

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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No.: ICC-02/05-01/09

Date: 9 July 2010

PRE-TRIAL CHAMBER I

Before: Judge Sanji Mmasenono Monageng, Single Judge

SITUATION IN DARFUR, SUDAN

***IN THE CASE OF THE PROSECUTOR V. OMAR HASSAN AHMAD AL BASHIR
("Omar Al-Bashir")***

Public Document

Decision on 8 Applications for Victims' Participation in the Proceedings

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

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor

Counsel for the Defence

Ms Michelyne C. Saint-Laurent

Legal Representatives of Victims

Legal Representatives of Applicants

Mr Geoffrey Nice

Mr Rodney Dixon

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Others

I, Judge Sanji Mmasenono Monageng, Judge of Pre-Trial Chamber I (“Chamber”) of the International Criminal Court (“Court”);

NOTING the “Decision on the Designation of a Single Judge on Victims’ Issues”, issued on 19 August 2009, whereby the Chamber designated me as Single Judge responsible for all issues relating to applications for authorisation to participate as victims in the proceedings in the case of *The Prosecutor v. Omar Hassan Ahmad Al Bashir* (“Omar Al-Bashir Case”);¹

NOTING the “Report on applications a/0774/10 to a/0781/10 to participate in the proceedings” filed by the Registry on 3 May 2010, together with eight applications (“Applications”) in which applicants (“Applicants”) request to be authorised to participate in the pre-trial stage of the Omar Al-Bashir Case, and in particular in the proceeding arising out of the Judgement of the Appeals Chamber of 3 February 2010, whereby the Pre-Trial Chamber I was directed to re-examine the issue of genocide;²

NOTING the “Decision Setting a Time Limit for the Parties’ Replies to 8 Applications for Victims’ Participation in the Proceedings” issued on 26 May 2010, whereby the Single Judge appointed Ms Michelyne C. St-Laurent as *ad hoc* Counsel for the Defence (“Defence”) of Omar Hassan Ahmad Al Bashir (“Mr Al-Bashir”) for the proceedings concerning the Applications, and granted the Prosecution and the Defence until 18 June 2010 to reply to the Applications;³

NOTING the “Observations de la Défense sur la demande de participation en qualité de victims des demandeurs a/0774/10 à a/0781/10” (“Defence Reply”) filed on 18 June 2010, in which the Defence requests the Chamber to reject the Applications on the ground that the

¹ ICC-02/05-01/09-31.

² ICC-02/05-01/09-82-Conf-Exp; supplemented on 26 May 2010 by ICC-02/05-01/09-84-Conf-Exp; ICC-02/05-01/09-84-Conf-Exp-Anx1.

³ ICC-02/05-01/09-85.

harm alleged by the Applicants is not linked to the crimes for which Mr Al-Bashir is alleged to be responsible;⁴

NOTING the “Prosecution’s Observations on 8 Applications for Victims’ Participation in the Proceedings” (“Prosecution Reply”) filed on 18 June 2010, whereby the Prosecution submits that none of the Applicants meet the criteria for participation as victims, since the information provided by the Applicants is insufficient to establish that they suffered harm as a result of a crime for which Mr Al-Bashir is alleged to be responsible;⁵

NOTING the “Request to file additional information before the Single Judge in light of the Prosecution’s Observations on Applications for Victim Participation”, filed on 23 June 2010 by the Legal Representatives of the Applicants (“Request of the Legal Representatives”),⁶ whereby the Applicants seek leave to provide additional information, through the Registry, on two matters: (i) the Prosecution’s allegation of a conflict of interest arising from the Legal Representatives’ involvement in the representation of the Applicants and two organisations in the present case; and (ii) identification of “the suspect charged as being responsible for the harm” which the Applicants allege to have suffered;

NOTING articles 57 (3) (c) and 68 (3) of the Rome Statute (“Statute”); rules 85, 86 and 89 (1) of the Rules of Procedure and Evidence (“Rules”); as well as regulation 86 of the Regulations of the Court (“Regulations”);

HEREBY RENDER THIS DECISION

I. APPLICABLE LAW

1. The Single Judge recalls that in determining whether a person may be granted the right to participate in proceedings the following matters must be examined: (i) whether

⁴ ICC-02/05-01/09-89.

