (the ‘VPRS’), submitted a request to modify the standard application form for victim participation in the present case,<sup>9</sup> which was granted by the Single Judge on 4 November 2020.<sup>10</sup>
5. On 17 November 2020, pursuant to the instructions of the Single Judge,<sup>11</sup> the VPRS section of the Registry submitted observations and recommendations on aspects related to the admission process for victims seeking to participate in the proceedings (the ‘Registry Observations’).<sup>12</sup>
6. On 19 November 2020, the Defence submitted a request, seeking that the Single Judge, *inter alia*, (i) reject the Registry Observations *in limine* on the basis that the submissions were delayed, or reject the admission procedure proposed in the Registry Observations; and (ii) order the Registry to transmit all victim applications to the parties, with the necessary redactions, in accordance with rule 89(1) of the Rules (the ‘Defence Rule 89(1) Request’).<sup>13</sup>

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<sup>7</sup> [Decision on the convening of a hearing for the initial appearance of Mr Ali Kushayb](#), 11 June 2020, ICC-02/05-01/07-82.

<sup>8</sup> [Transcript of hearing of Initial Appearance](#), ICC-02/05-01/20-T-001-ENG.

<sup>9</sup> [Registry Request for Authorization to use a Modified Standard Application Form to Facilitate Victim Participation in the Case](#), ICC-02/05-01/20-178-Conf. A public redacted version was filed on 2 November 2020, ICC-02/05-01/20-178-Red.

<sup>10</sup> [Decision on the Registry’s Request for Authorisation to use a Modified Standard Application Form for Victim Participation](#), ICC-02/05-01/20-198. On 9 November 2020, the Defence submitted a request for leave to appeal this decision: [Demande d’autorisation d’interjeter appel de la Decision ICC-02/05-01/20-198](#), ICC-02/05-01/20-201, which was rejected by the Chamber in its 12 January 2021 [Decision on the Defence Request for Leave to Appeal the Decision ICC-02/05-01/20-198](#), ICC-02/05-01/20-254.

<sup>11</sup> Email sent from Pre-Trial Chamber II to VPRS on 16 September 2020 at 9:57.

<sup>12</sup> [Registry Observations on Aspects Related to the Admission of Victims for Participation in the Proceedings](#), ICC-02/05-01/20-203.

<sup>13</sup> [Requête en vertu de la Règle 89-1 du Règlement de Procédure et de Preuve](#), ICC-02/05-01/20-206.

7. On 26 November 2020, the Prosecutor responded to the Registry Observations supporting the admission process recommended therein.<sup>14</sup>
8. On 8 January 2021, external counsel for certain applicant victims requested that the Chamber clarify the temporal and geographical scope of the charges, and to be provided with guidance in terms of the modalities for legal representation, including access to documents in the case file (the ‘Request for Guidance’).<sup>15</sup>
9. On 13 January 2021, the Defence responded to the Request for Guidance.<sup>16</sup>
10. On 18 January 2021, the Single Judge issued the ‘Decision establishing the principles applicable to victims’ participation and representation during the Confirmation Hearing’, thereby (i) providing instructions to the Registry and the parties to commence the admission and participation process for victims in the case; (ii) rejecting the Defence Rule 89(1) Request; and (iii) appointing the Office of Public Counsel for Victims (the ‘OPCV’) as common legal representative for the purposes of the confirmation proceedings (the ‘First Decision’).<sup>17</sup>
11. On 25 January 2021, three external counsel for applicant victims submitted a request to be recognised as common legal representatives under rule 90(2) or, alternatively, for the Chamber to reconsider the First Decision or grant leave to appeal said decision (‘Counsel’ and the ‘Request for Appointment’, respectively).<sup>18</sup>
12. On 28 January 2021, the Prosecutor responded to the Request for Appointment.<sup>19</sup>

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<sup>14</sup> [Prosecution's response to "Registry Observations on Aspects Related to the Admission of Victims for Participation in the Proceedings"](#), ICC-02/05-01/20-212.

<sup>15</sup> [Request for Guidance on Modalities for Submissions relating to Applications for Victim Participation](#), notified on 11 January 2021, ICC-02/05-01/20-251.

