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No.: ICC-01/18

Date: 12 May 2021

PRE-TRIAL CHAMBER I

Before: Judge Péter Kovács, Presiding Judge
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera

SITUATION IN THE STATE OF PALESTINE

PUBLIC

Public Redacted Version of “ Registry’s Eleventh Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation”, 12 May 2021

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Counsel for the Defence

Legal Representatives of Victims

Unrepresented Victims

The Office of Public Counsel for Victims

States Representatives

Legal Representatives of Applicants

Unrepresented Applicants for Participation/Reparations

The Office of Public Counsel for the Defence

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

Victims Participation and Reparations Section

Mr Philipp Ambach

Public Information and Outreach Section

Ms Sonia Robla

Other

I. Introduction

1. Pursuant to Pre-Trial Chamber I's "Decision on Information and Outreach for the Victims of the Situation" issued on 13 July 2018 ("Chamber" and "Decision of 13 July 2018", respectively),¹ the Registry hereby submits its eleventh report on the progress of its activities related to information and outreach for victims and affected communities in the situation in the State of Palestine ("Situation").

II. Procedural History

2. On 13 July 2018, the Chamber issued its decision by which it, *inter alia*, ordered the Registry to: i) "establish, as soon as practicable, a system of public information and outreach activities for the benefit of victims and affected communities of the situation in Palestine";² ii) submit an initial report on its activities "at a time deemed appropriate but no later than 14 December 2018" and inform the Chamber, every three months, about the progress of its information and outreach activities and the challenges encountered;³ and iii) "create an informative page on the Court's website, especially directed to the victims in the situation of Palestine".⁴
3. Since 12 November 2018, the Registry files regularly its periodic reports⁵ on the progress relating to information and outreach activities for victims and affected communities in the Situation.

¹ Pre-Trial Chamber I, "Decision on Information and Outreach for the Victims of the Situation", 13 July 2018, ICC-01/18-2.

² Decision of 13 July 2018, p. 10, *lit.* a) and paras. 13-18.

³ Decision of 13 July 2018, p. 10 *lit.* b) and para. 19.

⁴ Decision of 13 July 2018, p. 10 *lit.* c) and para. 18.

⁵ See Registry, "Registry's Initial Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 12 November 2018, ICC-01/18-3-Conf. A public redacted version dated 19 November 2018 was registered on 20 November 2019, ICC-01/18-3-Red; "Registry's Second Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", dated 12 February 2019 and registered 13 February 2019, ICC-01/18-4-Conf. A public redacted version was filed on the same date, ICC-01/18-4-Red; "Registry's Third Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 13 May 2019,

4. On 5 February 2021, the Chamber issued the Decision on the Prosecution request pursuant to article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine ("Decision of 5 February 2021").⁶ The Chamber decided, by majority, that the Court's territorial jurisdiction in the Situation in Palestine, a State Party to the ICC Rome Statute, extends to the territories occupied by Israel since 1967, namely Gaza and the West Bank, including East Jerusalem.⁷
5. On 3 March 2021, the ICC Prosecutor confirmed that her office has initiated an investigation into the Situation ("Prosecutor's Statement of 3 March 2021").⁸

III. Classification

ICC-01/18-5-Conf. A public redacted version was filed on the same date, ICC-01/18-5-Red; "Registry's Fourth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 9 August 2019, ICC-01/18-6-Conf. A public redacted version was filed on the same date, ICC-01/18-6-Red; "Registry's Fifth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", dated 14 November 2019 and registered on 15 November 2019, ICC-01/18-7; "Registry's Sixth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 12 February 2020, ICC-01/18-20-Conf. A public redacted version was filed on the same date, ICC-01/18-20-Red; "Registry's Seventh Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 11 May 2020, ICC-01/18-132-Conf. A public redacted version was filed on the same date, ICC-01/18-132-Red; "Registry's Eighth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 12 August 2020, ICC-01/18-141-Conf. A public redacted version was filed on the same date, ICC-01/18-141-Red; "Registry's Ninth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 12 November 2020, ICC-01/18-142-Conf. A public redacted version was filed on the same date, ICC-01/18-142-Red; "Registry's Tenth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 12 February 2020, ICC-01/18-144-Conf. A public redacted version was filed on the same date, ICC-01/18-144-Red.

