

Situation in the State of Palestine

Annex I

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: **ICC-01/18**
Date: **22 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 ALLEGED STATE OF PALESTINE

SECRET

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”)**

Source: Simon Wiesenthal Center (“SWC”)

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

REGISTRY

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

1. This is a request by the NGO Simon Wiesenthal Center (“SWC”) to the Court to reconsider its Decision no. ICC-01/18-249 of 22 July 2024 on requests for leave to file observations pursuant to Rule 103 of the Rules of Procedure and Evidence, so far as it affects SWC.
2. That Decision was made under a misapprehension that SWC participated in two requests to make observations at this stage under Rule 103. This is not correct. SWC participated in only one request to file observations at this stage, namely on inaccuracies and omissions in the Prosecutor’s Application for Arrest Warrants. SWC understands that a separate request was made by the other NGOs with which SWC joined in making its only request. SWC is not a party to or responsible for that other request, which SWC understands relates to completely different issues, namely jurisdiction and admissibility.
3. Under the above misapprehension, the Court has given permission to SWC only to participate in one set of observations running to 10 pages in total jointly with other NGOs, with which SWC does not wish to make observations on jurisdiction and admissibility.
4. Furthermore, the observations which SWC seeks to make on inaccuracies and omissions in the Prosecutor’s Application for Arrest Warrants relate to a significant number of factual matters. Even though these matters are set out concisely in SWC’s request, they run to 15 pages not including cover pages. A page limit of less than 20 pages could compromise SWC’s efforts to ensure that the Court is accurately informed on critical factual issues relating to those Applications.
5. Moreover the matters which SWC wishes to raise go to the integrity of the Court, its processes and its Prosecutor. SWC respectfully submits that it would be very regrettable indeed if the Court does not enable these concerns to be properly raised with and addressed by the Court.
6. SWC therefore requests
 - (a) That it be given leave to make observations under Rule 103 on its own on inaccuracies and omissions in the Prosecutor’s Applications for Arrest Warrants. Since SWC would make these observations on its own and would not participate in any other observations, no NGO would be making more than one set of observations.

(b) That the page limit for the observations permitted under (a) shall be 20 pages.

Respectfully submitted by

A handwritten signature in black ink, appearing to read 'Abraham Cooper', with a long, sweeping horizontal stroke extending to the right.

Rabbi Abraham Cooper, Associate Dean and Global Social Action Director, on behalf of
Simon Wiesenthal Centre (“SWC”)

Dated this 22nd day of July 2024

At Los Angeles