

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/18
Date: **6 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 ALLEGED STATE OF PALESTINE

SECRET

**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”)**

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. NGO Simon Wiesenthal Center (“SWC”) hereby objects to the Court’s failure to act in response to SWC’s 22 July 2024 request for 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, and hereby renews its July 22 request to be allowed to submit a separate set of observations.
2. As SWC indicated in its July 22 request, the Court evidently was under the misapprehension 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 in the Prosecutor’s Application for Arrest Warrants (“Application”). SWC did not join the other NGOs in those NGOs’ separate, second, request, which concerned issues of the Court’s jurisdiction.
3. Under the above misapprehension, the Court gave permission to SWC only to participate in one set of observations running to 10 pages in total jointly with other NGOs.
4. Limiting SWC’s presentation to only a portion of 10 pages allotted among multiple NGOs to cover multiple issues (some of which, again, SWC is not joining) unduly and prejudicially impairs SWC’s ability to bring to the Court’s attention critically important misstatements and omissions in the Application—issues which go to the integrity of the Court, its processes and its Prosecutor.
5. If the Court were to persist in its current posture of refusing to allow SWC to raise these matters in a thorough and comprehensive manner, it would suggest that the Court is not interested in grappling in a serious manner with concerns about the Court and the Prosecutor’s conduct and legitimacy. That would be regrettable, and SWC hopes instead that the Court’s failure to act until now on SWC’s July 22 request is merely an administrative oversight.
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. If granted this leave, SWC would withdraw from the observations made by UKLFI and others, so 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.

- (c) That the deadline for these separate observations from SWC be set for 21 days from the date of the Court's granting this present request.

Respectfully submitted by

A handwritten signature in dark 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 6th day of August 2024

At Los Angeles, California, United States of America