⁵ ICC-02/05-01/09-90.

⁶ ICC-02/05-01/09-91.

that person has submitted a complete application for participation, and (ii) whether he or she meets the criteria for participation as a victim set out in article 68 (3) of the Statute and rule 85 of the Rules.

2. Pursuant to rule 89 (1) of the Rules and regulation 86 (5) of the Regulations, applicants seeking participation in the proceedings must submit a written application to the Registrar, who shall then transmit the application, together with a report thereon, to the relevant Chamber. The Single Judge reiterates that she will be in a position to properly assess only fully completed applications containing the information required under regulation 86 (2) of the Regulations.⁷

3. Rule 85 (a) of the Rules provides:

‘Victims’ means natural persons who have suffered harm as a result of the commission of any crime within the jurisdiction of the Court.

4. The Single Judge must thus ascertain that the following four criteria are met: (i) the applicant must be a natural person; (ii) the applicant must have suffered harm; (iii) the crime from which the harm resulted must fall within the jurisdiction of the Court; and (iv) there must be a causal link between the crime and the harm.⁸ The Single Judge reiterates that the applicants are only required to demonstrate that the four requirements set out in rule 85 (a) of the Rules are met *prima facie*.⁹

5. The Single Judge recalls that the alleged incident from which the harm resulted must be the subject of a warrant of arrest or a summons to appear, or, at a later stage of the proceedings, a charging document.¹⁰ The Appeals Chamber held that “the participation of victims in the trial proceedings (...) is limited to those victims who are linked to the

⁷ *Prosecutor v. Bahar Idriss Abu Garda*, Pre-Trial Chamber I, “Decision on the 52 Applications for Participation at the Pre-Trial Stage of the Case”, 8 October 2009, ICC-02/05-02/09-147-Red, para. 4.

⁸ *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Pre-Trial Chamber I, “Decision on the 97 Applications for Participation at the Pre-Trial Stage of the Case”, 10 June 2008, ICC-01/04-01/07-579 (“*Katanga Decision*”), para. 65.

⁹ *Prosecutor v. Bahar Idriss Abu Garda*, Pre-Trial Chamber I, “Decision on the 34 Applications for Participation at the Pre-Trial Stage of the Case”, 25 September 2009, ICC-02/05-02/09-121, para. 14.

¹⁰ *Situation in Darfur, Sudan*, Pre-Trial Chamber I, “Decision on the Requests for Leave to Appeal the Decision on the Application for Participation of Victims in the Proceedings in the Situation”, 6 February 2008, ICC-02/05-121, p. 8; *Katanga Decision*, para. 65.

charges.”¹¹ In the present case, the relevant alleged crimes are listed in the “Warrant of Arrest for Omar Hassan Ahmad Al Bashir” (“Warrant of Arrest”).¹² In the Warrant of Arrest it is stated that there are reasonable grounds to believe that Mr Al-Bashir is criminally responsible under article 25 (3) (a) of the Statute for war crimes and crimes against humanity, allegedly committed as part of an attack against civilian population, belonging largely to the Fur, Masalit and Zaghawa groups. It is alleged that these crimes were committed by the Government of the Sudan (“GoS”) forces, which included the Sudanese Armed Forces, their allied Janjaweed, the Sudanese Police Forces, the National Intelligence and Security Service, and the Humanitarian Aid Commission. Mr Al-Bashir is allegedly responsible for these crimes as an indirect perpetrator, or as an indirect co-perpetrator. The crimes were allegedly committed from March 2003 to 14 July 2008, throughout Darfur region in the Sudan.

II. ASSESSMENT OF THE APPLICATIONS

6. The Single Judge notes at the outset that the Applications have not been made on the standard forms developed by the Registry. Pursuant to regulation 86 (1) of the Regulations, the standard forms shall, to the extent possible, be used by victims. The Single Judge is, however, satisfied that all the Applications contain the information required in regulation 86 (2) of the Regulations and are thus complete. The Single Judge also notes that the Applications are supported by proof of identity. The Single Judge is satisfied, on the basis of these documents, that the Applicants are natural persons within the meaning of rule 85 (a) of the Rules.

