

Public

Annex 1

Procedural Background

1. On 22 January 2009, the Palestinian National Authority lodged a declaration under Article 12(3) recognising the jurisdiction of the International Criminal Court “for the purpose of identifying, prosecuting and judging the authors and accomplices of acts committed on the territory of Palestine since 1 July 2002”.¹ Upon transmission of the Article 12(3) declaration, and in accordance with Article 15, the Office of the Prosecutor initiated a preliminary examination in order to determine whether there was a reasonable basis to proceed with an investigation.

2. In April 2012, following public consultations,² the Prosecutor concluded that Palestine’s status at the United Nations as an “*observer entity*” was determinative, since accession to the Statute occurs through the Secretary-General, acting as treaty depositary. The Prosecutor concluded that the Palestinian Authority’s status as an “*observer entity*”, as opposed to “*non-member State*”, at the United Nations meant that it could not accede to the Statute, nor could it lodge an Article 12(3) declaration.³

3. On 29 November 2012, the General Assembly adopted Resolution 67/19 granting Palestine “non-member observer State” status in the United Nations.⁴

4. On 1 January 2015, the State of Palestine lodged a declaration under Article 12(3), thereby accepting the jurisdiction of the Court over alleged crimes committed “in the occupied Palestinian territory, including East Jerusalem, since June 13, 2014”, for an “*unspecified period of time*”.⁵

5. On 2 January 2015, the Government of Palestine acceded to the Rome Statute by depositing its instrument of accession with the UNSG.⁶

¹ See the “[Declaration recognizing the jurisdiction of the International Criminal Court](#)” dated 21 January 2009.

² See the “[Summary of submissions on whether the declaration lodged by the Palestinian National Authority meets statutory requirements](#)” dated 3 May 2010.

³ See the [OTP April 2012 Statement](#), para. 7.

⁴ See [UNGA Resolution 67/19](#), para. 2.

⁵ See the [Palestine Article 12\(3\) Declaration](#).

⁶ See the [UNSG Notification of Palestine Accession](#).

6. On 16 January 2015, the Prosecutor announced the opening of a preliminary examination concerning the situation in Palestine in order to establish whether the Rome Statute criteria for opening an investigation were met.⁷

7. On 22 May 2018, Palestine submitted to the Prosecutor a referral of the situation in Palestine pursuant to Articles 13(a) and 14. The letter of referral requested the Prosecutor *“to investigate, in accordance with the temporal jurisdiction of the Court, past, ongoing and future crimes within the court’s jurisdiction, committed in all parts of the territory of the State of Palestine”*.⁸ It further specified that *“[t]he State of Palestine comprises the Palestinian Territory occupied by Israel, as defined by the 1949 Armistice Line, and includes the West Bank, including East Jerusalem, and the Gaza Strip”*.⁹

8. On 24 May 2018, pursuant to regulation 46(2) of the Regulations of the Court, the Presidency assigned the Situation in Palestine to Pre-Trial Chamber I (the “Chamber”).¹⁰

9. On 13 July 2018, the Chamber issued the “Decision on Information and Outreach for the Victims of the Situation”.¹¹ Following said decision, the Registrar filed five reports on “Information and Outreach Activities Concerning Victims and Affected Communities in the Situation”.¹²

⁷ See Press Release dated 16 January 2015, [“The Prosecutor of the International Criminal Court, Fatou Bensouda, opens a preliminary examination of the situation in Palestine”](#).

⁸ See “Annex I to the Decision assigning the situation in the State of Palestine to Pre-Trial Chamber I”, [No. ICC-01/18-1-AnxI](#), 24 May 2018, p. 8, para. 9.

⁹ *Idem*, p. 8, footnote 4.

¹⁰ See the “Decision assigning the situation in the State of Palestine to Pre-Trial Chamber I” (Presidency), [No. ICC-01/18-1](#), 24 May 2018.

¹¹ See the “Decision on Information and Outreach for the Victims of the Situation” (Pre-Trial Chamber I), [No. ICC-01/18-2](#), 13 July 2018.

