Pursuant to Pre-Trial Chamber II's order, ICC-02/17-249, this document is transferred from the situation record ICC-02/17 into the situation record ICC-02/26.

Cour Pénale Internationale

International Criminal Court

Original: English

No. ICC-02/17 OA6
Date: 11 November 2026

THE APPEALS CHAMBER

Before: **Judge Luz del Carmen Ibáñez Carranza, Presiding**
Judge Solomy Balungi Bossa
Judge Gocha Lordkipanidze
Judge Erdenebalsuren Damdin
Judge Iulia Antoanella Motoc

SITUATION IN THE ISLAMIC REPUBLIC OF AFGHANISTAN

Public document

Order on the filing of written submissions on the appeal

Pursuant to Pre-Trial Chamber II's order, ICC-02/17-249, this document is transferred from the situation record ICC-02/17 into the situation record ICC-02/26.

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

☒ **The Office of the Prosecutor**

☐ **Counsel for the Defence**

☒ **Legal Representatives of the Victims**

☐ **Legal Representatives of the Applicants**

☐ **Unrepresented Victims**

☐ **Unrepresented Applicants (Participation/Reparation)**

☒ **The Office of Public Counsel for Victims**

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

☒ **States' Representatives**
The Islamic Republic of Afghanistan;
The Republic of Chile;
The Republic of Costa Rica;
The Kingdom of Spain;
The French Republic;
The Grand Duchy of Luxembourg; and
The Mexican States

☐ **Amicus Curiae**

REGISTRY

Registrar
Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations Section**

☐ **Other**

Pursuant to Pre-Trial Chamber II's order, ICC-02/17-249, this document is transferred from the situation record ICC-02/17 into the situation record ICC-02/26.

The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against Pre-Trial Chamber II's "Decision in relation to the investigation in the situation in the Islamic Republic of Afghanistan" of 15 July 2026 (ICC-02/17-238) and its "Order to comply with the 'Decision in relation to the investigation in the situation in the Islamic Republic of Afghanistan'" of 3 September 2026 (ICC-02/17-241),

Having before it the "Prosecution Appeal Brief against 'Decision in relation to the investigation in the situation in the Islamic Republic of Afghanistan' (ICC-02/17-238-US-Exp) and 'Order to comply with the "Decision in relation to the investigation in the situation in the Islamic Republic of Afghanistan"' (ICC-02/17-241-US-Exp)" of 25 September 2026 (ICC-02/17-244),

Noting that on 28 November 2024, six States Parties, namely the Republic of Chile, the Republic of Costa Rica, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, and the Mexican States submitted to the Prosecutor a referral pursuant to articles 13 and 14 of the Statute, requesting "the Prosecutor to consider the crimes committed against women and girls after the Taliban takeover in 2021 within [his] investigation into the Situation in the Islamic Republic of Afghanistan",

Pursuant to regulation 28(2) of the Regulations of the Court,

Issues the following

ORDER

1. The legal representatives of victims and the Office of Public Counsel for Victims may file written submissions with respect to the above-mentioned appeal by 3 December 2026. The submissions shall not exceed 15 pages.

2. The authorities of the aforementioned six States may file written submissions with respect to the above-mentioned appeal by 3 December 2026. The submissions of each State shall not exceed 15 pages.

3. The Prosecutor may file a response to the submissions of the legal representatives of victims, the Office of Public Counsel for Victims and the

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aforementioned States by 17 December 2026. The response of the Prosecutor shall not exceed 15 pages.

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



Judge Luz del Carmen Ibáñez Carranza

Presiding

Dated this 11th day of November 2026

At The Hague, The Netherlands