



**Cour  
Pénale  
Internationale**

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**International  
Criminal  
Court**

# **Regulations of the Court**

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## Section 4 Appeal and revision

### *Subsection 1 Appeal*

#### **Regulation 57<sup>16</sup>**

##### **Appeal**

For the purposes of rule 150, the appellant shall file a notice of appeal which shall state:

- (a) The name and number of the case;
- (b) The title and date of the decision of conviction or acquittal, sentence or reparation order appealed against;
- (c) Whether the appeal is directed against the whole decision or part thereof;
- (d) The specific provision of the Statute pursuant to which the appeal is filed;
- (e) The grounds of appeal, cumulatively or in the alternative, specifying the alleged errors and how they affect the appealed decision;
- (f) The relief sought.

#### **Regulation 58<sup>17</sup>**

##### **Appeal brief**

1. Having filed a notice of appeal in accordance with regulation 57, the appellant shall file an appeal brief within 90 days of notification of the relevant decision.
2. The appeal brief shall set out the legal and/or factual reasons in support of each ground of appeal. Reference shall be made to the relevant part of the record or any other document or source of information as regards any factual issue. Each legal reason shall be set out together with reference to any relevant article, rule, regulation or other applicable law, and any authority cited in support thereof. Where applicable, the finding or ruling challenged in the decision shall be identified, with specific reference to the page and paragraph number.
3. The appeal brief shall not exceed 100 pages.

#### **Regulation 59<sup>18</sup>**

##### **Response**

1. A participant may file a response within 60 days of notification of the appeal brief described in regulation 58 as follows:
  - (a) Each ground of appeal shall be answered separately, stating whether it is opposed, in whole or in part, together with the grounds put forward in support thereof; it shall also be stated whether the relief sought is opposed, in whole or in part, together with the grounds of opposition in support thereto;

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16 Amended 12 July 2017, entered into force 20 July 2017 (sub-regulation (b) amended, new sub-regulations (d) and (e) added, former sub-regulation (d) renumbered as sub-regulation (f)).

17 Amended 12 July 2017, entered into force 20 July 2017 (title amended, sub-regulation 1 amended, sub-regulations 2 and 4 deleted, former sub-regulations 3 and 5 amended and renumbered as sub-regulations 2 and 3).

18 Amended 12 July 2017, entered into force 20 July 2017 (sub-regulations 1 and 2 amended).

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- (b) When facts are relied on that are not already set out in the notice of appeal or the appeal brief, reference shall be made to the relevant part of the record or any other document or source of information;
    - (c) Each legal reason relied on in support of the response shall be set out together with reference to any relevant article, rule, regulation or other applicable law, and any authority cited in support thereof.
  2. The response shall not exceed 100 pages. To the extent possible, it shall be set out and numbered in the same order as in the appeal brief described in regulation 58.

### **Regulation 60**

#### **Reply**

1. Whenever the Appeals Chamber considers it necessary in the interests of justice, it may order the appellant to file a reply within such time as it may specify in its order.
2. Any reply filed in accordance with sub-regulation 1 shall not exceed 50 pages. To the extent possible, it shall be set out and numbered in the same order as in the documents described in regulations 58 and 59.

### **Regulation 61<sup>19</sup>**

#### **Variation of grounds of appeal presented before the Appeals Chamber**

1. An application for variation of grounds of appeal shall state the name and number of the case and shall specify the variation sought and the reasons in support thereof.
2. The application for variation shall be filed as soon as the reasons warranting it become known.
3. Participants may file a response within seven days of notification of the application for variation.
4. The response shall state the name and number of the case and shall specify the legal or factual reasons advanced by way of opposition.
5. If the variation is granted and the time limit for the filing of the appeal brief is still running, the Appeals Chamber may:
  - (a) maintain the time limit for the filing of the appeal brief; or
  - (b) extend the time limit for the filing of the appeal brief; or
  - (c) maintain the time limit for the filing of the appeal brief in relation to the grounds of appeal set out in the notice of appeal that have not been varied, but order the filing of a supplemental brief containing the varied grounds of appeal and the legal or factual reasons in support thereof within a time and page limit specified by the Appeals Chamber. Regulation 58, sub-regulation 2, shall apply *mutatis mutandis* to the supplemental brief.
6. If the variation is granted and the appeal brief has already been filed, the Appeals Chamber shall specify both the time and page limit within which the appellant shall

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19 Amended 12 July 2017, entered into force 20 July 2017 (sub-regulation 5 amended, sub-regulation 6 added, former sub-regulations 6 and 7 amended and renumbered as sub-regulations 7 and 8).