

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

No.: ICC-01/18  
Date: 3 July 2024

**PRE-TRIAL CHAMBER I**

**Before:** Judge Iulia Antoanella Motoc, Presiding Judge  
Judge Reine Adélaïde Sophie Alapini-Gansou  
Judge Nicolas Guillou

**SITUATION IN THE STATE OF PALESTINE**

**SECRET**

***EX PARTE* only available to the Prosecution  
With SECRET Annex  
only available to the Prosecution**

**Registry Transmission of a Request for the submission of observations as *Amicus Curiae***

**Source:** Registry

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

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## Legal Representatives of the Applicants

**The Office of Public Counsel for the  
Defence**

## Amicus Curiae

## REGISTRY

Oswaldo Zavala Giler

## Detention Section

**Other**

## I. INTRODUCTION

1. The Registry hereby transmits to Pre-Trial Chamber I ("Chamber"), a request received on 3 July 2024, from Mr Rafael Bardají, Executive Director of the "High Level Military Group (HLMG)" to submit observations in the present Situation as Amicus Curiae, in accordance with rule 103(1) of the Rules of Procedure and Evidence.

## II. PROCEDURAL HISTORY

2. On 27 June 2024, the Chamber issued its *"Public redacted version of 'Order deciding on the United Kingdom's request to provide observations pursuant to Rule 103(1) of the Rules of Procedure and Evidence, and setting deadlines for any other requests for leave to file amicus curiae observations' ('Order')"*.<sup>1</sup>
3. On 3 July 2024, the Court Management Section ("CMS") received an e-mail from Mr Rafael Bardají attaching a "Letter to the Judges of pre-trial chamber 1 ICC" ("Letter").<sup>2</sup>
4. Upon receipt of a similar request, the CMS had contacted the Chamber on 1 July 2024, to seek guidance on how to process this type of documents.<sup>3</sup>

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<sup>1</sup> ICC-01/18-173-Red – "Public redacted version of 'Order deciding on the United Kingdom's request to provide observations pursuant to Rule 103(1) of the Rules of Procedure and Evidence, and setting deadlines for any other requests for leave to file amicus curiae observations'".

<sup>2</sup> See e-mail sent by Letter to the Judges of pre-trial chamber 1 ICC to CMS on 3 July 2024, 8:57

<sup>3</sup> Phone conversation between the CMS and the Legal Adviser of the Chamber on 1<sup>st</sup> July 2024, 15:30.

5. The Chamber instructed the Registry to ("Instructions"):

- submit the documents only in the record of the Situation *via* a Registry's transmission filing;
- file the transmission filing and the attached document on a Secret basis<sup>4</sup> and;
- annex the document to the transmission filing.

### III. CLASSIFICATION

6. In accordance with regulation 23 *bis* (1) of the Regulations of the Court and in compliance with the Chamber's Instructions, the present submission and its Annex are classified Secret.

### IV. TRANSMISSION

7. The Registry hereby transmits the present filing and its annex in accordance with the Chamber's Instructions.



Marc Dubuisson, Director, Division of Judicial Services

On behalf of

Oswaldo Zavala Giler, Registrar

Dated this 3 July 2024

At The Hague, the Netherlands

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<sup>4</sup> See ICC-01/18-163-SECRET.