¹¹ *Prosecutor v. Thomas Lubanga Dyilo*, Appeals Chamber, “Judgment on the appeals of The Prosecutor and The Defence against Trial Chamber I’s Decision on Victims’ Participation of 18 January 2008”, 11 July 2008, ICC-01/04-01/06-1432, para. 58.

¹² Pre-Trial Chamber I, 4 March 2009, ICC-02/05-01/09-1.

Application a/0774/10

7. Applicant a/0774/10 is a member of the Fur tribe. He submits that in August 2003 his village, in South Darfur, was attacked by persons wearing khaki and riding camels and horses. The Applicant states that his brother, nephew and uncle were killed in the attack. The Applicant submits that he lost livestock and crops. He fled the village. The Applicant states that shortly after the attack, “the government forces”, comprising members of the army and the police, arrived in the village and “secured the area”. He then came back to the village. The Applicant further states that three to four months later, the village was again attacked by people of similar appearance to those who had attacked in August. The attackers took what was left of the villagers’ possessions. The Applicant submits that as a result of that attack, the villagers were displaced.

8. The Single Judge notes that, while the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incidents described in his Application, there is no suggestion that the groups that attacked his village belonged to any of the forces and entities forming the GoS forces, which allegedly committed the crimes listed in the Warrant of Arrest.¹³ What is more, in the Applicant’s submission, the GoS forces provided security to the village, which action led to him returning to his home after the first of the attacks described in his Application. In view of this information, it appears unlikely that the groups that attacked the Applicant’s village belonged to the GoS forces. For these reasons, the Single Judge is not satisfied that the incidents as a result of which the Applicant suffered harm are the subject of the Warrant of Arrest.¹⁴

Application a/0775/10

9. Applicant a/0775/10 is a member of the Bargo tribe and he submits that in early 2004, his village in South Darfur came under the control of rebel forces. He submits that in

¹³ As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para. 5.

¹⁴ The Single Judge takes note of the Defence’s and Prosecution’s submissions to the same effect; Defence Reply, para. 69; Prosecution Reply, para. 20.

December 2004 the government forces arrived to liberate the area and remove the rebels. The Applicant states that the fighting between the government forces and the rebels was a frightening experience and that he and his family fled the area out of fear. He submits that during the battle an aeroplane bombed the rebels' car and caused the death of his two children, who were near the car. The Applicant alleges that he lost his home and possessions, and has never been able to return to his village.

10. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incidents described in his Application. While it is not expressly stated in the Application, it can be inferred that the aeroplane which caused the death of his two children belonged to the GoS forces. The Single Judge, however, notes that the incidents described by the Applicant are of a different nature from those which are the subject of the Warrant of Arrest. In particular, in the incidents described by the Applicant, the GoS forces fought against the rebels and there is no suggestion that the civilian population of the village was targeted. Further, in the Applicant's submission, the GoS forces arrived to "liberate" the village from the occupation by the rebels, which lends further support to the view that the GoS forces did not target the civilian population of the village. For these reasons, the Single Judge is not satisfied that the incidents as a result of which the Applicant suffered harm are the subject of the Warrant of Arrest.¹⁵

Application a/0776/10

11. Applicant a/0776/10 is a member of the Baragad tribe. He submits that in April 2004, rebel forces from the SLA¹⁶ entered the area of his residence in South Darfur. The Applicant states that the rebels forced the residents of his village, including his father, to fight with them against Arab Militias. He submits that in July 2004 his father died in the battle of Silaia'a. The Applicant states that in December 2004 the government forces

¹⁵ The Single Judge takes note of the Defence's and Prosecution's submissions to the same effect; Defence Reply, para. 76; Prosecution Reply, para. 20.

¹⁶ The Applicant appears to refer to the Sudanese Liberation Army.

arrived and a fighting erupted between them and the rebels. The Applicant fled the village to escape the fighting and has never returned. He submits that he lost his house and belongings.

12. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incidents described in his Application. However, it appears that his father died in a battle between the rebels and unidentified Arab Militias. There is no suggestion that those militias were part of the GoS forces, which allegedly committed the crimes listed in the Warrant of Arrest.¹⁷ Further, the deceased father of the Applicant appears to have been engaged in combat at the time of his death and that, although through coercion, as the Applicant states, he was fighting on behalf of the rebels. The incident is thus of a nature different from the incidents which are the subject of the Warrant of Arrest. Finally, it does not transpire from the Application that the Applicant's inability to return home and the alleged loss of his home and belongings can be attributed to the arrival of the GoS forces to the area. For these reasons, the Single Judge is not satisfied that the incidents as a result of which the Applicant suffered harm are the subject of the Warrant of Arrest.¹⁸

Application a/0777/10

13. Applicant a/0777/10 is a member of the Masalit tribe. He submits that in November 2003, "armed people on camels and horses" arrived in the area of his residence, in West Darfur, and killed a number of people. The Applicant hid in the mountains for safety. He submits that on an unspecified date the government army arrived. He then felt safe again and went back to his village. The Applicant submits that, subsequently, rebel forces arrived in his village. He states that in early 2004 there was fighting between the rebel forces and "those armed on camels and horses". The Applicant fled from the village and

¹⁷ As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para. 5.

¹⁸ The Single Judge takes note of the Defence's and Prosecution's submissions to the same effect; Defence Reply, para. 82; Prosecution Reply, para. 20.

eventually settled in another place. The armed people on camels and horses who he had seen before arrived once more and threatened the residents. The Applicant submits that the armed people chased his father, who then fell off a donkey and broke his hip. The Applicant states that his father died two months after the incident. He also alleges that his son died at a certain location. The Applicant submits that he lost money, crops, camels and sheep.

14. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm and that at least some of this harm resulted from the incidents described in his Application. However, even if it is accepted that the death of his father resulted from the accident provoked by the “armed people on camels and horses”, which is not expressly stated in the Application, there is no suggestion that those people were part of the GoS forces, which allegedly committed the crimes listed in the Warrant of Arrest.¹⁹ Further, it appears that the GoS forces provided security to the residents of the Applicant’s village and that following these forces’ arrival, the group allegedly responsible for his father’s death fled. Similarly, it is not alleged in the Application that the death of the Applicant’s son was caused by the GoS forces and that the Applicant lost his belongings as a result of the GoS forces’ arrival in the village. For these reasons, the Single Judge is not satisfied that the incidents as a result of which the Applicant suffered harm are the subject of the Warrant of Arrest.²⁰

Application a/0778/10

15. Applicant a/0778/10 is a member of the Masalit tribe. He submits that in February or March 2004, armed people on camels, horses and in vehicles attacked his village in the Terbeba district in West Darfur. The Applicant states that the attackers fought with the

¹⁹ As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para. 5.

²⁰ The Single Judge takes note of the Defence’s and Prosecution’s submissions to the same effect; Defence Reply, para. 87; Prosecution Reply, para. 20.

rebels from the SLA²¹ stationing in his village. He alleges that many shots were fired during the fighting and that he was shot in his leg and his three brothers were killed. The Applicant submits that due to the intensity of the fighting he was unable to determine who shot at him and who killed his brothers. He states that as a result of the fight he fled his village and lost his house, money, livestock and crops.

16. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incident described in his Application. However, there is no suggestion in his Application that the GoS forces, which allegedly committed the crimes listed in the Warrant of Arrest, were involved in the incidents.²² Further, the Single Judge notes that the incident described by the Applicant is of a different nature from those which are the subject of the Warrant of Arrest. In particular, in the incident, as described by the Applicant, an armed group fought against rebels and there is no suggestion that the civilian population of the village was targeted. Thus, the Single Judge is not satisfied that the incident as a result of which the Applicant suffered harm is one of those which are the subject of the Warrant of Arrest.²³

Application a/0779/10

17. Applicant a/0779/10 is a member of the Masalit tribe. He submits that in November 2003, armed people, some on camels and horses, attacked his village in West Darfur. The Applicant submits that the attackers fought with rebel forces that were present in the area. He claims that he was shot in the back during the fighting, and submits that he found a dead body of his grandfather after the incident. The Applicant submits that he had to leave his village, and lost his house, livestock and crops.

