



**Internal memorandum**  
**Memorandum interne**

<b>To   À</b>	Judge Chile Eboe-Osuji, President Judge Robert Fremr, First Vice-President Judge Marc Perrin de Brichambaut, Second Vice-President	<b>From   De</b>	Fatou Bensouda, Prosecutor
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<b>Date</b>	12 June 2019	<b>Through   Via</b>	
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<b>Ref.</b>	OTP2019/014274	<b>Copies</b>	Peter Lewis, Registrar
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**Subject | Objet**      **Notice pursuant to regulation 45 of the Regulations of the Court**

Pursuant to regulation 45 of the Regulations of the Court, I hereby inform you of my intention to submit a request under article 15(3) of the Rome Statute seeking authorisation from a Pre-Trial Chamber to open an investigation. Specifically, I seek authorisation to investigate crimes within the jurisdiction of the International Criminal Court in which at least one element occurred on the territory of the People's Republic of Bangladesh – a State Party to the Rome Statute – and within the context of two waves of violence in Rakhine State on the territory of the Republic of the Union of Myanmar, as well as any other crimes which are sufficiently linked to these events ("Situation of Bangladesh/Myanmar").

I note that regulation 45 of the Regulations of the Court envisages the provision to the Presidency of "any other information that may facilitate the timely assignment of a situation to a Pre-Trial Chamber."

To this end, I wish to recall that the President of the Pre-Trial Division previously assigned the Prosecution's Request for a Ruling on Jurisdiction to Pre-Trial Chamber I pursuant to regulation 46(3) of the Regulations of the Court. On 6 September 2018, Pre-trial Chamber I issued a majority decision finding that the Court may assert jurisdiction pursuant to article 12(2)(a) of the Statute "if at least one element of a crime within the

jurisdiction of the Court or part of such a crime is committed on the territory of a State Party to the Statute.”<sup>1</sup>

Thank you kindly in advance for your time and attention to this important matter. |

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<sup>1</sup> Decision on the “Prosecutor’s Request for a Ruling on Jurisdiction under Article 19(3) of the Statute”, dated 6 September 2018 (ICC-RoC46(3)-01/18-37), paras. 72-73.