

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/18**

Date: **8 August 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

Decision on requests for reconsideration by the Simon Wiesenthal Center

Decision 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 Victims	Legal Representatives of Applicants
Unrepresented Victims	Unrepresented Applicants for Participation/Reparations
The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
States Representatives	<i>Amicus Curiae</i> Simon Wiesenthal Center UK Lawyers for Israel, B’nai B’rith UK, the International Legal Forum, the Jerusalemites’ Initiative
REGISTRY	
Registrar Mr Osvaldo Zavala Giler	Counsel Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Other

PRE-TRIAL CHAMBER I (the 'Chamber') of the International Criminal Court (the 'Court') issues this decision on the requests for reconsideration submitted by the Simon Wiesenthal Center.

1. On 22 July 2024, the Chamber issued a decision with regard to requests for leave to file *amicus curiae* observations pursuant to rule 103(1) of the Rules of Procedure and Evidence (the 'Rules'), granting some requests submitted under this provision, setting the page limit to 10 pages per applicant or group of applicants, and ordering for these observations to be filed public and no later than 6 August 2024 (the 'Rule 103 Decision').¹ In this decision, the Chamber also noted, with regard to the requests submitted by UK Lawyers for Israel, B'nai B'rith UK, the International Legal Forum, the Jerusalemites' Initiative and the Simon Wiesenthal Center (the 'Joint Applicants'), that these organisations made two separate requests pursuant to rule 103(1) of the Rules. The Chamber clarified that the observations related to both requests must be filed together, in one document of maximum 10 pages.
2. On 23 July 2024, the Chamber received a request for reconsideration by the Simon Wiesenthal Center (the 'SWC' and the 'Request'),² submitting that it 'participated in only one request to file observations at this stage', that 'a separate request was made by the other NGOs with which SWC joined in making its only request' which 'relates to completely different issues', and requesting leave to make observations on its own and for it to be granted 20 pages for its observations.³
3. On 6 August 2024, the Chamber received *amicus curiae* observations by the Joint Applicants (the 'Joint Observations').⁴

¹ Decision on requests for leave to file observations pursuant to rule 103 of the Rules of Procedure and Evidence, ICC-01/18-249.

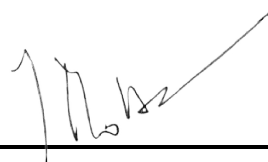
² Request to Reconsider Decision ICC-0118-249 of 22 July 2024 under Rule 103 on behalf of the Non-Governmental Organisation Simon Wiesenthal Center ("SWC"), ICC-01/18-250-SECRET-Exp-Anx.

³ Request, paras 2, 6.

⁴ Observations on (1) Jurisdiction and Complementarity and (2) Inaccuracies and Omissions in the Prosecutor's Applications for Arrest Warrants pursuant to Rule 103(1) of the Rules of Procedure on behalf of the Non-Governmental Organisations UK Lawyers for Israel ("UKLFI"), B'nai B'rith UK ("BBUK"), the International Legal Forum ("ILF"), the Jerusalemites' Initiative ("JI") and the Simon Wiesenthal Center ("SWC"), 5 August 2024, ICC-01/18-272.

4. On 7 August 2024, the Chamber received a 'renewed' request for reconsideration by the SWC, reiterating its request to submit separate observations, and specifying that it 'would withdraw from the [Joint Observations]' if granted leave (the 'Renewed Request').⁵
5. The Chamber notes that the clarification in its Rule 103 Decision was made with a view to ensuring procedural fairness vis-à-vis all other groups of applicants who were also only allocated 10 pages each, irrespective of whether they deal with separate issues or not.
6. In light of this, the Request and the Renewed Request are hereby **REJECTED**.

Done in English. A French translation will follow. The English version remains authoritative.



Judge Iulia Antoanella Motoc
Presiding Judge



Judge Reine Adélaïde Sophie Alapini-
Gansou



Judge Nicolas Guillou

Dated this Thursday, 8 August 2024
At The Hague, The Netherlands

⁵ Renewed Request to Reconsider Decision ICC-0118-249 of 22 July 2024 under Rule 103 on behalf of the Non-Governmental Organisation Simon Wiesenthal Center ("SWC"), 6 August 2024, ICC-01/18-319-SECRET-Exp-Anx, para. 6.