

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/13**
Date: **22 May 2015**

PRE-TRIAL CHAMBER I

Before: Judge Joyce Aluoch, Presiding Judge
Judge Cuno Tarfusser
Judge Péter Kovács

**SITUATION ON THE REGISTERED VESSELS OF THE UNION OF
THE COMOROS, THE HELLENIC REPUBLIC AND THE KINGDOM OF
CAMBODIA**

Public

**Decision on the “Application for an Extension of Time Limit to file Victim
Observations in accordance with Regulations 35”**

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

The Office of the Prosecutor

Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor

Counsel for Defence

Legal Representatives of Victims

Geoffrey Nice
Rodney Dixon

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Paolina Massidda

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

States Representatives

Geoffrey Nice
Rodney Dixon

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

PRE-TRIAL CHAMBER I (the “Chamber”) of the International Criminal Court issues the present decision on the “Application for an Extension of Time Limit to file Victim Observations in accordance with Regulations 35” (the “Application”) ¹

1. On 6 November 2014, the Prosecutor decided that there is no reasonable basis to proceed with an investigation into the situation on the Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia (the “Decision”).²

2. On 29 January 2015, the Comoros submitted the “Application for Review pursuant to Article 53(3)(a) of the Prosecutor’s Decision of 6 November 2014 not to initiate an investigation in the Situation” asking that the Chamber request the Prosecutor to reconsider her Decision.³

3. On 24 April 2015, the Chamber issued the “Decision on the Victims’ Participation”,⁴ in which it, *inter alia*, “invited the victims who have communicated with the Court to submit their observations by no later than Friday, 5 June 2015 at 16h00” (the “24 April 2015 Decision”).⁵

4. On 18 May 2015, the Chamber issued the “Decision on the ‘Request for extension of time to submit Victims’ Observations in relation to the article 53 proceedings’” (the “18 May 2015 Decision”)⁶ granting an extension of time to the Principal Counsel of the Office of Public Counsel for victims (the “OPCV Principal Counsel”) to submit the observations of victims she represents in these proceedings.

¹ ICC-01/13-24.

² ICC-01/13-6-AnxA.

³ ICC-01/13-3-Conf; a public available version is also available, ICC-01/13-3-Red.

⁴ Pre-Trial Chamber I, ICC-01/13-18.

⁵ Pre-Trial Chamber I, ICC-01/13-18, p. 10.

⁶ Pre-Trial Chamber I, ICC-01/13-23.

5. On 22 May 2015, the Chamber received the Application, in which counsel representing other 309 victims sought an extension of the time limit for submitting the victims' observations until 22 June 2015.⁷

6. The Chamber notes article 53(3)(a) of the Rome Statute and regulation 35 of the Regulations of the Court (the "Regulations").

7. The Chamber recalls that pursuant to regulation 35 of the Regulations, the Chamber may extend any time limit as prescribed in the Regulations "if good cause is shown, and where appropriate, after having given the participants an opportunity to be heard".

8. In the Application, counsel make reference to the 18 May 2015 Decision arguing that they be granted the same extension of time limit as the victims represented by the OPCV Principal Counsel.⁸ With a view to showing "good cause", counsel argue that they received confirmation as to who is authorized to participate only on 13 May 2015.⁹ They further allege the need for additional time to complete all consultations with the victims they represent "to ensure that all their views and concerns are properly collected for the submission to the Chamber".¹⁰ In this context, counsel inform the Chamber of the difficulties in gathering the observations of victims who reside in different countries, the need for translation of submissions, and the circumstance to hold a meeting with victims only "at the very beginning June 2015".¹¹

9. In view of these circumstances, the Chamber considers that counsel have shown good cause, which justifies granting the Application.

⁷ ICC-01/13-24, para. 10.

⁸ ICC-01/13-24, para. 4.

⁹ ICC-01/13-24, paras 7 and 8.

¹⁰ ICC-01/013-24, para. 7.

¹¹ ICC-01/13-24, para. 9.

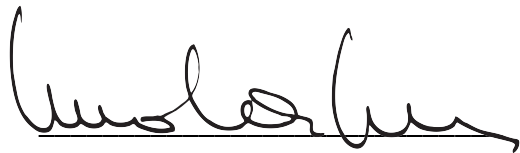
FOR THESE REASONS, THE CHAMBER HEREBY

grants the Application.

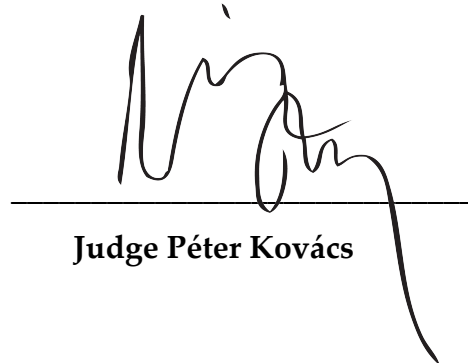
Done in both English and French, the English version being authoritative.



Judge Joyce Aluoch
Presiding Judge



Judge Cuno Tarfusser



Judge Péter Kovács

Dated this Friday, 22 May 2015

At The Hague, The Netherlands