



Original: English

No. ICC-02/17  
Date: 9 November 2017

**PRE-TRIAL CHAMBER III**

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

**SITUATION IN THE ISLAMIC REPUBLIC OF AFGHANISTAN**

**Public**

Decision on the Election of the 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/Reparations**

**The Office of Public Counsel for  
Victims**

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Herman von Hebel, Registrar

**Defence Support Section**

**Victims and Witnesses Unit**

Nigel Verrill, Chief

**Detention Section**

**Victims Participation and Reparations  
Section**

Philipp Ambach, Chief

**Other**

**PRE-TRIAL CHAMBER III** (the “Chamber”) of the International Criminal Court (the “Court”) issues this decision concerning the election of the Presiding Judge of the Chamber in the situation in the Islamic Republic of Afghanistan (“Afghanistan”).

1. On 30 October 2017, the Prosecutor informed the Presidency of her decision to request judicial authorisation to commence an investigation into the situation in Afghanistan pursuant to regulation 45 of the Regulations of the Court (“Regulations”).<sup>1</sup>

2. On 3 November 2017, the Presidency decided “to assign, with immediate effect, the situation in the Islamic Republic of Afghanistan to Pre-Trial Chamber III”.<sup>2</sup>

3. The Chamber notes regulation 13(2) of the Regulations pursuant to which the Judges of each Pre-Trial Chamber shall elect from amongst their members a Presiding Judge.

4. On 7 November 2017, the Judges of the Chamber decided to elect a Presiding Judge for each situation assigned to the Chamber. In addition, the Judges of the Chamber decided that Judge Antoine Kesia-Mbe Mindua will act as the Presiding Judge of the Chamber in the situation in Afghanistan with immediate effect.

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<sup>1</sup> ICC-02/17-1-AnxI.

<sup>2</sup> The Presidency, *Situation in the Islamic Republic of Afghanistan*, Decision assigning the situation in the Islamic Republic of Afghanistan, 3 November 2017, ICC-02/17-1.

**FOR THESE REASONS, THE CHAMBER HEREBY**

**DECIDES** that Judge Antoine Kesia-Mbe Mindua is the Presiding Judge of Pre-Trial Chamber III in the situation in Afghanistan.

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



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**Judge Antoine Kesia-Mbe Mindua**



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**Judge Chang-ho Chung**



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**Judge Raul C. Pangalangan**

Dated this Thursday, 9 November 2017

At The Hague, The Netherlands