



Original: **English**

No.: **ICC-01/17**
Date: **3 November 2017**

THE PRESIDENCY

Before: Judge Silvia Fernández de Gurmendi, President
Judge Joyce Aluoch, First Vice-President
Judge Kuniko Ozaki, Second Vice-President

SITUATION IN THE ISLAMIC REPUBLIC OF AFGHANISTAN

Public with public Annex I

Decision assigning the situation in the Islamic Republic of Afghanistan

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

States' Representatives**REGISTRY****Registrar**

Herman von Hebel

Counsel Support Section

Esteban Peralta Losilla

Victims and Witnesses Unit

Nigel Verrill

Other

Pre-Trial Chamber III

Victims Participation and Reparations Section

Philipp Ambach

THE PRESIDENCY of the International Criminal Court (“Court”) notes the memorandum of 30 October 2017, annexed hereto, from the Prosecutor pursuant to regulation 45 of the Regulations of the Court (“Regulations”), informing that the Prosecutor intends to submit a request to a Pre-Trial Chamber for authorisation to open an investigation into the situation in the Islamic Republic of Afghanistan, under article 15(3) of the Rome Statute.¹

The Presidency recalls 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.

The Presidency notes the composition of the Pre-Trial Division² as well as the composition of its Chambers.³ The Presidency also notes the current overall workload of Chambers in the Pre-Trial and Trial Divisions, as well as the individual workload of the judges serving in both Divisions. The Presidency further notes the respective assignments, qualifications and experience of the judges.⁴

Accordingly, the Presidency *hereby decides* to assign, with immediate effect, the situation in the Islamic Republic of Afghanistan to Pre-Trial Chamber III, with the following composition:

Judge Antoine Kesia-Mbe Mindua

Judge Chang-ho Chung

Judge Raul C. Pangalangan

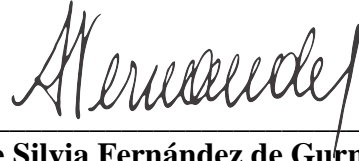
¹ Annex I.

² Presidency, Decision assigning Judge Raul Pangalangan to the Pre-Trial Division, 15 July 2015, *e.g.* ICC-02/11-48.

³ *See e.g.* Presidency, Decision on the constitution of Pre-Trial Chambers and on the assignment of the Mali situation, 16 March 2015, ICC-02/11-45.

⁴ *See* Articles 36(5), 39(1) and 39(2)(b)(iii) of the Rome Statute.

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



Judge Silvia Fernández de Gurmendi
President

Dated this 3 November 2017

At The Hague, The Netherlands