

Pursuant to Pre-Trial Chamber I's instruction dated 21.11.2024, this document is reclassified as Public

Annex I

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**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **27 September 2024**

PRE-TRIAL CHAMBER I

Before:

**Judge Iulia Motoc, Presiding Judge
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge Nicolas Guillou**

SITUATION IN THE STATE OF PALESTINE

Confidential

**Request to re-classify Israel's "Request to extend the page limit for submissions
concerning article 18(1)", ICC-01/18-345-SECRET-Exp-Anx**

Source: The State of Israel

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

The Office of the Prosecutor Mr. Karim A.A. Khan KC	Counsel for the Defence
Legal Representatives of Victims	Legal Representatives of Applicants
Unrepresented Victims	Unrepresented Applicants (Participation / Reparation)
The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
States’ Representatives Office of the Attorney General of Israel	Amicus Curiae

REGISTRY

Registrar Mr. Osvaldo Zavala Giler	Counsel Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Public Information and Outreach Section

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1. The State of Israel, through its Office of the Attorney General ("Israel"),¹ respectfully requests, in accordance with regulation 23bis(3) of the Regulations of Court, that its "Request to extend the page limit for submissions concerning article 18(1)" ("Request"), filed confidentially,² and all related filings,³ be reclassified as public.

2. This request is based, *inter alia*, on the Prosecution's observation in response to the Request that "it sees no basis for the present classification and submits that these matters should be public."⁴ Israel notes that its initial classification arose from a lack of certainty as to whether certain correspondence with the Prosecutor referred to in the Request⁵ should be treated as confidential. The Prosecution has now clarified that it, too, does not see objection to public reference to that correspondence. Under these circumstances, there is no further justification for the filing not to be reclassified as public.

3. Pursuant to regulation 23bis(2) of the Regulations of Court, this request is filed confidentially as it refers to filings that are currently confidential. If this request is granted, the present filing may also be reclassified as public.

Respectfully submitted:



Dr. Gilad Noam, Office of the Attorney-General of Israel

Dated this 27 day of September 2024, at Jerusalem, Israel.

¹ Israel is a State not Party to the Rome Statute. This filing is without prejudice to that status, and to Israel's position concerning the Court's lack of jurisdiction in respect of this Situation. Reference to the "Situation in the State of Palestine" on the cover page, rather than "Situation in Palestine", has been made in accordance with the Pre-Trial Chamber's instruction of 23 September 2024. This change is made without prejudice to Israel's well-known position that "Palestine" is not a State.

² Request to extend the page limit for submissions concerning article 18(1), 21 August 2024, ICC-01/18-345-SECRET-Exp-Anx.

³ Prosecution Response to Israel's "Request to extend the page limit for submissions concerning article 18(1)" (ICC-01/18-345-SECRET-Exp-Anx), 5 September 2024, ICC-01/18-349-SECRET-Exp; Request for leave to reply to Prosecution Response to Israel's "Request to extend the page limit for submission concerning article 18(1)" (ICC-01/18-345-SECRET-Exp-Anx), 10 September 2024, ICC-01/18-352-SECRET-Exp-Anx; Prosecution Response to Israel's "Request for leave to reply to Prosecution Response to Israel's 'Request to extend the page limit for submission concerning article 18(1)'" (ICC-01/18-345-SECRET-Exp-Anx), 16 September 2024, ICC-01/18-353-SECRET-Exp.

⁴ Prosecution Response to Israel's "Request to extend the page limit for submissions concerning article 18(1)" (ICC-01/18-345-SECRET-Exp-Anx), 5 September 2024, ICC-01/18-349-SECRET-Exp, para. 2.

⁵ Request, paras. 4-6.