

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

**No. ICC-01/19
Date: 10 November 2023**

PRE-TRIAL CHAMBER I

**Before: Judge Péter Kovács, Presiding Judge
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera**

**SITUATION IN THE PEOPLE'S REPUBLIC OF BANGLADESH/
REPUBLIC OF THE UNION OF MYANMAR**

Public

Decision granting the Prosecution's 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

Mr Karim A. A. Khan
Ms Nazhat Shameem Khan
Mr Essa Faal

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representative

Others

Ms Meghan Hirst
Ms Kate Gibson
Ms Clare Brown
Mr Nicholas Leddy

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section Other**

PRE-TRIAL CHAMBER I (the ‘Chamber’) of the International Criminal Court (the ‘Court’) issues this decision granting the request of the Prosecution for an extension of time limit (the ‘Request’).¹

I. Procedural history and submissions

1. On 2 November 2023, the Registry transmitted to the Chamber a request filed by four individuals for the adoption of a protocol and for access to the confidential record in the present situation.²

2. On 9 November 2023, the Prosecution requested the Chamber a one-week extension, until Monday 20 November 2023, to respond to the aforementioned filing.³ The Prosecution submits that, given the length of the filing, the sensitivity of the matter and the ongoing Court-wide internet limitations, there is good cause within the meaning of regulation 35(2) of the Regulations of the Court (the ‘Regulations’).⁴ Finally, the Prosecution maintains that the requested extension would not cause any ‘appreciable prejudice’.⁵

II. Analysis

3. Regulation 35(2) of the Regulations provides that a chamber ‘may extend [...] a time limit if good cause is shown’. The Chamber considers that the reasons provided by the Prosecution show good cause within the meaning of regulation 35(2) of the Regulations.

4. The Chamber further notes that the Prosecution classified the Request as confidential despite the fact that there is a public redacted version of the filing it intends to respond. Given that the Prosecution does not object to the reclassification of the

¹ Prosecution’s Request pursuant to regulation 35 for an extension of the time limit to respond to the Submission for the Adoption of a Protocol and for Access to the Confidential Record, 9 November 2023, ICC-01/19-53-Conf.

² Annex 1 to the Registry’s Transmission of a ‘Request for the Adoption of a Protocol and for Access to the Confidential Record’, ICC-01/19-52, ICC-01/19-52-Anx1-Conf (public redacted version filed on 3 November 2023, confidential ICC-01/19-52-Anx1-Red)

³ Request, paras 1, 14.

⁴ Request, paras 2, 6-10.

⁵ Request, para. 10.

Request as public,⁶ and noting that the Request does not contain any sensitive information, the Chamber orders the reclassification of the Request as public.

FOR THESE REASONS, THE CHAMBER HEREBY

GRANTS the Request;

INSTRUCTS the Prosecution to file its response by Monday, 20 November 2023; and

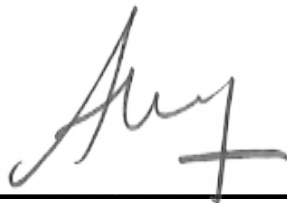
INSTRUCTS Registry to reclassify the Request (ICC-01/19-53-Conf) as public.

Done in English. A French translation will follow. The English version remains authoritative.



Judge Péter Kovács

Presiding Judge



Judge Reine Adélaïde Sophie

Alapini-Gansou



Judge María del Socorro

Flores Liera

Dated this Friday, 10 November 2023

At The Hague, The Netherlands

⁶ Request, para. 4.