

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-01/13**  
Date: **2 March 2018**

**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 Request for an Extension of Time**

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**  
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**  
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 (the “Court or “ICC”) issues the present decision on the “Request for an extension of time to respond to the ‘Application for Judicial Review by the Government of the Union of Comoros’ (ICC01/13-58-Conf)” (the “Request”) submitted by the Office of Public Counsel for victims (the “OPCV”).<sup>1</sup>

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.<sup>2</sup>
2. On 29 January 2015, the Union of 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.<sup>3</sup>
3. On 16 July 2015, the Chamber requested the Prosecutor to reconsider her decision not to initiate an investigation.<sup>4</sup>
4. On 29 November 2017, the Prosecutor, having reconsidered the matter, informed the Chamber of her decision under rule 108(3) of the Rules of Procedure and Evidence not to initiate an investigation in the situation.<sup>5</sup>
5. On 23 February 2018, the Government of the Union of Comoros submitted the “Application for Judicial Review by the Government of the Union of the Comoros” (the “Application”).<sup>6</sup>
6. On 28 February 2018, the OPCV submitted the Request asking for an extension of time until Friday, 30 March 2018 to respond to the Application.

---

<sup>1</sup> ICC-01/13-59.

<sup>2</sup> ICC-01/13-6-AnxA.

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

<sup>4</sup> Pre-Trial Chamber I, Decision on the request of the Union of the Comoros to review the Prosecutor’s decision not to initiate an investigation, 16 July 2015, ICC-01/13-34.

<sup>5</sup> ICC-01/13-57, together with seven public and one confidential annexes.

<sup>6</sup> ICC-01/13-58-Conf, together with three confidential annexes. A public redacted version is also available, ICC-01/13-58-Red.

7. The Chamber notes regulations 24(2), 34(b) and 35 of the Regulations of the Court.
8. The OPCV argues that an extension is “justified by the complex nature of the issues at stake, the length of the documents involved, and the need to prepare a complex filing that duly addresses the personal interests of the victims, including the need to consult with and take instructions from [...] clients”.<sup>7</sup> In view of the circumstances, the Chamber considers that good cause for an extension of time has been shown. However, since Friday, 30 March 2018, is an ICC official holiday, the Chamber will extend the time limit to Tuesday, 3 April 2018. By the same token, in case any of the other participants wish to respond to the Application, they should benefit from the same extension of time.

**FOR THESE REASONS, THE CHAMBER HEREBY**

**GRANTS** the Request in accordance with paragraph 8; and

**ORDERS** the Prosecutor and the victims’ legal representative, in case they wish to make submissions, to do so no later than Tuesday, 3 April 2018.

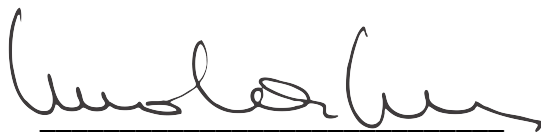
---

<sup>7</sup> ICC-01/13-59, para. 2.

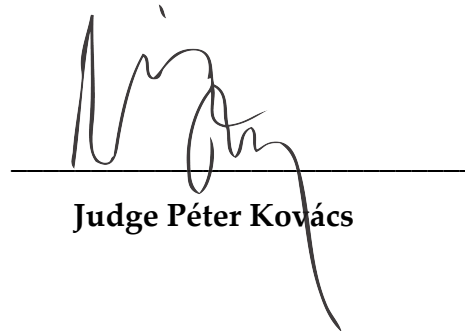
Done in both English and French, the English version being authoritative.



**Judge Joyce Aluoch**  
**Presiding Judge**



**Judge Cuno Tarfusser**



**Judge Péter Kovács**

Dated this Friday, 2 March 2018

At The Hague, The Netherlands