

Pursuant to Pre-Trial Chamber I's Decision ICC-01/18-178 dated 04/07/2024, this document is reclassified as Public

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/18
Date: 2 July 2024

PRE-TRIAL CHAMBER I

Before: Judge Iulia Antoanella Motoc, Presiding Judge
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge Nicolas Guillou

SITUATION IN PALESTINE

Secret

Request by the United Kingdom for Extension of Time Limit

Source: The United Kingdom

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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 Khan KC

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 Representative

Amicus Curiae Applicants

REGISTRY

Registrar
Mr. Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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1. The United Kingdom hereby requests an extension of time until 26 July 2024 (an extension of two weeks) to file its written observations on the issue of jurisdiction.
2. On 27 June 2024, the Pre-Trial Chamber granted the United Kingdom permission to submit written observations on the issue “[w]hether the Court can exercise jurisdiction over Israeli nationals, in circumstances where Palestine cannot exercise criminal jurisdiction over Israeli nationals pursuant to the Oslo Accords”.¹ The Pre-Trial Chamber ordered the United Kingdom to file its observations by 12 July 2024.²
3. Regulation 35(2) of the Regulations of the Court provides (in part) that “[t]he Chamber may extend or reduce a time limit if good cause is shown and, where appropriate, after having given the participants an opportunity to be heard”. The Pre-Trial Chamber may therefore extend the current deadline upon showing of “good cause”.
4. The United Kingdom submits that there is good cause for granting an extension of time in the light of the approaching general election in the United Kingdom. Further, granting this extension will not delay the overall timeline, given the other deadlines set by the Pre-Trial Chamber in the Order.
5. There will be a general election in the United Kingdom on 4 July 2024, which falls in the middle of the time presently available to the United Kingdom to prepare and submit its observations. The forthcoming general election directly impairs the United Kingdom’s ability to meet the current deadline. In particular, the Pre-Trial

¹ ICC-01/18-173-Red, Pre-Trial Chamber I, *Public redacted version of ‘Order deciding on the United Kingdom’s request to provide observations pursuant to Rule 103(1) of the Rules of Procedure and Evidence, and setting deadlines for any other requests for leave to file amicus curiae observations’* (‘Order’), 27 June 2024, public, para. 5.

² *Ibid.*

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Chamber will appreciate that there are limitations upon the work that any State can reasonably undertake in the period leading up to a general election. Further, following the general election on 4 July 2024, work will be affected by the process of forming a government and appointing ministers. The United Kingdom is therefore unlikely to be able to address this novel and complex issue within the current deadline. An extension of time of two weeks would be reasonable in the circumstances.

6. Moreover, granting the requested extension will not delay the present stage of proceedings. The Pre-Trial Chamber's Order acknowledged that other requests for permission to make observations may be submitted and required any such requests to be filed by 12 July 2024.³ The Pre-Trial Chamber will then have to rule on any requests made and, if any are granted, would set a deadline for those observations to be submitted. The Prosecutor may then respond to any Rule 103 observations.⁴ The result is that granting the requested extension would not delay the timeline for resolving the present stage of proceedings. Instead, it would bring the deadline for the United Kingdom to submit its observations into line with the deadline likely to be set for any further Rule 103 observations on this issue.
7. When the Pre-Trial Chamber granted the United Kingdom permission to submit written observations on 27 June 2024 it instructed the Registry to reclassify the United Kingdom Request as 'public' and agreed that given the matter the United Kingdom wishes to address, its observations may be filed publicly.⁵ Given the approach ordered by the Pre-Trial Chamber with regards to reclassification and the nature of this particular request, there is no need for this request to be secret or confidential. It does not make any submissions about victims, witnesses,

³ Order, para. 6.

⁴ Order, para. 8.

⁵ Order, para. 7.

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substantive evidence or any other matter which would require secrecy or confidentiality. It should be reclassified as public.

8. The United Kingdom therefore respectfully requests an extension of time until 26 July 2024 (an extension of two weeks) to submit its written observations. The United Kingdom further requests that this filing be reclassified as public.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sally Langrish". The signature is written in a cursive, flowing style.

Sally Langrish
Legal Adviser to the Foreign, Commonwealth and Development Office of the United Kingdom

Dated this 2 July 2024

At London, United Kingdom