<sup>16</sup> [Observations en Réponse à la Requête ICC-02/05-01/20-251](#), ICC-02/05-01/20-255.

<sup>17</sup> [Decision establishing the principles applicable to victims’ participation and representation during the Confirmation Hearing](#), ICC-02/05-01/20-259. On 22 January 2021, the Defence submitted a request seeking leave to appeal the 18 January 2021 Decision: [Demande d’autorisation d’appel de la Décision ICC-02/05-01/20-259](#), ICC-02/05-01/20-264. The Chamber issued a decision on 9 February 2021 in which it rejected the request: [Decision on the request for leave to appeal the Decision establishing the principles applicable to victims’ participation and representation during the Confirmation Hearing](#), ICC-02/05-01/20-281.

<sup>18</sup> [Request for appointment, or in the alternative, reconsideration or leave to appeal](#), ICC-02/05-01/20-268.

<sup>19</sup> [Prosecution Response to “Request for appointment, or in the alternative, reconsideration or leave to appeal”](#), ICC-02/05-01/20-271.

13. On 5 February 2021, the Single Judge issued the ‘Decision supplementing the Chamber’s first decision on victims’ participation and representation and providing additional guidance’, in which the Single Judge, *inter alia*, (i) clarified that the appointment of the OPCV in the 18 January 2021 Decision was temporary and would be superseded by decisions to be taken in matters of legal representation at the stage of the determinations of the merits of the applications by the Chamber; and (ii) clarified that final decisions on individual and common legal representation would be adopted in the context of the determinations on the status of victims (the ‘Second Decision’).<sup>20</sup>

14. On 24 February 2021, the Single Judge orally instructed the Registry to file all complete applications for participation which it had already assessed as qualifying for participation, together with an accompanying report (the ‘Instructions’).

15. On 26 February 2021, pursuant to the Instructions, the Registry submitted the ‘Registry’s First Assessment Report and Transmission of Victim Applications for Participation in Pre-Trial Proceedings’ (the ‘First Assessment Report’).<sup>21</sup> The Registry provided a brief description of the criteria applied in relation to 28 applicant victims who, in the Registry’s assessment, clearly qualify as victims of the present case. In line with the First Decision, the Registry also transmitted the application forms of the 28 applicant victims.

16. On 3 March 2021, the Defence submitted a response to the First Assessment Report (the ‘Defence Response’).<sup>22</sup> The Defence argues that the Instructions revised the First Decision, in that the latter had instructed the Registry to start transmitting application forms and corresponding reports only after the Prosecutor had submitted the Document Containing the Charges, whereas the First Assessment Report based its assessment on the arrest warrants. Accordingly, the Defence asks the Chamber (i) to order the Registry to change the categorisation of the 28 applications from

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<sup>20</sup> [Decision supplementing the Chamber’s first decision on victims’ participation and representation and providing additional guidance](#), ICC-02/05-01/20-277.

<sup>21</sup> [Registry’s First Assessment Report and Transmission of Victim Applications for Participation in Pre-Trial Proceeding](#), ICC-02/05-01/20-288 (notified on 1 March 2021).

<sup>22</sup> [Observations en Réponse au Rapport ICC-02/05-01/20-288](#), 3 March 2021, ICC-02/05-01/20-290.

Group A to Group C, (ii) to notify the application forms to the parties, and (iii) to file the Instructions in the record of the case.

17. On 9 March 2021, the Registry submitted an addendum for the First Assessment Report, in which it informed the Chamber that applicant victim a/15002/18 had chosen Ms Clooney as Counsel instead of the lawyer initially designated in the victim application form (the ‘Addendum’).<sup>23</sup> The Registry also confirmed that, unlike a/15002/18’s initial choice of Counsel,<sup>24</sup> both Ms Clooney and Mr Nasser Amin are on the ICC List of Counsel.

