

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



Original: **English**

No.: **ICC-01/18**  
Date: **1 May 2025**

**PRE-TRIAL CHAMBER I**

**Before:** Judge Nicolas Guillou, Presiding Judge  
Judge Reine Adélaïde Sophie Alapini-Gansou  
Judge Beti Hohler

**SITUATION IN THE STATE OF PALESTINE**

**Confidential**

**Request by the European Centre for Law & Justice for Leave to Submit *Amicus Curiae* Observations Pursuant to Rule 103(1) of the Rules of Procedure and Evidence**

**I. Person(s)/organisation(s) submitting the request**

1. The European Centre for Law and Justice (ECLJ) is a non-profit organisation located in Strasbourg, France, dedicated, *inter alia*, to establishing and strengthening the rule of law in world affairs. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council.<sup>1</sup> The ECLJ is well-versed in matters of international law, has been following the Israeli-Palestinian conflict closely for decades, has engaged with the Office of the Prosecutor (OTP) on several occasions,<sup>2</sup> including participating in an in-person dialogue with the OTP regarding the Palestinian Authority's accession to the Rome Statute, and has assisted the Court before by submitting a number of *amicus curiae* observations regarding issues similar to the current matter before the Chamber.<sup>3</sup>

**II. Purpose of Request/Legal Basis**

2. Pursuant to Rule 103(1) of the Rules of Procedure and Evidence (RPE), the ECLJ hereby requests leave to submit observations as *amicus curiae* to assist Your Excellencies regarding substance of the State of Israel's jurisdictional challenge under Article 19.<sup>4</sup>

3. The ECLJ has been previously authorised by the Pre-Trial Chamber (PTC) to file submissions in this case.<sup>5</sup>

**III. Classification**

4. The ECLJ agrees to this request being reclassified as public.

**IV. Arguments in support of the request**

5. We believe that, given our past contribution to the work of the Court,<sup>6</sup> including in the Situation in the State of Palestine and the Situation in the Islamic Republic of Afghanistan, and the fact that the PTC, under two different compositions, has given two conflicting

<sup>1</sup> NGO Branch, U.N. Dep't of Econ. & Soc. Affairs, Consultative Status for the European Centre for Law and Justice (2007),

<https://esango.un.org/civilsociety/showProfileDetail.do?method=showProfileDetails&profileCode=3010>.

<sup>2</sup> The ECLJ has also submitted numerous legal memoranda to the OTP regarding, *inter alia*, ICC jurisdiction over nationals of non-party States and the Oslo Accords.

<sup>3</sup> Corrected version of Observations with respect to the Situation in the State of Palestine on behalf of the European Centre for Law & Justice, ICC-01/18-260, 1 October 2024.

<sup>4</sup> Situation in the State of Palestine, Judgment on the appeal of the State of Israel against Pre-Trial Chamber I's "Decision on Israel's challenge to the jurisdiction of the Court pursuant to article 19(2) of the Rome Statute," ICC-01/18 OA2, 24 April 2025.

<sup>5</sup> Decision on requests for leave to file observations pursuant to rule 103 of the Rule of Procedure and Evidence, ICC-01/18, 22 July 2024.

<sup>6</sup> See, e.g., *Amicus Curiae* Observations of the European Centre for Law & Justice Pursuant to Rule 103 of the Rules of Procedure and Evidence, Situation on Registered Vessels of the Union of The Comoros, the Hellenic Republic of Greece and the Kingdom of Cambodia, ICC-01/13-45, 7 August 2015; Confirmation that Mr Jay Alan Sekulow Will Make Oral Submissions at the Oral Hearing to be held between 4 and 6 December 2019, Situation in the Islamic Republic of Afghanistan, ICC-02/17 OA OA2 OA3 OA4, 24 October 2019; Observations with respect to the Situation in the State of Palestine on behalf of the European Centre for Law and Justice, Situation in the State of Palestine, ICC-01/18-70, 13 March 2020.

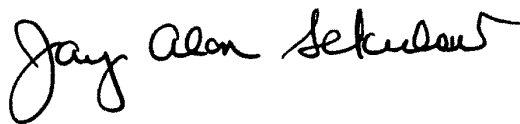
interpretations to Article 19,<sup>7</sup> the ECLJ's *amicus curiae* observations will assist Your Excellencies in making a just and proper determination of matters related to the substance of the jurisdictional challenges raised by Israel under Article 19 of the Rome Statute.

6. Given the need for a clear interpretation of Article 19, coupled with the immense importance of the question whether State Party Palestine has any jurisdiction to confer upon the Court, the ECLJ requests the Chamber to allow 20 pages for its observations should the Chamber grant this request.

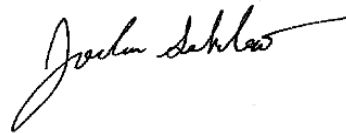
## V. Relief sought

7. WHEREFORE, in light of the foregoing, the ECLJ respectfully requests the Chamber to grant the ECLJ leave to submit *amicus curiae* observations pursuant to Rule 103(1) of the RPE.

Respectfully submitted,



Jay Alan Sekulow  
Chief Counsel



Jordan Sekulow  
Senior Counsel



Stuart Roth  
Senior Counsel



CeCe Heil  
Senior Counsel



Donn Parsons  
Senior Counsel



Shaheryar Gill  
Senior Counsel

Dated this 1st day of May 2025

At Strasbourg, France

<sup>7</sup> Decision on the 'Prosecution Request Pursuant to Article 19(3) for a Ruling on the Court's Territorial Jurisdiction in Palestine', ICC-01/18-143, ¶ 131, 5 Feb. 2021. *Situation in the State of Palestine*, Decision on Israel's Challenge to the Jurisdiction of the Court Pursuant to Article 19(2) of the Rome Statute, ICC-01/18-374, 21 Nov. 2024.