



THE REGISTRAR

Reference: ICC-BD/01-02-07

**8<sup>th</sup> and 9<sup>th</sup> Plenary Sessions of the judges  
14 June 2007 and 13-15 November 2007**

### **AMENDMENTS TO THE REGULATIONS OF THE COURT**

By decision of the judges of the Court, at the eighth and ninth Plenary Sessions, the Regulations of the Court were amended. The following regulations have been added: 19 *bis* (Judicial recess), 23 *bis* (Filing of documents marked *ex parte*, under seal or confidential) and 24 *bis* (Submissions by the Registrar). The following regulations were amended: 33 (Calculation of time limits), 36 (Format of documents and calculation of page limits) and 107 (Arrangements and agreements on cooperation); inserted text is marked in bold, whilst deletions are struck out.

#### **Regulation 19 *bis*<sup>1</sup>: Judicial recess**

1. The Presidency, in consultation with the judges, shall establish periods of judicial recess and issue guidelines in relation thereto.
2. Unless otherwise determined by a Chamber, during the judicial recess hearings shall be limited to urgent issues and time limits shall not be suspended.

#### **Regulation 23 *bis*<sup>2</sup>: Filing of documents marked *ex parte*, under seal or confidential**

1. Any document filed by the Registrar or a participant and marked "*ex parte*", "under seal" or "confidential", shall state the factual and legal basis for the chosen classification and, unless otherwise ordered by a Chamber, shall be treated according to that classification throughout the proceedings.
2. Unless otherwise ordered by a Chamber, any response, reply or other document referring to a document, decision or order marked "*ex parte*", "under seal" or "confidential" shall be filed with the same classification. If there are additional reasons why a response, reply or any other document filed by the Registrar or a participant should be classified "*ex parte*", "under seal", or "confidential", or reasons why the original document or other related documents should not be so classified, they shall be provided in the same document.

<sup>1</sup> Adopted 14 November 2007, entered into force 18 December 2007.

<sup>2</sup> Adopted 14 November 2007, entered into force 18 December 2007.

3. Where the basis for the classification no longer exists, whosoever instigated the classification, be it the Registrar or a participant, shall apply to the Chamber to re-classify the document. A Chamber may also re-classify a document upon request by any other participant or on its own motion. In the case of an application to vary a protective measure, regulation 42 shall apply.
4. This regulation shall apply *mutatis mutandis* to proceedings before the Presidency.

**Regulation 24 bis<sup>3</sup>: Submissions by the Registrar**

1. The Registrar, when necessary for the proper discharge of his or her functions, in so far as they relate to any proceedings, may make oral or written submissions to a Chamber with notification to the participants.
2. The Registrar may file a document *ex parte* "Registrar only" if knowledge by the participants of the content of the document filed would defeat its purpose. The Chamber shall decide whether notice of the existence of the filing is to be provided to the participants.
3. Nothing in this regulation shall be taken to restrict other types of communication between Chambers and the Registrar.
4. This regulation shall apply *mutatis mutandis* to proceedings before the Presidency.

**Regulation 33<sup>4</sup>: Calculation of time limits**

1. ~~The calculation of time for~~For the purposes of any proceedings before the Court, **time** shall be ~~made~~**calculated** as follows:
  - (a) Days shall be understood as calendar days. ~~When the last day of a time period falls upon a Saturday, a Sunday or an official holiday of the Court, the next working day of the Court shall be considered the last day;~~
  - (b) ~~Days shall only be understood as "full days", the~~The day of notification of a document, **decision** or the day of filing of a response or a reply by a participant to that document ~~order shall not being taken into consideration for the calculation~~**be counted as part of the time period available to file a document limit;**

---

<sup>3</sup> Adopted 14 November 2007, entered into force 18 December 2007.

<sup>4</sup> Amended 14 November 2007, entered into force 18 December 2007 (sub-regulations 1 and 2 amended, new sub-regulations 1(c), 1(d) and 3 added).

- (c) ~~2. Where the day of notification is a Friday, or the day before an official holiday of the Court, the time limit shall not begin to run until the next working day of the Court;~~
  - (d) **Documents shall be filed with the Registry, at the latest, on the first working day of the Court following expiry of the time limit.**
2. Documents shall be filed with the Registry between 9am and 4pm The Hague time or the time of such other place as designated by the **Presidency, a Chamber or the Registrar, except where the urgent procedure foreseen in regulation 24, sub-regulation 3 of the Regulations of the Registry applies.**
  3. **Unless otherwise ordered by the Presidency or a Chamber, documents, decisions or orders received or filed after the filing time prescribed in sub-regulation 2 shall be notified on the next working day of the Court.**

**Regulation 36<sup>5</sup>: Format of documents and calculation of page limits**

1. Headings, footnotes and quotations shall be counted in calculating the page limits.
2. The following shall not be counted in calculating the page limits:
  - (a) Any *addendum* containing *verbatim* quotations of the Statute, Rules or these Regulations;
  - (b) Any appendix containing references, authorities, copies from the record, exhibits and other relevant, non-argumentative material. An appendix shall not contain submissions.
- ~~3. Before the Registry notifies in accordance with regulation 31, subregulation 1, the participant shall, within the applicable time limit, file an index for approval by the Registrar that shall include relevant internet links and the proposed length of the appendix. If necessary, the participant may seek a ruling on the contents of an appendix from the Chamber. Any appendix shall be filed immediately upon approval of the index by the Registrar or following the ruling of the Chamber.~~
3. All documents shall be submitted on A4 format. Margins shall be at least 2.5 centimetres on all four sides. All documents that are filed shall be paginated, including the cover sheet. The typeface of all documents shall be 12 point with 1.5 line spacing for the text and 10 point with single spacing for footnotes. An average page shall not exceed 300 words.

---

<sup>5</sup> Amended 14 June 2007, entered into force 18 December 2007 (former sub-regulation 3 deleted, former sub-regulation 4 renumbered as sub-regulation 3).

## **Regulation 107<sup>6</sup>: Arrangements and agreements on cooperation**

1. All agreements with any State not party to the Statute or any intergovernmental organization, setting out a general framework for cooperation on matters within the competency of more than one organ of the Court, shall be negotiated under the authority of the President who ~~shall~~ may seek recommendations from the Advisory Committee on Legal Texts. Such agreements shall be concluded by the President on behalf of the Court. The existence of an agreement concluded in accordance with this sub-regulation does not preclude the Prosecutor from entering into those agreements referred to in article 54, paragraph 3 (d).
2. Each organ of the Court shall inform the Presidency of any arrangement or agreement on cooperation, not being one setting out a general framework for cooperation as referred to in sub-regulation 1, that the organ intends to negotiate, unless such information is inappropriate for reasons of confidentiality. Subject to article 54, paragraph 3 (d), and to reasons of confidentiality, such arrangements and agreements shall be concluded by the President or by delegation by the relevant organ under whose authority the arrangement or agreement has been negotiated.

The Regulations of the Court are amended pursuant to article 52 of the Rome Statute.

Pursuant to article 52, paragraph 3, of the Statute, the amendments enter into force on 18 December 2007 and shall remain in force if there are no objections from a majority of States within six months from 31 January 2008, date of the circulation to States Parties.

The text, as amended, is also published on the website of the Court at the address [www.icc-cpi.int](http://www.icc-cpi.int).

---

<sup>6</sup> Amended 14 November 2007, entered into force 18 December 2007 (sub-regulation 1).