Cour
Pénale
Internationale

International
Criminal
Court

Original: English

No. ICC-01/12-01/15 A
Date: 24 November 2017

THE APPEALS CHAMBER

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

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF THE PROSECUTOR v. AHMAD AL FAQI AL MAHDI

Public document

Decision on the Trust Fund for Victims' request for time extension

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

Trust Fund for Victims
Mr Pieter de Baan

Counsel for the Defence
Mr Mohamed Aouini

Legal Representatives of Victims
Mr Mayombo Kassongo

REGISTRY

Registrar
Mr Herman von Hebel

The Appeals Chamber of the International Criminal Court,

In the appeal of the Legal Representative of Victims against the order of Trial Chamber VIII entitled "Reparations Order" of 17 August 2017 (ICC-01/12-01/15-236),

Having before it the "Request for extension of time" of 23 November 2017 (ICC-01/12-01/15-248),

Renders pursuant to regulation 35 (2) of the Regulations of the Court the following

DECISION

1. The time limit for the filing of the observations by the Trust Fund for Victims on the appeal brief filed by the Legal Representative of Victims is extended to 16h00 on Wednesday, 29 November 2017.
2. The time limit for the Legal Representative of Victims' and Mr Al Mahdi's responses to the observations of the Trust Fund for Victims is extended to 16h00 on Monday, 11 December 2017.

REASONS

I. PROCEDURAL HISTORY

1. On 17 August 2017, Trial Chamber VIII issued the "Reparations Order" in the present case.[1]

2. On 17 October 2017, the Legal Representative of Victims filed the "Brief in support of the Appeal (in part and limited) ICC-01/12-01/15-242-Conf-Exp-Corr filed against the Reparations Order of 17 August 2017 (ICC-01/12-01/15-236) issued by Trial Chamber VIII", dated 17 October 2017 and registered, in its French original version, on 18 October 2017[2] ("Appeal Brief").

[1] ICC-01/12-01/15-236.
[2] ICC-01/12-01/15-244-tENG.

3. On 7 November 2017, the Appeals Chamber issued the "Directions on the conduct of the appeal proceedings", *inter alia* inviting the Trust Fund for Victims to submit, by 16h00 on 24 November 2017, written observations on the Appeal Brief.[3]

4. On 23 November 2017, the Trust Fund for Victims requested the Appeals Chamber to extend the deadline for the submission of its observations to 29 November 2017[4] ("Request"), submitting that "[d]espite best efforts but due to scheduling difficulties and competing work obligations, the Trust Fund was not able to fully appreciate the 7 November request of the Chamber for the Trust Fund to prepare observations [on] the Appeal Brief […] until completion of [a mission]" and noting "the untimely departure of key staff members on missions this week and their resulting absences and inability to contribute in a timely manner to the drafting and review process".[5]

II. MERITS

5. Pursuant to regulation 35 (2) of the Regulations of the Court, a Chamber may extend a time limit if good cause is shown.

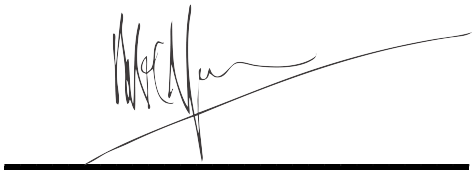
6. The Appeals Chamber reiterates that, given the issues raised in the Appeal Brief, it considers it desirable for the proper determination of the case to receive written observations by the Trust Fund for Victims. The Appeals Chamber observes that the Trust Fund for Victims details in its "Request" the difficulties and competing work obligations it is currently facing. The Appeals Chamber also notes that the request for time extension is made partly in order for "time to be allotted for a discussion of these matters internally both within the Secretariat and amongst the Board of Directors".[6] While noting that these reasons do not justify why the request for an extension of time was filed at such a late stage – only a day before the expiry of the deadline –, the Appeals Chamber considers that in these particular circumstances good cause for a moderate extension of time has been shown.

7. Accordingly, the Appeals Chamber determines that the time limit for the filing of the observations by the Trust Fund for Victims on the Appeal Brief is extended to

[3] ICC-01/12-01/15-246.
[4] ICC-01/12-01/15-248.
[5] Request, paras 12, 13.
[6] Request, para. 14.

16h00 on Wednesday, 29 November 2017. The Appeals Chamber also extends the time limit for the Legal Representative of Victims' and Mr Al Mahdi's respective responses to the observations by the Trust Fund for Victims to 16h00 on Monday, 11 December 2017.

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



Judge Howard Morrison
Presiding Judge

Dated this 24th November 2017

At The Hague, The Netherlands