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No.: ICC-01/18

Date: 11 February 2022

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 the "Fourteenth Registry Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation", 11 February 2022, ICC-01/18-150

Source: Registry

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

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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 fourteenth 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

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”.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

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, 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; “Registry’s Eleventh Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation”, 12 May 2020, ICC-01/18-147-Conf. A public redacted version was filed on the same date, ICC-01/18-147-Red.; “Registry’s Twelfth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation”, 12 August 2021, ICC-01/18-148-Conf. A public redacted version was filed on the same date, ICC-01/18-148-Red; “Registry’s Thirteenth Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation”, 12 November 2021, ICC-01/18-149-Conf. A public redacted version was filed on the same date, ICC-01/18-149-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.

5. On 3 March 2021, the ICC Prosecutor confirmed that it has initiated an investigation into the Situation.⁸

III. Classification

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 activities during the reporting period (12 November 2021 – 10 February 2022)

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

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>.

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

¹⁰ Decision of 13 July 2018, para. 6.

(“VPRS”) have remained limited and mostly confined to correspondence with interlocutors, also due to competing judicial priorities and COVID-related restrictions.

a. Activities conducted by PIOS

10. PIOS continued compiling social media and traditional (online) media reports in order to monitor perceptions and reactions in the Situation and shared them with relevant ICC counterparts. It also replied to communications from interested stakeholders and updated its list of contacts.

b. Activities carried out by VPRS

11. Throughout the reporting period, VPRS replied to queries from interlocutors who sought information about victim-related matters and relevant judicial developments in the Situation. Informative meetings with interlocutors and legal representatives of victims were organized whenever so requested by them. During said meetings, interlocutors brought forward a number of recurrent items: the need was mentioned for direct interactions and informative sessions organized by the ICC about, most notably, procedural developments in the Situation, victims’ rights before the Court and ways in which victims can engage with the Court. Some interlocutors mentioned their preference for a direct channel of communication with the Court, in addition to communications intermediated by NGOs, civil society or other international organizations. Other issues raised during the meetings were: *i)* the need for coherent periodic communication with victims and interlocutors; *ii)* any available means of victim support or protection already at the investigation stage;¹¹ *iii)* the requirements and procedure to join the ICC list of counsel and the list of assistants to counsel; *iv)* the victim application

¹¹ The Registry clarified that at the investigation stage the protection the ICC can afford to victims is essentially limited to confidentiality in the handling of any information obtained from victims as well as advice on secure communication with the Registry and data security.

process for participation in proceedings and/or reparations; *v*) provision of information relevant for reparations, provided a case were to ensue and lead to a conviction of one or more accused persons. The interlocutors consulted also made suggestions on how to best engage with civil society and other relevant individuals and organizations.

12. Based on the above interactions, VPRS periodically updates its standard messages to respond coherently and comprehensively to the recurrent themes, and manage expectations.

B. Subsequent activities

a. PIOS

13. After the approval of the ICC Programme Budget for 2022 and its allocation, PIOS is currently assessing the possibilities to organise [redacted].
14. PIOS will continue informing the public about judicial developments in the situation, replying to communications from interested stakeholders and using the presence at the seat of Court of stakeholders and [redacted] to provide them with relevant information and consult them on possible activities. PIOS will also continue monitoring the media, producing information materials in Arabic and Hebrew and updating its list of contacts.

b. VPRS

15. VPRS will endeavour to continue to disseminate specific victim-related information¹² amongst its interlocutors and to keep them informed about all judicial developments in the Situation.

¹² See above at para. 12.

16. 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 11 February 2022

At The Hague, The Netherlands