18. On 16 March 2021, following the recomposition of the Chambers by the Presidency,<sup>25</sup> Judge Rosario Salvatore Aitala was designated by the Chamber as Single Judge responsible for carrying out the functions of the Chamber in the present case until otherwise decided.<sup>26</sup>

## II. ANALYSIS

### A. Authorisation to participate

19. In the First Decision, the Single Judge instructed the Registry to transmit to the Chamber, on a rolling basis and in unredacted form, all complete applications for participation,<sup>27</sup> accompanied by a report containing a preliminary assessment of all such complete applications in light of the criteria for participation laid down in rule 85 of the Rules and paragraph 17 of the First Decision. Based on this analysis, the Registry must classify each application into one of three categories:

Group A: Applicants who clearly qualify as victims of this case.

Group B: Applicants who clearly do not qualify as victims of this case.

Group C: Applicants for whom the Registry could not make a clear determination.

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<sup>23</sup> [Registry’s Addendum to the First Assessment Report and Transmission of Victim Applications for Participation in Pre-Trial Proceedings](#), 9 March 2021, ICC-02/05-01/20-296, para. 4.

<sup>24</sup> Email from VPRS to the Chamber sent on 3 March 2021 at 14:46.

<sup>25</sup> [Decision assigning judges to divisions and recomposing Chambers](#), ICC-02/05-01/20-303.

<sup>26</sup> [Decision on the designation of a Single Judge](#), 17 March 2021, ICC-02/05-01/20-307.

<sup>27</sup> For those applications which the Registry determines to fall into Group B, it must only transmit applications which refer to crimes allegedly committed in 2003-2004 in Western Darfur. *See* First Decision, para. 34.

20. For applications falling in Groups A or B, reports are not required to include application-by-application justification but must explain the criteria and methodology applied. For applications falling in Group C, reports must clearly highlight the issue(s) arising from each application and explain why the Registry was unable to make a determination. The Chamber will review the Registry's recommendations in relation to applications falling into groups A and B without requiring submissions from the parties. Barring the detection of clear and material errors in the Registry's assessment, the Chamber will certify the Registry's assessment by way of a formal decision.

21. With its First Assessment Report, the Registry transmitted the first batch of 28 applications of persons who the Registry assessed to fall into category A.<sup>28</sup> The Registry explains that it has determined that all 28 applicant victims fulfil the criteria for participation as set out in paragraph 17 of the First Decision. In particular, the Registry has assessed for each of the applicant victims whether (i) their identity had been sufficiently established, (ii) they suffered harm, and (iii) such harm was suffered as a result of one or more of the crimes allegedly committed during an incident falling within the temporal, geographic and material parameters of the case as described in the First and Second Warrant.

22. The Single Judge approves the Registry's methodology and concurs with the Registry's assessment. Accordingly, the Single Judge decides that all 28 individuals mentioned in the First Assessment Report are henceforth provisionally authorised to participate in the confirmation proceedings. This authorisation will be subject to review on the basis of the Document Containing the Charges submitted by the Prosecutor. The Single Judge hereby instructs the Registry to update its assessment as soon as the DCC has become available.

23. The requests made in the Defence Response are baseless. The Chamber may issue any orders and instructions to the Registry it considers appropriate to ensure the fairness and expeditiousness of the proceedings, including with a view to allowing the victims to participate as early as possible.

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<sup>28</sup> The First Assessment Report further noted that the Registry has hitherto received 725 applications (690 in Arabic), 300 of which were assessed by the Registry as clearly falling outside the temporal and/or geographic scope of the case and were hence not transmitted to the Chamber. The remainder of the applications are still in the process of being translated. *See* First Assessment Report, para. 15.

24. As noted in the Second Decision, the Chamber had reserved the issue of the legal representation of victims until when a determination had been made as to which applicant victims, having been found to meet the relevant requirements, would be admitted to participate as victims. In that decision, the Single Judge also made it clear that, barring obstacles arising in connection with issues of conflict of interest or other legal impediment, the choices made by each individual victim as regards their own legal representation would be duly considered and honoured.

25. The Single Judge notes that (i) all 28 applicant victims, who have now been provisionally authorised to participate, have appointed Counsel; (ii) the appointed Counsel have both expressed their willingness to act jointly as one team and to represent the interests of their clients together;<sup>29</sup> (iii) Counsel have affirmed that they “will not seek any funding from the Court at any stage of the case”.<sup>30</sup> Accordingly, the Single Judge appoints Mr Nasser Mohamed Amin Abdalla and Ms Amal Clooney as legal representatives of the 28 victims in these proceedings.

