



Original: **English**

No.: **ICC-01/18**
Date: **25 October 2024**

THE PRESIDENCY

Before: **Judge Tomoko Akane, President**
 Judge Rosario Salvatore Aitala, First Vice-President
 Judge Reine Alapini-Gansou, Second Vice-President

SITUATION IN THE STATE OF PALESTINE

Public

Decision replacing a judge in Pre-Trial Chamber I

Decision 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

Counsel for Defence

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar
Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other
Pre-Trial Chamber I

THE PRESIDENCY of the International Criminal Court ('Court') notes that by way of internal memorandum dated 25 October 2024, Judge Iulia Motoc requested the Presidency to be excused from Pre-Trial Chamber I in the situation in the State of Palestine (the 'Request'), pursuant to article 41(1) of the Rome Statute (the 'Statute') and rule 33(1) of the Rules of Procedure and Evidence (the 'Rules').

The Presidency recalls that the situation in the State of Palestine was assigned to Pre-Trial Chamber I on 24 May 2018.¹ On 12 March 2024, Judge Motoc was assigned to Pre-Trial Chamber I and Pre-Trial Chamber III.² On 20 March 2024, Judge Motoc became the Presiding Judge of Pre-Trial Chamber I.³ On 22 April 2024, the Presidency issued a decision by which it recomposed Pre-Trial Chamber I in the situation in the State of Palestine only.⁴ Judge Motoc remained assigned as Presiding Judge of Pre-Trial Chamber I in this situation.

The Presidency notes article 41(1) of the Statute whereby '[t]he Presidency may, at the request of a judge, excuse that judge from the exercise of a function under this Statute'.

On 25 October 2024, noting that Judge Motoc considered that she needed to be excused from the situation in the State of Palestine 'based on medical grounds and the need to safeguard the proper administration of justice', the Presidency granted the Request. The Presidency notes further that the personal medical situation of Judge Motoc is entitled to medical confidentiality.

The Presidency notes that rule 38 of the Rules provides for the replacement of judges for objective and justified reasons and that, pursuant to regulation 15 of the Regulations of the Court, the Presidency is responsible for the replacement of judges.

Noting the availability and the current and anticipated workload of the judges of the Court, the Presidency hereby decides to recompose Pre-Trial Chamber I in the situation in the State of Palestine only as follows:

¹ Presidency, *Situation in the State of Palestine*, [Decision assigning the situation in the State of Palestine to Pre-Trial Chamber I](#), 24 May 2018, ICC-01/18-1, p. 3.

² Presidency, *Situation in the State of Palestine*, [Decision assigning judges to divisions and recomposing Chambers](#), ICC-01/18-159, 12 March 2024.

³ Pre-Trial Chamber I, *Situation in the State of Palestine*, [Decision on the election of the Presiding Judge](#), ICC-01/18-160, 20 March 2024, p. 4.

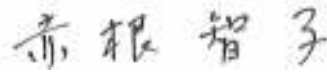
⁴ Presidency, *Situation in the State of Palestine*, [Decision replacing a judge in Pre-Trial Chamber I](#), 22 April 2024, ICC-01/18-164, p. 4.

Judge Reine Alapini-Gansou

Judge Nicolas Guillou

Judge Beti Hohler

Done in both English and French, the English version being authoritative.



Judge Tomoko Akane
President

Dated this 25 October 2024

At The Hague, The Netherlands