

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 27 November 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**

**Supplement to notice of intention to attend oral hearings dated 29 October 2019**

**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

**States Representatives**

Competent authorities of the Islamic Republic of Afghanistan

**Legal Representatives of the Victims**

Fergal Gaynor

Nada Kiswanson van Hooydonk

Katherine Gallagher

Margaret Satterthwaite

Nikki Reisch

Tim Moloney QC

Megan Hirst

Nancy Hollander

Mikołaj Pietrzak

Steven Powles QC

Conor McCarthy

***Amici Curiae***

Spojmie Nasiri

Luke Moffett

David J. Scheffer

Jennifer Trahan

Hannah R. Garry

Göran Sluiter

Kai Ambos

Dimitris Christopoulos

Lucy Claridge

Gabor Rona

Steven Kay QC

Paweł Wiliński

Nina H. B. Jørgensen

Wayne Jordash QC

Jay Alan Sekulow

**The Office of Public Counsel for Victims**

Paolina Massida

Sarah Pellet

Ludovica Vetrucchio

Anna Bonini

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

Xavier-Jean Keïta

Marie O'Leary

**Registrar**

Peter Lewis

## I. NOTICE

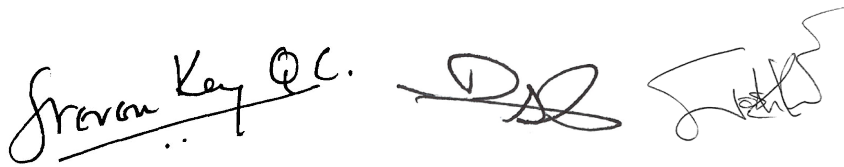
1. On 29 October 2019, the Jerusalem Institute of Justice, the International Legal Forum, My Truth, the Simon Wiesenthal Center, The Lawfare Project, and UK Lawyers for Israel (the “*Amicus Curiae* Organisations”) indicated their intention to present their submissions orally during the hearings to be held between 4 to 6 December 2019.<sup>1</sup>
2. This is to notify the Chamber that Steven Kay QC regrettably cannot attend the oral hearings. Accordingly, pursuant to paragraph 6 of the Decision on the Conduct of the Proceedings dated 22 November 2019,<sup>2</sup> according to which the “*amici curiae* may be present throughout the three days of the hearing” and only “one person may be present in the courtroom for each of the *amici curiae* at all times”:
  - i. Dr Dov Jacobs will attend the hearings on 4 December 2019 and accordingly will submit observations on the issues identified in Groups A and B of the Decision on the Conduct of the Proceedings dated 22 November 2019.
  - ii. Joshua Kern will attend the hearings on 5 and 6 December 2019 and accordingly will submit observations on the issues identified in Group C of the Decision on the Conduct of the Proceedings dated 22 November 2019.
3. The *Amicus Curiae* Organisations remain grateful to the Appeals Chamber for affording human rights organisations supporting affected communities’ rights this opportunity to be heard in these important hearings.

---

<sup>1</sup> ICC-02/17-102.

<sup>2</sup> ICC-02/17-118, para. 6.

Respectfully submitted,

Three handwritten signatures are shown 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'.

.....

Steven Kay QC, Dov Jacobs, Joshua Kern

On behalf of the Jerusalem Institute of Justice, the International Legal Forum, My Truth, the Simon Wiesenthal Center, The Lawfare Project, and UK Lawyers for Israel

Dated this 27<sup>th</sup> day of November 2019

At London, England and The Hague, Netherlands