



Original: **English**

No.: **ICC-01/19**  
Date: **25 June 2019**

**THE PRESIDENCY**

**Before:** Judge Chile Eboe-Osuji, President  
Judge Robert Fremr, First Vice-President  
Judge Marc Perrin de Brichambaut, Second Vice-President

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

**Public with  
Public Annex**

**Decision on the constitution of Pre-Trial Chamber III and on the assignment of the  
situation in the People's Republic of Bangladesh/Republic of the Union of Myanmar**

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

**The Office of the Prosecutor**

Fatou Bensouda

James Stewart

**The Office of Public Counsel for  
Victims**

Paolina Massidda

**The Office of Public Counsel for  
the Defence**

Xavier-Jean Keïta

**REGISTRY**

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**Registrar**

Peter Lewis

**Counsel Support Section**

Esteban Peralta Losilla

**Victims and Witnesses Unit**

Nigel Verrill

**Other**

Pre-Trial Division

Pre-Trial Chamber III

**Victims Participation and Reparations  
Section**

Philipp Ambach

**THE PRESIDENCY** of the International Criminal Court (the ‘Court’);

**NOTING** the memorandum of 12 June 2019 from the Prosecutor addressed to the Presidency, in accordance with regulation 45 of the Regulations of the Court (the ‘Regulations’), informing the Presidency of her intention to seek authorisation from a Pre-Trial Chamber ‘to investigate crimes within the jurisdiction of the International Criminal Court in which at least one element occurred on the territory of the People’s Republic of Bangladesh—a State Party to the Rome Statute—and within the context of two waves of violence in Rakhine State on the territory of the Republic of the Union of Myanmar, as well as any other crimes which are sufficiently linked to these events’, pursuant to article 15(3) of the Rome Statute;<sup>1</sup>

**NOTING** regulation 46(2) of the Regulations, pursuant to which the Presidency shall assign a situation to a Pre-Trial Chamber as soon as the Prosecutor has informed the Presidency in accordance with regulation 45;

**NOTING** the current composition of the Pre-Trial Division as well as the composition of its Chambers;<sup>3</sup>

**NOTING** the current workload of Chambers in the Pre-Trial and Trial Divisions, as well as the individual workload of the judges serving in both Divisions;

**HEREBY CONSTITUTES** Pre-Trial Chamber III, which shall be composed as follows:

Judge Robert Fremr

Judge Olga Herrera Carbuca

Judge Geoffrey Henderson

**HEREBY DECIDES** to assign the situation in the People’s Republic of Bangladesh/Republic of the Union of Myanmar to Pre-Trial Chamber III with immediate effect.

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<sup>1</sup> Annex I

<sup>3</sup> See e.g. ICC-02/04-223

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



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**Judge Chile Eboe-Osuji**  
**President**

Dated this 25 June 2019

At The Hague, The Netherlands