²¹ The Applicant appears to refer to the Sudanese Liberation Army.

²² As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para. 5.

²³ The Single Judge takes note of the Defence's and Prosecution's submissions to the same effect; Defence Reply, para. 90; Prosecution Reply, para. 20.

18. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incident described in his Application. However, there is no suggestion in the Application that the GoS forces, which allegedly committed the crimes listed in the Warrant of Arrest, were involved in the incident.²⁴ Further, the Single Judge notes that the incident described by the Applicant is of a different nature from those which are the subject of the Warrant of Arrest. In particular, in the incident, as described by the Applicant, an armed group fought against rebels and there is no suggestion that the civilian population of the village was targeted. Thus, the Single Judge is not satisfied that the incident as a result of which the Applicant suffered harm is one of those which are the subject of the Warrant of Arrest.²⁵

Application a/0780/10

19. Applicant a/0780/10 is a member of the Berti tribe. He submits that, in January or February 2004, rebel forces attacked his village in North Darfur and took money from the inhabitants. On 27 February 2004, numerous armed men, some in vehicles with no registration plates, allegedly attacked his village. The Applicant states that the armed men fired randomly and looted the houses. He states that seven or eight inhabitants were killed and others were injured. He submits that no forces from the Government or police were present during the attack, and that he was later told that the armed men were Janjaweed. The Applicant maintains that the State Security Committee arrived on the following day of the attack with nine to ten policemen, but did not confront the attackers as the police force was too small. According to the Applicant, the Government army arrived one month later and restored order in the area. He submits that as a result of the attack he lost all his possessions, including his house and crops.

²⁴ As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para. 5.

²⁵ The Single Judge takes note of the Defence's and Prosecution's submissions to the same effect; Defence Reply, para. 93; Prosecution Reply, para. 20.

20. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incident described in his Application. He also submitted, on the basis of what he was told, that the attackers were “Janjaweed”. The Single Judge, however, notes that the Applicant described the attackers, allegedly the Janjaweed, and the police force as fighting against one another, whereas the Janjaweed referred to in the Warrant of Arrest was allegedly allied with the GoS and thus unlikely to attack the police. In the Applicant’s account of the incident, the police arrived with the State Security Committee, which is indicative that this could be the Sudanese Police Force,²⁶ one of the forces comprising the GoS forces. Further, in the Applicant’s submission, the Government army restored order in the area one month after the incident. It thus appears that the armed men that attacked his village did not belong to any of the forces that formed the GoS forces, which allegedly committed crimes listed in the Warrant of Arrest.²⁷ The Single Judge is therefore not satisfied that the incident as a result of which the Applicant suffered harm is one of those which are the subject of the Warrant of Arrest.²⁸

Application a/0781/10

21. Applicant a/0781/10 is a member of the Masalit tribe. He submits that one morning in late April 2003, rebel forces entered his village in the Terbeba district in West Darfur. The Applicant states that the rebel forces started fighting against a militia group that was also present in the area. He alleges that, as a result of the fighting, he fled his village and lost all his belongings and cows.

²⁶ There are reasonable grounds to believe that the State Security Committee was comprised of, *inter alia*, representatives of the Sudanese Police Forces; *Prosecutor v. Omar Hassan Ahmad Al Bashir*, Pre-Trial Chamber I, “Decision on the Prosecution’s Application for a Warrant of Arrest against Omar Hassan Ahmad Al Bashir”, 4 March 2009, ICC-02/05-01/09-3, para. 219.

²⁷ As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para.5

²⁸ The Single Judge takes note of the Defence’s and Prosecution’s submissions to the same effect; Defence Reply, para. 96; Prosecution Reply, para. 20.

