

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/18
Date: 29 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 and the State of Israel

Registry Transmission of a "Request for leave to reply to the "Prosecution's Response to Israel's Request for Access to the Application for Arrest Warrants for Benjamin Netanyahu and Yoav Gallant" (ICC-01/18-248-SECRET-Exp)"

Source: Registry

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

- | | |
|---|---|
| <div>The Office of the Prosecutor</div> <div></div> | <div>Counsel for the Defence</div> |
| <div>Legal Representatives of the Victims</div> | <div>Legal Representatives of the Applicants</div> |
| <div>The Office of Public Counsel for Victims</div> | <div>The Office of Public Counsel for the Defence</div> |
| <div>States' Representatives</div> | <div>Amicus Curiae</div> |

REGISTRY

- | | |
|--|------------------------------------|
| <div>Registrar</div> <div>Osvaldo Zavala Giler</div> | <div>Counsel Support Section</div> |
| <div>Victims and Witnesses Unit</div> | <div>Detention Section</div> |
| <div>Victims Participation and Reparations Section</div> | <div>Other</div> |

I. INTRODUCTION

1. The Registry hereby transmits to Pre-Trial Chamber I ("Chamber"), a document, and its annex received on 29 July 2024, from the State of Israel, entitled "*Request for Leave to reply to the "Prosecution Response to Israel's Request for Access to the Application for Arrest Warrants for Benjamin Netanyahu and Yoav Gallant"* (ICC-01/18-248-SECRET-Exp)" ("Request").

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
3. On 11 July 2024, the Registry received an e-mail from Ms Avigail Frish Ben Avraham, with a document attached thereto entitled "*Request for Access to the Application for Arrest Warrants for Benjamin Netanyahu and Yoav Gallant'*".²
4. On the same day, the document and its annexes were registered in the record of the Situation, *via* a Registry transmission filing.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 Ms Avigail Frish Ben Avraham to the Court Management Section (CMS) dated 11 July 2024, at 9:18

³ See ICC-01/18-187-SECRET-Exp

5. On 22 July 2024, the Prosecution filed its *“Response to Israel’s “Request for Access to the Application for Arrest Warrants for Benjamin Netanyahu and Yoav Gallant” (“Response”)*.⁴
6. On 23 July 2024, the State of Israel received a paper copy of the Prosecution’s Response, *via* its Embassy in The Hague.
7. On 29 July 2024, the Registry received an e-mail from Ms Avigail Frisch Ben Avraham with a document, and its annex, attached thereto entitled *“Request for Leave to reply to the “Prosecution Response to Israel’s Request for Access to the Application for Arrest Warrants for Benjamin Netanyahu and Yoav Gallant” (ICC-01/18-248-SECRET-Exp)”*.⁵
8. On the same day, and upon the Registry’s request for guidance, the Chamber instructed the Registry to register the request *via* a transmission filing.⁶

III. CLASSIFICATION

9. 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.

⁴ See ICC-01/18-248-SECRET-Exp

⁵ Email from Ms Avigail Frisch Ben Avraham to the CMS dated 29 July 2024, at 15:19

⁶ Phone conversation between CMS staff and the Legal Adviser of the Chamber, on 29 July 2024, at 15:45.

IV. TRANSMISSION

10. The Registry hereby transmits the present filing and its annex, consisting of the Third Request, in accordance with the Chamber's instructions.



Marc Dubuisson, Director, Division of Judicial Services

On behalf of

Osvaldo Zavala Giler, Registrar

Dated this 29 July 2024

At The Hague, the Netherlands