26. The OPCV, in accordance with the First Decision and the Second Decision, will remain responsible for providing general support and assistance to all applicant victims within the meaning of regulations 81(4) of the Regulations and for preserving their interests throughout the stage between the collection of the applications by the Registry and their transmission to and adjudication by the Chamber. The OPCV will continue receiving all the applications related to this case filed with the VPRS in order to allow it, in close consultation with VPRS as appropriate, to discharge its responsibilities to bring to the attention of the Chamber any potential issue of conflict of interest prior to the Chamber making its final determinations in the matter of representation.<sup>31</sup>

27. Finally, the Registry is instructed to actively assist future applicant victims in their choice of legal representative in accordance with rule 90(2) of the Rules and regulation 112 of the Regulations of the Registry.

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<sup>29</sup> Request for Appointment, para. 17.

<sup>30</sup> Request for Appointment, para. 18.

<sup>31</sup> Second Decision, para. 19.

## B. The victims' procedural position

28. The Single Judge takes this opportunity to specify the procedural position of victims pursuant to rules 89(1) and 91(2) of the Rules. At the outset, the Single Judge notes that, whereas the Court's legal texts expressly grant certain rights to victims, other participatory privileges require specific authorisation by the Chamber in accordance with article 68(3) of the Statute and rule 89(1) of the Rules.<sup>32</sup> In general, in line with the object and purpose of article 68(3) of the Statute and rules 91 and 92 of the Rules, the Single Judge considers that victims must be allowed to play a meaningful role in the proceedings, but in a manner which is not prejudicial to or inconsistent with the rights of the suspects and a fair and impartial trial.

29. The findings that follow shall apply throughout the pre-trial stage in the instant case, subject to any subsequent modification in accordance with rule 91(1) of the Rules. The Chamber reserves the right to grant additional entitlements to victims during the proceedings either at their request or *proprio motu*.

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<sup>32</sup> See, for example, Pre-Trial Chamber II, *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, [Decision regarding the Registry's First Assessment Report on Applications for Victim Participation, the Registry's First Transmission of Group C Applications, the appointment of counsel for Victims of Other Crimes, and the victims' procedural position](#), 21 June 2019, ICC-01/14-01/18-227-Red; Pre-Trial Chamber I, *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, [Public redacted version of Decision on Principles Applicable to Victims' Applications for Participation, to Legal Representation of Victims, and to the Manner of Victim Participation in the Proceedings](#), 20 March 2019, ICC-01/12-01/18-289-Red-tENG-Corr; Pre-Trial Chamber II, *Prosecutor v. Dominic Ongwen*, [Decision on contested victims' applications for participation, legal representation of victims and their procedural rights](#), 27 November 2015, ICC-02/04-01/15-350; Pre-Trial Chamber I, *The Prosecutor v. Charles Blé Goudé*, [Decision on victim's participation in pre-trial proceedings and related issues](#), 11 June 2014, ICC-02/11-02/11-83; Pre-Trial Chamber II, *The Prosecutor v. Uhuru Muigai Kenyatta and Mohammed Hussein Ali*, [Decision on Victims' Participation at the Confirmation of Charges Hearing and in the Related Proceedings](#), 26 August 2011, ICC-01/09-02/11-267; Pre-Trial Chamber I, *The Prosecutor v. Callixte Mbarushimana*, [Decision on the 138 applications for victims' participation in the proceedings](#), 11 August 2011, ICC-01/04-01/10-351; Pre-Trial Chamber II, *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang*, [Decision on the Victim's Participation at the Confirmation of Charges Hearing and in the Related Proceedings](#), 5 August 2011, ICC-01/09-01/11-249; Pre-Trial Chamber I, *The Prosecutor v. Abdalla Banda Nourain and Saleh Mohammed Jerbo Jamus*, [Decision on Victim's Participation at the Hearing on the Confirmation of the Charges](#), 29 October 2010, ICC-02/05-03/09-89; Pre-Trial Chamber I, *The Prosecutor v. Bahar Idriss Abu Garda*, [Decision on victims' modalities of participation at the Pre-Trial Stage of the Case](#), 6 October 2009, ICC-02/05-02/09-136; Pre-Trial Chamber I, *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, [Public redacted version of the "Decision on the 97 Applications for Participation, at the Pre-Trial Stage of the Case"](#), 10 June 2008, ICC-01/04-01/07-579.

