

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

*No.: ICC-01/18*  
**Date: 16 March 2020**

**PRE-TRIAL CHAMBER I**

**Before:** Judge Péter Kovács, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Reine Adélaïde Sophie Alapini-Gansou

**SITUATION IN THE STATE OF PALESTINE**

**Public**

**Amicus Curiae Request for Extension of Time**

**Source: Intellectum Scientific Society (hereinafter Intellectum)**

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

**The Office of the Prosecutor**

Fatou Bensouda, Prosecutor

James Stewart, Deputy Prosecutor

**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**

Paolina Massidda

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

**States' Representatives**

The competent authorities of the  
State of Palestine

The competent authorities of the  
State of Israel

**Amici Curiae**

- Professor John Quigley
- Guernica 37 International Justice  
Chambers
- The European Centre for Law and  
Justice
- Professor Hatem Bazian
- The Touro Institute on Human Rights  
and the Holocaust
- The Czech Republic
- The Israel Bar Association
- Professor Richard Falk
- The Organization of Islamic  
Cooperation
- The Lawfare Project, the Institute for  
NGO Research, Palestinian Media  
Watch, & the Jerusalem Center for  
Public Affairs
- MyAQSA
- Professor Eyal Benvenisti
- The Federal Republic of Germany
- Australia

- UK Lawyers for Israel, B'nai B'rith UK, the International Legal Forum, the Jerusalem Initiative and the Simon Wiesenthal Centre
  - The Palestinian Bar Association
  - Prof. Laurie Blank, Dr. Matthijs de Blois,
  - Prof. Geoffrey Corn, Dr. Daphné Richemond-Barak, Prof. Gregory Rose, Prof. Robbie Sabel, Prof. Gil Troy and Mr. Andrew Tucker
  - The International Association of Jewish Lawyers and Jurists
  - Professor Asem Khalil and Assistant Professor Halla Shoaibi
  - Shurat Hadin – Israel Law Center
  - Todd F. Buchwald and Stephen J. Rapp
  - Intellectum Scientific Society
  - The International Commission of Jurists
  - Dr. Robert Heinsch and Dr. Giulia Pinzauti
  - The Republic of Austria
  - The International Association of Democratic Lawyers
  - The Office of Public Counsel for the Defence
  - The Honourable Professor Robert Badinter, the Honourable Professor Irwin Cotler, Professor David Crane, Professor Jean-François Gaudreault-DesBiens, Lord David Pannick and Professor Guglielmo Verdirame
  - The Palestinian Center for Human Rights, Al-Haq Law in the Service of Mankind, Al-Mezan Center for Human Rights and Aldameer Association for Human Rights
  - The Federative Republic of Brazil
  - Professor Malcolm N Shaw
  - Hungary
  - Ambassador Dennis Ross
-

- The International Federation for Human Rights, No Peace Without Justice, Women's Initiatives for Gender Justice and REDRESS
- Professor William Schabas
- International-Lawyers.org
- The League of Arab States
- Me Yael Vias Gvirsman
- The Popular Conference for Palestinians Abroad
- The Israel Forever Foundation
- Dr. Frank Romano
- Dr. Uri Weiss
- The Republic of Uganda

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## REGISTRY

### Registrar

Peter Lewis, Registrar

### Counsel Support Section

### Victims and Witnesses Unit

Nigel Verrill

### Detention Section

### Victims Participation and Reparations Section

Philipp Ambach, Chief

### Other

## I. Introduction

1. On 16 March 2020 at about 10:59 am Intellectum sent an e-mail to the Court Management e-mail address requesting an extension due to the fact that the unprecedented Coronavirus pandemic and its subsequent lockdown and isolation policies which started taking place in Greece on 13 March 2019, earlier than in most other European states, disrupted the function of the legal team and its ability to operate normally. Clearly the global pandemic qualifies as an extreme situation (*force majeure*), which drastically hindered the capabilities of the organisation's legal team to submit a complete amicus curiae submission.
2. Nonetheless, in order to keep the set deadline Intellectum submitted an abbreviated 10-page amicus curiae submission pursuant to Rule 103 on 16 March 2020, despite unexpected internet connection difficulties.
3. However, Intellectum would like to request a two-week extension in order to submit a more complete and *lege artis* version of its amicus curiae. Hence, the filing could be due on 31 March 2020.

## II. Submissions

4. The implications of the global COVID-19 pandemic constitute good cause for the Intellectum's deadline to be extended by two weeks, so that it is due on 31 March 2020, provided that no temporary suspension of the judicial proceedings is ordered in the meanwhile.
5. In particular, Intellectum is compelled to make this application due to the 13 March 2020 decision of the Greek Government to temporarily suspend most judicial operations and a little later to order the closure of most of the shops and advice citizens to stay at their homes and not go out.
6. Moreover an extremely unusual text and audio sms type message sent on 12 March 2019 to all people with Greek mobile numbers created considerable anxiety and justifiable stress about the looming danger of the pandemic's spread. The message sent by the Greek government informed the public of the pandemic and suggested inter

alia that all people take serious precautions in order to avoid becoming ill because of the virus. Following that message most members of the personnel stopped approaching the office premises, while 50% of them decided to leave the city and be close to their parents, who live in other cities far from Thessaloniki and belong to high-risk groups due to their age and overall health condition.

7. Distant working is ab initio feasible but due to the extremely rapid sequence of the Coronavirus related events, some members of the Intellectum legal team did not and cannot provide any substantial assistance due to technical and personal reasons.

8. Consequently, this extension of time is sought due to the inescapable adverse circumstances on the operations of the amicus curiae and specifically the global pandemic of the novel coronavirus known as COVID-19.

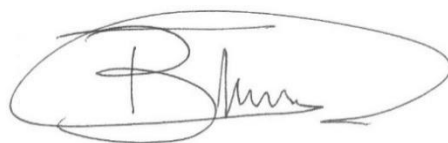
9. Finally, Intellectum notes that this application is brought before it is known whether the Court will, as a whole, decide to institute an ad hoc recess, or similar measures, with a view to temporarily suspending its judicial operations. Certainly, if such or similar measures are eventually adopted, then the time extension could be different than the one originally requested via this request.

### III. Conclusion

10. Hence, for all the reasons above, the Pre-Trial Chamber should find there exists a good cause to grant an extension of two weeks for the filing of the Intellectum's complete amicus curiae submission, so that it is due on 31 March 2020, unless there occurs a temporary suspension of judicial operations, in which latter case the deadline should be in line with the end of the suspension period.

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Dr Victor Tsilonis, **Lead Counsel for Intellectum Scientific Society**



Dated this 19<sup>th</sup> day of March 2020

At Thessaloniki, Greece