

# **ANNEX 13**

**PUBLIC**

**From:** Trial Chamber IX Communications  
**Sent:** 24 June 2016 13:14  
**To:** [REDACTED]  
**Cc:** [REDACTED]

**Subject:**

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Dear Counsel:

In relation to your questions, and consistently with the Chamber's direction during the status conference (T-25, page 30 lines 12-19), the time limits you identify from the confirmation phase no longer apply.

Best,

[REDACTED] on behalf of Trial Chamber IX

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From [REDACTED]  
 Sent:  
 To: Trial Chamber IX Communications

Dear [REDACTED]  
 I would be grateful if you could provide the Single Judge with the following request for clarification.

In accordance with the decision issued on 17 June 2016, the procedural rights accorded to participating victims by the Pre-Trial Chamber continue to apply *mutatis mutandis* (see ICC-02/04-01/15-476, para. 11).

In this regard, footnote 21 of said Decision refers to paras. 25 to 35 of the Decision on victims' procedural rights issued by the Single Judge of the Pre-Trial Chamber on 27 November 2015 (see ICC-02/04-01/15-350). Para. 34 of this ruling indicates that legal representatives may exercise their right to respond to any submissions filed in the record of the case within five days of notification of the relevant document; while the parties may file a reply within three days from notification of the legal representative's response.

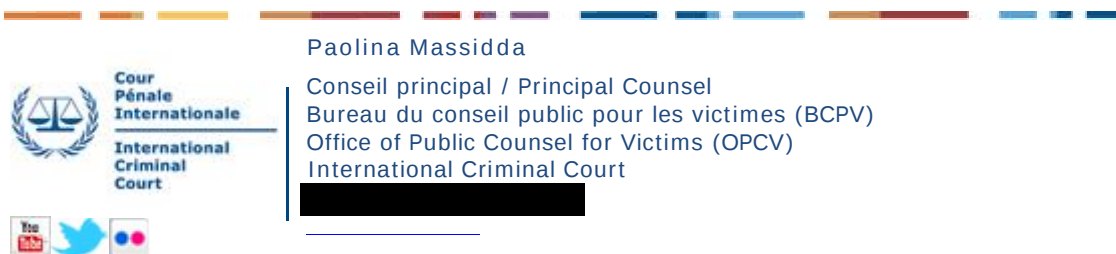
During the status conference held on 23 May 2016, the Presiding Judge clarified - at the request of the Prosecution - that the 5 days' time limit was not anymore applicable (see the transcript of the hearing ICC-02/04-01/15-T-25, p. 30 line 12- 19).

The legal representatives understand that by virtue of the oral ruling and by reference in the decision of 17 June to the fact that the procedural rights are applicable *mutatis mutandis* the time limit of 5 days do not apply anymore to responses to be filed by them.

The legal representatives respectfully request clarification in this regard, as well as on the possibility for the parties to still file a reply to any of their responses in a time limit of 3 days and without asking leave to the Chamber. In this regard, it is respectfully submitted that the wording of rule 91(2) of the Rules refers to the right of response to

submissions and that right to reply is governed by regulation 24(5) of the Regulations of the Court. Indeed, the French version of the provision refers to “*possibilité de répondre à toute intervention orale ou écrite du représentant légale de la victime*”.

Kind regards,  
Paolina Massidda



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