

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-RoC46(3)**  
Date: **5 December 2024**

**PRESIDENT OF THE PRE-TRIAL DIVISION**

**Before: Judge María del Socorro Flores Liera**

**REQUEST UNDER REGULATION 46(3) OF THE REGULATIONS OF THE  
COURT**

**Public**

**Decision assigning the ‘Victims’ request for clarification and an order to compel  
the Prosecutor to act on their legal obligations under article 15(3)’**

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

**The Office of the Prosecutor**

Mr Karim A. A. Khan  
Ms Nazhat Shameem Khan  
Mr Mame Mandiaye Niang

**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**

Mr Osvaldo Zavala Giler

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and  
Reparations Section**

**Other**

Pre-Trial Chamber I  
Amnesty International

**Judge María del Socorro Flores Liera**, acting as President of the Pre-Trial Division of the International Criminal Court (the ‘Court’), hereby renders this decision on the ‘Victims’ request for clarification and an order to compel the Prosecutor to act on their legal obligations under article 15(3)’ (the ‘Request’), submitted to the President of the Pre-Trial Division under regulation 46(3) of the Regulations of the Court (the ‘Regulations’).<sup>1</sup>

1. On 3 December 2024, the Registry transmitted the Request to the President of the Pre-Trial Division. In the Request, Amnesty International, ‘in representation of victims of war crimes and crimes against humanity in northeast Nigeria who are members of the Jire Dole Networks’,<sup>2</sup> makes certain requests of the ‘Pre-Trial Chamber to be assigned to the situation in Nigeria’.<sup>3</sup>

2. The President of the Pre-Trial Division notes regulation 46(3) of the Regulations whereby:

Any matter, request or information not arising out of a situation assigned to a Pre-Trial Chamber in accordance with sub-regulation 2, shall be directed by the President of the Pre-Trial Division to a Pre-Trial Chamber according to a roster established by the President of that Division.<sup>4</sup>

3. As previously held, regulation 46(3) of the Regulations requires the President of the Pre-Trial Division to direct the ‘matter, request or information’ to a Pre-Trial Chamber ‘as long as the subject-matter [...] pertains to an issue that does not appear (a) to fall outside the competence of the Pre-Trial Chamber, or (b) to be manifestly frivolous’.<sup>5</sup> In the event that the ‘matter, request or information’ passes this test, the President of the Pre-Trial Division will order the Registrar, by way of email, to file the ‘matter, request or

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<sup>1</sup> ICC-ROC46(3)-01/24-1-Anx1.

<sup>2</sup> Request, para. 1.

<sup>3</sup> Request, p. 1 and para. 85.

<sup>4</sup> A roster was established on 19 December 2007 by the then President of the Pre-Trial Division; see Administrative Decision concerning the establishment of a Roster according to regulation 46 para. 3 of the Regulations of the Court, ICC-PTD-01/2007; the administrative decision (without the actual roster) was communicated to the Registry in “Administrative decision concerning the communications to the President of the Pre-Trial Division falling under regulation 46 para. 3 of the Regulations of the Court”, 19 December 2007, ICC-PTD-02/2007. The roster was last amended on 1 March 2023 by way of the ‘Decision amending the roster within the meaning of regulation 46(3) of the Regulations of the Court’, ICC-ROC46(3)-9.

<sup>5</sup> President of the Pre-Trial Division, Decision assigning the ‘Request for review of the Prosecution’s decision of 23 April 2014 not to open a Preliminary Examination concerning alleged crimes committed in the Arab Republic of Egypt, and the Registrar’s Decision of 25 April 2014’ to Pre-Trial Chamber II, 10 September 2014, ICC-RoC46(3)-01/14-1, para. 3.

information' into the record ICC-RoC46(3) and assign it a new serial number in a given year, as provided in regulations 20(1) and 27 of the Regulations of the Registry.<sup>6</sup>

4. Without any prejudice to the determination by the competent Pre-Trial Chamber, the President of the Pre-Trial Division is of the view that the matter raised in the Request fulfils the above criteria.

**FOR THESE REASONS, THE PRESIDENT OF THE PRE-TRIAL DIVISION**

**ASSIGNS** the Request to Pre-Trial Chamber I; and

**INSTRUCTS** the Registry to notify Pre-Trial Chamber I of the Request.

Done in English. A French translation will follow. The English version remains authoritative.



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**Judge María del Socorro Flores Liera**  
**President of the Pre-Trial Division**

Dated this Thursday, 5 December 2024

At The Hague, The Netherlands

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<sup>6</sup> President of the Pre-Trial Division, Administrative Decision amending the Procedure and Roster under regulation 46(3) of the Regulations of the Court, 29 June 2018, ICC-PTD-01/2018, par. 9; Administrative Decision establishing a procedure for the handling of any “matter, request or information” falling under regulation 46(3) of the Regulations of the Court, 18 February 2015, ICC-PTD-01/2015, para. 7.