



Presidential Directive

ICC/PRESG/2025/001

Date: 3 October 2025

The President, pursuant to section 2 of the Presidential Directive on *Procedures for the Promulgation of Administrative Issuances* (ICC/PRESG/2003/001) and with the concurrence of the Prosecutor, promulgates the following:

Policy concerning administrative decision-making in emergency situations

Section 1

Purpose

The purpose of this Presidential Directive is to establish the policy governing decision-making of the Court in emergency situations which require extraordinary responsive measures, including its underlying principles and procedures.

Section 2

Definitions

For the purpose of this Presidential Directive, the terms below are defined as follows:

2.1 “Administrative Issuance” means a Presidential Directive, Administrative Instruction or Information Circular, within the meaning of the Presidential Directive

on *Procedures for the Promulgation of Administrative Issuances* (ICC/PRESG/2003/001);

- 2.2 “Emergency situation” means any actual or imminent event(s) that threaten(s) the safety or physical security of ICC Personnel, assets or facilities, and/or causes or has potential to cause significant disruption to the Court’s operations, which requires prompt and decisive actions and measures to prevent, avoid or mitigate further harm, damage or disruption;
- 2.3 “Elected Officials” means the Judges, Prosecutor, Deputy Prosecutors, Registrar and Deputy Registrar;
- 2.4 “Counsel” means counsel as defined in article 1 of the Code of Professional Conduct for counsel, legal advisers pursuant to rule 74(10) of the Rules of Procedure and Evidence, and members of their teams;
- 2.5 “Staff member” means any person holding a letter of appointment under the Staff Rules and/or Regulations;
- 2.6 “Non-staff personnel” are those individuals, other than elected officials, staff members and counsel, performing services in a direct or other agreed relationship with the Court and other than through a letter of appointment under the Staff Rules and/or Regulations, and include consultants, individual contractors, interns and visiting professionals; and
- 2.7 “ICC Personnel” comprises Elected Officials, staff members, non-staff personnel and counsel.

Section 3

Principles

- 3.1 The President, the Prosecutor and the Registrar (all together “the Principals”), in consultation, may exceptionally jointly declare that the Court is facing an emergency situation requiring extraordinary responsive actions and measures (“Declaration”). In the event of a Declaration, the Principals may determine the extraordinary responsive actions and measures required to ensure, to the extent possible, the continuation of the Court’s operations.

3.2 The Declaration shall be communicated by the Principals to all concerned via email, messaging services or through any other means deemed appropriate for notification purposes in view of the exigencies of the situation.

3.3 The Principals, in consultation, shall also communicate to all concerned the cessation of the emergency situation through the means referred to in section 3.2.

Section 4

Decision-making

4.1 Noting the urgent and volatile nature of emergency situations, and the need to ensure a prompt response by the Court and, to the extent possible, the continuation of its operations, following the issuance of the Declaration, decisions in connection with the management of such emergency situation shall be taken by the Principals, in consultation. In the decision-making process, the Principals may, when deemed necessary and feasible, take into account recommendations made by internal or external stakeholders. The decisions may include, without limitation, the revocation, derogation or amendment of decisions previously taken outside the context of the emergency situation. The decisions adopted by the Principals shall be communicated to all concerned via email, messaging services or through any other means deemed appropriate for notification purposes in view of the exigencies of the situation.

4.2 The Registrar and the Prosecutor, as appropriate, shall implement and ensure compliance with the decisions taken under section 4.1, including the measures set out in this Presidential Directive.

4.3 This Presidential Directive does not impede the power of a Chamber of the Court to regulate judicial proceedings.

Section 5

Application of Administrative Issuances

5.1 Following the issuance of the Declaration, the Principals may, acting in consultation, determine the need to adopt extraordinary exceptions to any Administrative Issuance in force, and/or to revoke, derogate or amend decisions previously taken

pursuant to any Administrative Issuance outside the context of the emergency situation.

5.2 Any extraordinary exception shall be temporary in nature and shall modify any Administrative Issuance only to the extent strictly required by the exigencies of the emergency situation.

5.3 Any extraordinary exception shall be communicated on behalf of the Principals to all concerned via email, messaging services or through any other means deemed appropriate for notification purposes in view of the exigencies of the situation. All concerned shall be promptly informed when any extraordinary exception has ceased to operate.

Section 6

Final provisions

6.1 This Presidential Directive shall enter into force from 3 October 2025.

6.2 In case of conflict, discrepancy, contradiction or inconsistency between any of the Court's Administrative Issuances and this Administrative Issuance, the latter shall prevail, in accordance with section 7.1 of Presidential Directive on *Procedures for the Promulgation of Administrative Issuances* (ICC/PRESG/2003/001).



Tomoko Akane

President