



Original: **English**

No.: ICC-02/17 OA OA2 OA3 OA4

Date: **27 November 2019**

THE APPEALS CHAMBER

Before: Judge Piotr Hofmański, Presiding Judge
Judge Howard Morrison
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa
Judge Kimberly Prost

SITUATION IN THE ISLAMIC REPUBLIC OF AFGHANISTAN

**Public with Public Annexes A-B and
Confidential, only available to the Prosecution, Annexes C-H**

Notice of Authorities for Oral Submissions

Source: Afghanistan Human Rights Organizations

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

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Mr James Stewart, Deputy Prosecutor

Ms Helen Brady

Counsel for the Defence

Legal Representatives of the Victims

Mr Fergal Gaynor *et al.*

Ms Katherine Gallagher *et al.*

Mr Steven Powles *et al.*

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keita

States Representatives

Amicus Curiae

Ms Spojmie Nasiri

REGISTRY

Registrar

Mr Peter Lewis, Registrar

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Afghanistan Human Rights Organizations (“Organizations”) herein provide notice of the authorities they intend to refer to during their oral submissions.
2. Annex A consists of a table identifying the authorities for each of the legal and factual submissions the Organizations intend to make during their oral submissions. The relevant excerpts or summaries are also provided to assist the Parties’ and the Appeals Chamber’s understanding of those authorities and their connection with the Organizations’ intended oral submissions.
3. Annexes B to H are referenced in Annex A. Annex B is the Victim Representation Form authorized by Pre-Trial Chamber II in the Afghanistan situation.¹ Annexes C to H are declarations by Afghan human rights leaders and former Afghan government officials, which the Organizations intend to cite during their oral submissions. The declarations are filed as “Confidential, only available to the Prosecution” because they contain information that could put the declarants at serious risk of physical harm if they were made public, especially given that the declarants continue to live and/or work in Afghanistan. Similar declarations were treated as “Confidential” when filed before Pre-Trial Chamber II.² Nevertheless, excerpts and summaries of these declarations have been provided in Public Annex A to ensure the Parties are familiar with their contents.



Spojmie Nasiri

Lead Counsel for the Afghanistan Human Rights Organizations

Dated this 27th day of November 2019
At San Francisco, USA

¹ See Order to the Victims Participation and Reparation Section Concerning Victims’ Representations, ICC-02/17-6, 9 November 2017, paras. 9-10.

² See ICC-02/17-57-Conf-AnxB; ICC-02/17-57-Conf-AnxC; ICC-02/17-57-Conf-AnxD; ICC-02/17-57-Conf-AnxE.