

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/18
Date: 15 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:

The Office of the Prosecutor 	Counsel for the Defence
Legal Representatives of the Victims	Legal Representatives of the Applicants
 The Office of Public Counsel for Victims	 The Office of Public Counsel for the Defence
 States' Representatives	 Amicus Curiae

REGISTRY

Registrar Osvaldo Zavala Giler	Counsel Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Other

I. INTRODUCTION

1. The Registry hereby transmits to Pre-Trial Chamber I ("Chamber"), a request received on 12 July 2024, from The Palestinian Association for Human Rights (Witness) 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").¹
1. On 12 July 2024, the Registry received an e-mail from Mr Mahmoud El-Hanafi, with a document attached thereto, entitled "*Brief before Pre-Trial Chamber I President Seeking leave of the court to file a brief as an amicus curiae Pursuant to Rule 103(1) of the Rules of Procedure and Evidence*" ("Request").²
2. In the context of a similar request, and upon the Registry's request for guidance, on 1 July 2024, the Chamber provided the Registry with directions as to how to process this type of documents.³

¹ 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'*".

² Email from Mr Mahmoud El-Hanafi to the Registry on 12 July 2024, at 16:15

³ Phone conversation between CMS staff and the Legal Adviser of the Chamber, on 1st July 2024, at 15:30.

3. Accordingly, the Chamber instructed the Registry to ("Instructions"):
- submit the Request in the record of the Situation *via* a Registry's transmission filing;
 - file the transmission filing and the Request on a Secret basis⁴ and;
 - annex the Request to the transmission filing.

III. CLASSIFICATION

4. 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

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

p.p. 

Marc Dubuisson, Director, Division of Judicial Services

On behalf of

Oswaldo Zavala Giler, Registrar

Dated this 15 July 2024

At The Hague, the Netherlands

⁴ See ICC-01/18-163-SECRET.