

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/17-X  
Date: 31 August 2017

**PRE-TRIAL CHAMBER III**

Before: **Judge Antoine Kesia-Mbe Mindua  
Judge Chang-ho Chung  
Judge Raul C. Pangalangan**

**SITUATION IN THE REPUBLIC OF BURUNDI**

**Under Seal**  
***EX PARTE*, only available to the Prosecutor**  
**Decision on the Election of Presiding Judge**

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 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**

**REGISTRY**

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**Registrar**  
Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

**THE JUDGES OF PRE-TRIAL CHAMBER III** (the "Chamber") of the International Criminal Court are seized with the matter of the election of a Presiding Judge.

1. The Chamber notes the "Decision on the constitution of Pre-Trial Chamber III and on the assignment of the situation in the Republic of Burundi" issued by the Presidency on 23 August 2017.<sup>1</sup>
2. The Chamber notes regulation 13(2) of the Regulations of the Court pursuant to which the judges of each Pre-Trial Chamber shall elect from among their members a Presiding Judge.
3. The Chamber further notes that on 30 August 2017 the judges of Pre-Trial Chamber III decided that Judge Chang-ho Chung will act as the Presiding Judge of the Chamber in the situation in the Republic of Burundi with immediate effect.
4. The Chamber also notes the Prosecutor's "Request for extension of the page limit for a request for authorisation of an investigation pursuant to article 15", where she informs the Chamber that she intends to submit a request for authorization of an investigation under seal, pursuant to regulation 23*bis* of the Regulations of the Court.<sup>2</sup> The Prosecutor explains that the filing of such request may pose risks to the success and integrity of a future investigation and to the safety and security of witnesses and victims of the alleged crimes, and that she will elaborate on this further in the request itself.<sup>3</sup> In light of the above and pending receipt of the Prosecutor's full justification, without prejudice to any future determination, the present decision is issued under seal, *ex parte*, only available to the Prosecutor.

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<sup>1</sup> Presidency, ICC-01/17-X-1-US-Exp.

<sup>2</sup> ICC-01/17-X-2-US-Exp, paras. 1-2.

<sup>3</sup> ICC-01/17-X-2-US-Exp, para. 2.

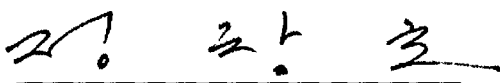
**THE CHAMBER HEREBY**

**DECIDES** that Judge Chang-ho Chung is the Presiding Judge of Pre-Trial Chamber III.

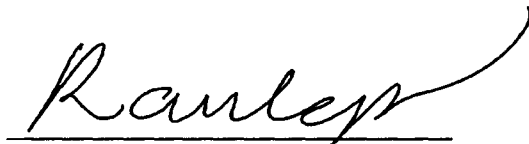
Done in both English and French, the English version being authoritative.



**Judge Antoine Kesia-Mbe Mindua**



**Judge Chang-ho Chung**



**Judge Raul C. Pangalangan**

Dated this Thursday, 31 August 2017

At The Hague, The Netherlands