

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

*No.: ICC-01/18*

Date: **4 February 2020**

**PRE-TRIAL CHAMBER I**

**Before**

**Judge Peter Kovacs, Presiding Judge  
Judge Marc Pierre Perrin de Brichambaut  
Judge Reine Alapini-Ganso**

**Public**

**Notice of Withdrawal of Request for Leave to Submit Amicus Curiae  
Observations by Guernica 37 International Justice Chambers (pursuant to Rule  
103 of the Rules)**

**Source: Guernica 37 International Justice Chambers**

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

**The Office of the Prosecutor**  
Fatou Bensouda, Prosecutor  
Mr James Stewart

**Counsel for the Defence**

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

**The Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

## **REGISTRY**

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**Registrar**  
M. Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**  
Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**  
Mr Philipp Ambach

**Other**

## 1. Introduction

- 1.1. On 20 December 2019, the Office of the Prosecutor (hereinafter: OTP or Prosecutor) at the International Criminal Court (hereinafter: ICC) filed a request,<sup>1</sup> pursuant to Article 19(3) of the Rome Statute of the ICC (hereinafter: Rome Statute), seeking a ruling from the Pre-Trial Chamber concerning jurisdiction in the Occupied Palestinian Territory (OPT).
- 1.2. On 23 December 2019, the Chamber received the ‘Supplemental information to the Prosecution request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine’, together with two annexes containing two legal memoranda issued by the State of Israel (‘Israel and the Supplementary Information’), thereby requesting that those documents be ‘placed on the record of the situation for completeness.
- 1.3. On 21 January 2020, the Chamber issued the ‘Decision on the Prosecutor’s Application for an extension of the page limit’, thereby (i) granting the Request for an Extension of the Page Limit; (ii) rejecting *in limine* the Prosecutor’s 20 December 2019 Request, (iii) inviting the Prosecutor to file a new request of no more than 110 pages, and (iv) instructing the Registrar to strike from the record of the Situation and withdraw from the Court’s website, the 20 December Request.
- 1.4. On 22 January 2020, the Chamber received the ‘Prosecution request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine.
- 1.5. On 23 January 2020, the Chamber received the ‘Request for Leave to Submit Amicus Curiae Observations by Guernica 37 International Justice Chambers’.
- 1.6. On 28 January 2020, the Pre-Trial Chamber I, issued an ‘Order setting the procedure and the schedule for the submission of observations’ (the ‘Order’)

## 2. The Order of 28 January 2020

- 2.1. In terms of this notice, the salient parts of the order are as noted below.

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<sup>1</sup> [https://www.icc-cpi.int/CourtRecords/CR2019\\_07637.PDF](https://www.icc-cpi.int/CourtRecords/CR2019_07637.PDF)

- 2.2. The order refers, at paragraph 19 to the Guernica request referring exclusively to the Prosecutor's 20 December 2019 request, a request that was rejected, as opposed to the Prosecutor's request resubmitted on 22 January 2020.
- 2.3. The order goes on at paragraph 20, to invite a new request pursuant to rule 103, in line with the present order, and further, at 22(g), invites the previous request to be withdrawn.

### 3. Notice of Withdrawal

- 3.1. In line with the invitation of the Pre-Trial Chamber I and its order of 28 January 2020, Guernica 37 International Justice Chambers hereby gives notice that it seeks to withdraw its request of 23 January 2020, and will make a new application pursuant to rule 103 of the Rules in due course.

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Mr. Toby Cadman,

Guernica 37 International Justice Chambers

Dated this: 4 February 2020

At London, United Kingdom