

**Original: English****No. ICC-02/18 OA
Date: 12 July 2023****THE APPEALS CHAMBER**

Before: Judge Marc Perrin de Brichambaut, Presiding
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa
Judge Gocha Lordkipanidze

SITUATION IN THE BOLIVARIAN REPUBLIC OF VENEZUELA I**Public document****Decision on the Bolivarian Republic of Venezuela's application
for extension of time to file the appeal brief**

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, Prosecutor

Ms Nazhat Shameem Khan

Ms Alice Zago

State Representatives

Competent authorities of the Bolivarian

Republic of Venezuela

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

The Appeals Chamber of the International Criminal Court,

In the appeal of the Bolivarian Republic of Venezuela against Pre-Trial Chamber I's "Decision authorising the resumption of the investigation pursuant to article 18(2) of the Statute" of 27 June 2023 (ICC-02/18-45),

Having before it the "The Bolivarian Republic of Venezuela's Application for Extension of Time to File the Appeal Brief" of 7 July 2023 (ICC-02/18-49-Conf-Exp-AnxII),

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

DECISION

The time limit for the filing of the appeal brief by the Bolivarian Republic of Venezuela is extended to 16h00 on Monday, 14 August 2023.

REASONS

I. PROCEDURAL HISTORY

1. On 27 June 2023, Pre-Trial Chamber I rendered its decision authorising the Prosecutor to resume the investigation into the situation in the Bolivarian Republic of Venezuela (hereinafter: "Venezuela"), pursuant to article 18(2) of the Statute (hereinafter: "Article 18(2) Decision").¹
2. On 2 July 2023, Venezuela submitted its notice of appeal against the Article 18(2) Decision.²
3. On 7 July 2023, Venezuela submitted an application for an extension of time to file its appeal brief (hereinafter: "Application").³

¹ [Decision authorising the resumption of the investigation pursuant to article 18\(2\) of the Statute](#), ICC-02/18-45.

² The Bolivarian Republic of Venezuela's Notice of Appeal against the Pre-Trial Chamber I's "Decision authorising the resumption of the investigation pursuant to article 18(2) of the Statute" (ICC-02/18-45) and request for suspensive effect, ICC-02/18-46-Conf-Exp-AnxII (filed and notified on 3 July 2023).

³ The Bolivarian Republic of Venezuela's Application for Extension of Time to File the Appeal Brief, ICC-02/18-49-Conf-Exp-AnxII (filed and notified on 10 July 2023).

4. On 11 July 2023, the Prosecutor filed his response to the Application, submitting that he does not oppose the request for an extension of time.⁴

II. MERITS

5. Regulation 35(2) of the Regulations of the Court provides that a chamber may extend a time limit if “good cause” is shown.

6. Venezuela requests that the Appeals Chamber extend the time limit for the filing of its appeal brief and grant an additional period of twenty days from 18 July 2023, or until 14 August 2023.⁵

7. In support, Venezuela argues that the following circumstances establish good cause to grant the requested extension: (i) considerable delays are anticipated from the required translations of the Article 18(2) Decision and related pertinent documents, as well as its own observations;⁶ and (ii) the Court’s practice of suspending deadlines during judicial recess in order to take into account the logistical challenges.⁷ Venezuela adds that the present request would not result in any prejudice for the Prosecution,⁸ and that the requested extension is in the interest of justice.⁹

8. The Appeals Chamber finds that good cause within the meaning of regulation 35(2) of the Regulations of the Court has been shown. Noting the upcoming judicial recess, the Appeals Chamber considers it appropriate to extend the time limit for the filing of the appeal brief to 16h00 on Monday, 14 August 2023.

⁴ Prosecution response to the Bolivarian Republic of Venezuela’s application for an extension of time to file the appeal brief (ICC-02/18-49-Conf-Exp-AnxII), ICC-02/18-51-Conf-Exp, para. 2.

⁵ Application, para. 8.

⁶ Application, paras 11-12.

⁷ Application, para. 13.

⁸ Application, para. 14.

⁹ Application, para. 15.

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

A handwritten signature in black ink, consisting of several stylized, connected letters and a final horizontal stroke.

Judge Marc Perrin de Brichambaut

Presiding

Dated this 12th day of July 2023

At The Hague, The Netherlands