



**Original: English**

No. **ICC-01/13**  
Date: **6 March 2020**

**PRE-TRIAL CHAMBER I**

**Before:** Judge Péter Kovács, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Reine Adélaïde Sophie Alapini-Gansou

**SITUATION ON THE REGISTERED VESSELS OF  
THE UNION OF THE COMOROS, THE HELLENIC REPUBLIC AND  
THE KINGDOM OF CAMBODIA**

**Public**

Order on the filing of responses and replies

**Order 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**  
Rodney Dixon  
Haydee Dijkstal

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**The Office of Public Counsel  
for Victims**  
Paolina Massidda

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

**States Representatives**  
Rodney Dixon  
Haydee Dijkstal

*Amicus Curiae*

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**REGISTRY**

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**Registrar**  
Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and  
Reparations Section**

**Other**

**PRE-TRIAL CHAMBER I** of the International Criminal Court issues this order on the filing of responses and replies to the ‘Application for Judicial Review by the Government of the Comoros’.<sup>1</sup>

1. On 2 December 2019, the Prosecutor notified the Chamber that she reviewed her decision not to initiate an investigation into the *Situation on the Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia*, in accordance with the Chamber’s decision of 15 November 2018<sup>2</sup> and the Appeals Chamber’s judgment of 2 September 2019,<sup>3</sup> and determined that there is no reasonable basis to proceed with an investigation.<sup>4</sup>

2. On 2 March 2020, the Union on the Comoros filed the ‘Application for Judicial Review by the Government of the Comoros’, requesting the Chamber pursuant to article 53(3)(a) of the Rome Statute (the ‘Statute’) to direct the Prosecutor to reconsider her decision not to open an investigation (the ‘Request’).<sup>5</sup>

3. The Chamber notes article 53(3)(a) of the Statute, rules 92(2) and 107 of the Rules of Procedure and Evidence and regulations 24, 34 and 38(2)(d) of the Regulations of the Court (the ‘Regulations’).

4. In order to ensure the proper and expeditious conduct of the proceedings, the Chamber finds it appropriate to set the following schedule for the parties and participants to file their responses to the Request and replies thereof:

- a) the **Legal Representatives of Victims** are instructed to respond to the Request, if they so wish, by Friday, 3 April 2020, 16.00hrs. The responses shall not exceed 60 pages, in accordance with regulation 38(2)(d) of the Regulations;

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<sup>1</sup> 2 March 2020, [ICC-01/13-100](#).

<sup>2</sup> [Decision on the ‘Application for Judicial Review by the Government of the Union of the Comoros’](#), ICC-01/13-68.

<sup>3</sup> [Judgment on the appeal of the Prosecutor against Pre-Trial Chamber I’s ‘Decision on the “Application for Judicial Review by the Government of the Union of the Comoros”’](#), ICC-01/13-98 OA2.

<sup>4</sup> [Notice of Prosecutor’s Final Decision under rule 108\(3\), as revised and refiled in accordance with the Pre-Trial Chamber’s request of 15 November 2018 and the Appeals Chamber’s judgment of 2 September 2019](#), ICC-01/13-99 (with one annex containing the Prosecutor’s conclusion and reasons).

<sup>5</sup> [ICC-01/13-100](#).

- b) the **Prosecutor** is instructed to respond to the Request, as well as any responses filed by the Legal Representatives of Victims, if she so wishes, by Friday, 10 April 2020, 16.00hrs. The Prosecutor shall file one consolidated document not exceeding 60 pages; and
- c) the **Union of the Comoros** may reply to the Prosecutor's response and any responses filed by the Legal Representatives of Victims, by Friday, 24 April 2020, 16.00hrs. The reply shall not exceed 40 pages.

**FOR THESE REASONS, THE CHAMBER HEREBY**

**ORDERS** the Legal Representatives of Victims to respond to the Request, if they so wish, by Friday, 3 April 2020, 16.00hrs, in accordance with paragraph 4 of the present decision;

**ORDERS** the Prosecutor to respond to the Request and any responses filed by the Legal Representatives of Victims, if she so wishes, by Friday, 10 April 2020, 16.00hrs, in accordance with paragraph 4 of this decision; and

**ORDERS** the Union of the Comoros to reply to the Prosecutor's response and any responses filed by the Legal Representatives of Victims, if it so wishes, by Friday, 24 April 2020, 16.00hrs, in accordance with paragraph 4 of this decision.

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



**Judge Péter Kovács, Presiding Judge**



**Judge Marc Perrin de Brichambaut**



**Judge Reine Adélaïde Sophie  
Alapini-Gansou**

Dated this Friday, 6 March 2020

At The Hague, The Netherlands