

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/17 OA OA2 OA3 OA4

Date: 29 October 2019

THE APPEALS CHAMBER

Before:

**Judge Piotr Hofmański, Presiding
Judge Howard Morrison
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa
Judge Kimberly Prost**

SITUATION IN THE ISLAMIC REPUBLIC OF AFGHANISTAN

PUBLIC

Notice of intention to attend oral hearings and request for leave

Source: *Amicus Curiae Organisations*

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

The Office of the Prosecutor

Fatou Bensouda

Ms Helen Brady

Amici Curiae

Spojmie Nasiri

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Legal Representatives of the Victims

Fergal Gaynor

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Margaret Satterthwaite

Nikki Reisch

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Paolina Massida

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The Office of Public Counsel for the Defence

Xavier-Jean Keïta

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I. NOTICE

1. Pursuant to paragraph 2 of the "Decision on the participation of amici curiae, the Office of Public Counsel for the Defence and the cross-border victims" (the "Decision"),¹ the Jerusalem Institute of Justice, the International Legal Forum, My Truth, the Simon Wiesenthal Centre, The Lawfare Project, and UK Lawyers for Israel (the "*Amicus Curiae* Organisations") indicate that they will be represented by single counsel at the oral hearings between 4 to 6 December 2019.
2. Pursuant to paragraph 36 of the Decision, the *Amicus Curiae* Organisations indicate that they will either be represented by Steven Kay QC or by one of Dov Jacobs or Joshua Kern.

II. REQUEST FOR LEAVE

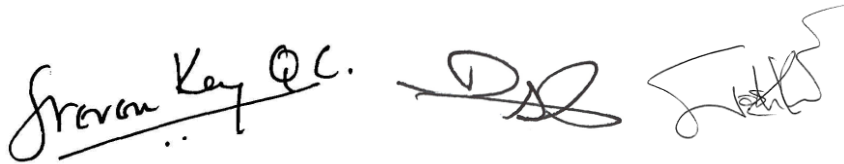
3. Considering paragraphs 32 and 34 of the Decision, including the need for the proceedings to be conducted expeditiously, the *Amicus Curiae* Organisations request exceptional leave to submit a written statement not exceeding 10 pages by 16h00 on 15 November 2019 on the issues identified in their Request for Leave.² This request is intended to assist the Appeals Chamber and the parties properly and fairly respond to the issues upon which the *Amicus Curiae* Organisations intend to make observations and to provide fair notice to the OTP and the LRVs prior to their deadline to respond to *amici* of 29 November 2019. It is further submitted that granting this exceptional request for leave will facilitate oral submissions specifically tailored to and focused on replying to issues raised by the OTP and the LRVs in responses due on 29 November 2019, as well the

¹ Decision on the participation of amici curiae, the Office of Public Counsel for the Defence and the cross-border victims, ICC-02/17-97 24-10-2019 1/16 NM PT OA OA2 OA3 OA4, 24 October 2019.

² Request for Leave to Submit Observations on behalf of Human Rights Organisations ICC-02/17-87 15-10-2019 1/6 EK PT OA OA2 OA3 OA4, 15 October 2019.

Appeals Chamber in its Decision on the conduct of proceedings, which will be made in due course.

Respectfully submitted,

Three handwritten signatures in black ink. The first signature on the left is 'Steven Kay QC.' with a horizontal line underneath. The middle signature is 'Dov Jacobs' and the right signature is 'Joshua Kern'.

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Steven Kay QC, Dov Jacobs, Joshua Kern

On behalf of the Human Rights Organisations listed in the Annex

Dated this 29th day of October 2019

At London, England and The Hague, Netherlands