## **1. Access to records and evidence**

30. In accordance with rule 121(10) of the Rules, the Chamber grants all legal representatives of victims access to the record of the proceedings before the Chamber containing all filings, decisions, transcripts of hearings, and items of evidence. The legal representatives shall be allowed to consult all public and confidential documents, decisions, and transcripts contained in the record, with the exception of those classified as *ex parte*, excluding the victims. Legal representatives shall not have access to documents qualified as under seal or secret, unless they are specifically notified thereof.

31. Regarding access to items of evidence, the Single Judge is of the view that this right is restricted to the version of the item – unredacted, redacted or summarised as the case may be – that was disclosed to the party not presenting it.

32. The Single Judge also finds that, if the legal representatives find it necessary to share confidential information with their clients, they must request the Chamber's prior authorisation.

## **2. Written submissions**

33. The Single Judge further rules that the victims, via their legal representatives and for the purpose of presenting their views and concerns, shall be entitled to file both written submissions on any matter they consider relevant as well as responses and replies to any document presented to the Chamber under regulation 24 of the Regulations of the Court. In this regard, the Chamber also notes that the written submissions on points of fact and law, as provided for in rule 121(9) of the Rules, must be lodged no later than three days before the start of the confirmation hearing.

34. The Prosecutor and the Defence have the right to reply to a response made by a legal representative pursuant to rule 91(2) of the Rules. In this respect, the Single Judge considers that, for the purposes of the diligent and fair conduct of the proceedings, it is appropriate to reduce the applicable time limit to three days effective from notification of the relevant response to the parties, even where the replying party has not filed an initial submission.

### 3. Attendance of hearings and status conferences

35. Legal representatives are entitled to attend all public or closed sessions of hearings in accordance with rule 91(2) of the Rules. However, they shall not attend *ex parte* hearings held only in the presence of the Prosecutor, the Defence, another participant, and/or the Registry.

36. The legal representatives are also authorised to make opening and closing statements at the confirmation hearing in accordance with rule 89(1) of the Rules and to present oral requests, responses and submissions during all hearings in which they participate.

37. In light of article 69(4) of the Statute, which is applicable *mutatis mutandis* at the confirmation hearing pursuant to rule 122(9) of the Rules, the Single Judge finds it appropriate to grant legal representatives the possibility to make submissions on the admissibility and/or relevance of any item of evidence. If legal representatives wish to avail themselves of this possibility at the confirmation hearing, they must submit a separate written request for that purpose.

**FOR THESE REASONS, THE SINGLE JUDGE HEREBY**

**REJECTS** the Defence Response;

**PROVISIONALLY AUTHORISES** applicant victims a/15002/18, a/20218/20, a/20221/20, a/20222/20, a/20223/20, a/20668/20, a/20669/20, a/20670/20, a/20673/20, a/20674/20, a/25004/21, a/25005/21, a/25007/21, a/25009/21, a/25010/21, a/25012/21, a/25014/21, a/25015/21, a/25016/21, a/25017/21, a/25018/21, a/25019/21, a/25020/21, a/25022/21, a/25023/21, a/25024/21, a/25025/21, a/25031/21 to participate in the proceedings;


**CLARIFIES** that this authorisation is subject to review on the basis of the content of the forthcoming DCC and, accordingly, **INSTRUCTS** the Registry to update its assessment as soon as the DCC has become available;

**APPOINTS** Mr Nasser Mohamed Amin Abdalla and Ms Amal Clooney as the joint legal representatives of the abovementioned victims;

**DECIDES** that the victims shall enjoy the procedural rights and entitlements specified in the present decision; and

**INSTRUCTS** the Registry to notify the OPCV and the legal representatives of all public and confidential documents in the record.

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



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**Judge Rosario Salvatore Aitala**  
**Single Judge**

Dated this Friday, 19 March 2021

At The Hague, Netherlands