22. The Single Judge notes that the Applicant provided sufficient information to establish *prima facie* that he suffered harm as a result of the incident described in his Application. However, there is no suggestion in his Application that the GoS forces, which allegedly committed the crimes listed in the Warrant of Arrest, were involved in the incident.²⁹ Further, the Single Judge notes that the incident described by the Applicant is of a different nature from those which are the subject of the Warrant of Arrest. In particular, in this incident, as described by the Applicant, an armed group fought against rebels and there is no suggestion that the civilian population of the village was targeted. Thus, the Single Judge is not satisfied that the incident as a result of which the Applicant suffered harm is one of those which are the subject of the Warrant of Arrest.³⁰

Conclusion

23. For the foregoing reasons, the Single Judge is not satisfied that the Applicants meet the requirement, set out earlier in this decision,³¹ that the harm alleged by them be linked with the crimes listed in the Warrant of Arrest. The Applicants shall therefore not be authorised to participate in the current proceedings. The Single Judge indicates that, pursuant to rule 89 (2) of the Rules, the Applicants may file new applications for participation.

Request of the Legal Representatives

24. As indicated earlier, the Legal Representatives of the Applicants filed a request for leave to provide additional information with respect to the Prosecution's allegation of a conflict of interest. The Single Judge, however, notes that, while this matter is raised in the

²⁹ As indicated earlier, the Warrant of Arrest provides that there are reasonable grounds to believe that the crimes listed therein were committed by the GoS forces; *see supra* para. 5.

³⁰ The Single Judge takes note of the Defence's and Prosecution's submissions to the same effect; Defence Reply, para. 99; Prosecution Reply, para. 20.

³¹ *See supra*, para. 5.

Prosecution Reply to the Applications, the Prosecution only indicates that a separate submission on this issue is to be filed.³² There is thus no need, at present, for the Legal Representatives to make submissions on this matter.

25. As regards the Legal Representatives' request for leave to submit additional information relating to the identification of the suspect alleged to be responsible for the crimes which are alleged to have caused harm to the Applicants, the Single Judge is of the view that the information provided in the Applications is sufficient for the Single Judge to make a determination of whether the Applicants fulfil the requirements for participation as victims in the present case. The Single Judge also notes that the Legal Representatives themselves appear to accept that the information already provided is sufficient. They submit that the Applicants "have already stated in their applications what happened to them" and "have identified the perpetrators in each case, to the extent that they are able to". The Legal Representatives further aver that "there can be no doubt" that the incidents that caused harm to the Applicants are the subject of the Warrant of Arrest.³³

26. In so far as the Legal Representatives contend that it should not be required of applicants for participation in a case to characterise the crimes which allegedly caused harm to them and to "agree with every aspect of the Prosecutor's case", the Single Judge notes that there has been no suggestion in the Prosecution Reply and the Defence Reply, nor is it the position of the Single Judge, that any of this is required of the Applicants. As regards the requirement of identification of the perpetrators, regulation 86 (2) (d) of the Regulations of the Court only requires that the identity of the person or persons the victim believes to be responsible for the harm should be provided "to the extent possible". There is no requirement of identifying "the particular person charged by the Prosecutor as *the* perpetrator", as suggested by the Legal Representatives.³⁴ The Single Judge notes that information regarding the persons allegedly responsible for causing harm is primarily of relevance to the determination of whether the incidents from which the harm resulted are

³² Prosecution Reply, para. 5.

³³ Request of the Legal Representatives, para. 15.

³⁴ Request of the Legal Representatives, para. 17.

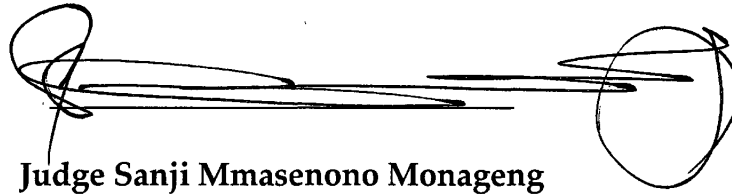
among the crimes alleged in the case in which the applicant wishes to participate as a victim.

FOR THESE REASONS,

DENY authorisation to participate as victims in the proceedings at the pre-trial stage to Applicants a/0774/10, a/0775/10, a/0776/10, a/0777/010, a/0778/10, a/0779/10, a/0780/10 and a/0781/10; and

DENY the Request of the Legal Representatives.

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

A handwritten signature in black ink, consisting of a large, stylized initial 'S' followed by a long horizontal line and a circular flourish at the end.

Judge Sanji Mmasenono Monageng

Single Judge

Dated this Friday, 9 July 2010

At The Hague, The Netherlands