⁶ Pre-Trial Chamber I, "Decision on the 'Prosecution request pursuant to article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine'", 5 February 2021, ICC-01/18-143.

⁷ *Id.*, p. 60; See also "Judge Péter Kovács' Partly Dissenting Opinion", 5 February 2021, ICC-01/18-143-Anx1 and "Partly Separate Opinion of Judge Perrin de Brichambaut", 5 February 2021, ICC-01/18-143-Anx2.

⁸ Statement of ICC Prosecutor, Fatou Bensouda, respecting an investigation of the Situation in Palestine, 3 March 2021, <https://www.icc-cpi.int/Pages/item.aspx?name=210303-prosecutor-statement-investigation-palestine>.

6. Pursuant to regulation 23*bis*(1) of the Regulations of the Court (“RoC”), this report is classified as “confidential” since it contains sensitive information [Redacted].
7. The Registry will concomitantly file a public redacted version of the present report.

IV. Applicable Law

8. The Registry submits the present report pursuant to the Chamber’s instruction⁹ as well as the applicable law recalled by the Chamber in its Decision of 13 July 2018,¹⁰ and in accordance with regulations 8 and 23*bis*(1) of the RoC and regulation 6 of the Regulations of the Registry.

V. Submissions

A. Registry’s activities during the reporting period (12 February – 11 May 2021)

9. During the reporting period, the activities of the Public Information and Outreach Section (“PIOS”) and the Victims Participation and Reparations Section (“VPRS”) remained limited, particularly due to the restrictions imposed as a result of the COVID-19 pandemic.

a. Activities conducted by PIOS

10. During the reporting period, PIOS continued disseminating information about the Decision of 5 February 2021. A public information document with answers to the most commonly asked questions was produced and distributed in the two working languages of the Court, English and French,

⁹ Decision of 13 July 2018, para. 19 and Disposition, *lit.* b) on p. 10.

¹⁰ Decision of 13 July 2018, para. 6.

as well as in Hebrew and Arabic. The Q&A document was posted on the ICC website [Redacted].

11. PIOS also widely disseminated the Prosecutor's Statement of 3 March 2021. The statement was posted on the Court's website and distributed to the general ICC mailing list, including media based in The Hague, international media, as well as other stakeholders. [Redacted] the general public was also informed through posts on the Court's social media channels, including Facebook, Twitter and WhatsApp. Translations of the statement in Arabic and Hebrew have been posted on the ICC website and on social media to reach out to the widest possible audience in Palestine and Israel as well as relevant diaspora.
12. PIOS continued monitoring perceptions on traditional (online) and social media and shared these reports with relevant Registry sections and the Office of the Prosecutor. This exercise has been particularly useful considering the high media and public interest in the Prosecutor's Statement of 3 March 2021. The media monitoring contributed to understanding the main questions and concerns in relation to the Decision of 5 February 2021. It also supported the ICC spokesperson and head of the Public Affairs Unit who gave interviews and answered media queries in order to contribute to clarifying misconceptions and managing expectations.
13. Finally, PIOS's Outreach Unit replied to communications from interested stakeholders.

b. Activities carried out by VPRS

14. Throughout the reporting period, VPRS had ongoing communications [Redacted].and replied to queries from interlocutors who sought information about victim-related matters and relevant judicial developments in the Situation. On 4 March 2021, the VPRS sent an email to its interlocutors

informing them about the Prosecutor's Statement of 3 March 2021. Further correspondence ensued through various channels where the Section clarified victim-specific issues.

B. Subsequent activities

a. PIOS

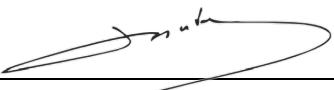
15. PIOS will continue informing the public on the judicial developments in the situation.

16. PIOS will continue its media monitoring activities and translating information materials in Arabic and Hebrew and post them on the ICC website as they become available.

b. VPRS

17. VPRS will continue to disseminate specific victim-related information amongst its interlocutors and it will keep them informed about all judicial developments in the Situation. VPRS also stands ready to organize further informative sessions on various online platforms upon request from its interlocutors and others.

18. VPRS and PIOS will continue to work closely together and will carry out joint activities whenever possible and relevant.



Marc Dubuisson, Director, Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 12 May 2021

At The Hague, The Netherlands