



Original: English

**No. ICC-01/13 OA
Date: 14 August 2015**

THE APPEALS CHAMBER

Before: Judge Christine Van den Wyngaert, Presiding Judge
Judge Silvia Fernández de Gurmendi
Judge Sanji Mmasenono Monageng
Judge Howard Morrison
Judge Piotr Hofmański

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

Public document

Decision in relation to request for leave to submit rule 103 observations

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

The Office of the Prosecutor
Ms Fatou Bensouda, Prosecutor
Ms Helen Brady

Requesting *Amicus Curiae* Organisation
European Centre for Law & Justice

Legal Representatives of Victims
Mr Geoffrey Nice
Mr Rodney Dixon

The Office of Public Counsel for victims
Ms Paolina Massidda
Mr Enrique Carnero Rojo

States Representatives
Mr Geoffrey Nice
Mr Rodney Dixon

REGISTRY

Registrar
Mr Herman von Hebel

The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision of Pre-Trial Chamber I entitled “Decision on the request of the Union of the Comoros to review the Prosecutor’s decision not to initiate an investigation” of 16 July 2015 (ICC-01/13-34),

Having before it the “Request for Leave to Submit *Amicus Curiae* Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence” dated 7 August 2015 and registered on 13 August 2015 (ICC-01/13-44) (hereinafter: “Rule 103 Request”) and the “*Amicus Curiae* Observations of the European Centre for Law & Justice Pursuant to Rule 103 of the Rules of Procedure and Evidence” also dated 7 August 2015 and registered on 13 August 2015 (ICC-01/13-45),

Noting the “Directions on the conduct of proceedings” dated 6 August 2015 (ICC-01/13-42) in which the Appeals Chamber *inter alia* “suspend[ed] the running of the applicable time limits for the filing of the document in support of appeal and related submissions pending a decision on the admissibility of the appeal” and stated that “[s]ubject to the decision of the Appeals Chamber on the admissibility of the appeal, directions [would] thereafter be given with regard to the timing and length of the submissions on the merits of the appeal”,

Considering therefore that it is premature for the Appeals Chamber to reach a decision on the aforementioned Rule 103 Request,

Renders the following

DECISION

1. A decision on the Rule 103 Request is postponed pending a determination by the Appeals Chamber on the admissibility of the appeal.
2. Any further requests to be filed by any State, organisation or person under rule 103 of the Rules of Procedure and Evidence concerning the merits of the appeal should not be filed prior to the Appeals Chamber having rendered a decision on its admissibility. Should the appeal be found to be

admissible, the Appeals Chamber will thereafter issue directions as to the filing of any such requests and associated submissions.

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



Judge Christine Van den Wyngaert
Presiding Judge

Dated this 14th day of August 2015

At The Hague, The Netherlands