¹² See the “Public redacted version of ‘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”, [No. ICC-01/18-3-Red](#), 19 November 2018; the “Public redacted version of ‘Registry’s Second Report on Information and Outreach Activities Concerning Victims and Affected Communities in the Situation’, 12 February 2019, ICC-01/18-4-Conf”, [No. ICC-01/18-4-Red](#), 13 February 2019; the “Public redacted version of ‘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”, [No. ICC-01/18-5-Red](#), 13 May 2019; the “Public redacted version of ‘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”, [No. ICC-01/18-6-Red](#), 9 August 2019; the “Registry’s Fifth Report on Information

10. On 20 December 2019, the Prosecutor announced that – following a thorough, independent and objective assessment of all reliable information available to her Office – the preliminary examination into the Situation in the State of Palestine was completed, with the determination that all the statutory criteria under the Statute for the opening of an investigation had been met.¹³

11. On the same day, the Prosecution requested from the Chamber a jurisdictional ruling on the scope of the territorial jurisdiction of the Court under Article 12(2)(a) in Palestine.¹⁴ Simultaneously, the Prosecution filed an “Application for extension of pages for request under article 19(3) of the Statute”.¹⁵

12. On 23 December 2019, the Prosecution provided supplementary information to its request for a ruling on the Court’s territorial jurisdiction, in the interest of completeness.¹⁶

13. On 21 January 2020, the Chamber granted the Prosecution’s application for an extension of the page limit, but rejected *in limine* its request pursuant to Article 19(3), together with the supplementary information, and invited the Prosecution to file a new request of no more than 110 pages.¹⁷

and Outreach Activities Concerning Victims and Affected Communities in the Situation”, [No. ICC-01/18-7](#), 15 November 2019.

¹³ See the “[Statement of ICC Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination of the Situation in Palestine, and seeking a ruling on the scope of the Court’s territorial jurisdiction](#)” dated 20 December 2019.

¹⁴ See the “Prosecution request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine”, No. ICC-01/18-9, 20 December 2019.

¹⁵ See the “Application for extension of pages for request under article 19(3) of the Statute”, [No. ICC-01/18-8](#), 20 December 2019.

¹⁶ See the “Supplementary information to the Prosecution request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine”, No. ICC-01/18-10, 23 December 2019.

¹⁷ See the “Decision on the Prosecutor’s Application for an extension of the page limit” (Pre-Trial Chamber I), [No. ICC-01/18-11](#), 21 January 2020. The Chamber also instructed the Registrar to strike from the record of the situation and withdraw from the Court’s website the Prosecutor’s Request pursuant to article 19(3) of the Statute (No. ICC-01/18-9), its annex (No. ICC-01/18-9-AnxA), and all related documents (*i.e.* No. ICC-01/18-10 and its two annexes No. ICC-01/18-10-AnxA and No. ICC-01/18-10-AnxB).

14. On 22 January 2020, the Prosecution filed its new “Request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine” (the “OTP Request”).¹⁸

15. On 28 January 2020, the Chamber issued its “Order setting the procedure and the schedule for the submission of observations” thereby, *inter alia*, inviting victims in the Situation in the State of Palestine, Palestine, and Israel to submit written observations on the OTP Request of no more than 30 pages by no later than 16 March 2020. It also invited other States, organisations and/or persons wishing to submit written observations on the OTP Request to submit applications for leave to file said observations no later than 14 February 2020. Finally, it appointed counsel from the Office of Public Counsel for Victims to represent victims in the Situation in the State of Palestine who do not have legal representation for the purpose of submitting observations on the OTP Request.¹⁹

16. On 4 February 2020, the Chamber received the “Request for Leave to File Submissions Pursuant to Rule 103” on behalf of Professor John Quigley;²⁰ the “Request for Leave to Submit Amicus Curiae Observations by Guernica 37 International Justice Chambers (pursuant to Rule 103 of the Rules)”;²¹ and the “Request for Leave to Submit Observations with respect to the Situation in the State of Palestine on behalf of the European Centre for Law and Justice”.²²

17. On 10 February 2020, the Chamber received the “Request for Leave to File Submissions Pursuant to Rule 103 of the Rules of Procedure and Evidence” on behalf of Professor Hatem Bazian.²³

¹⁸ See the [OTP Request](#) .

¹⁹ See the [Procedure and Schedule Order](#).

²⁰ See the “Request for Leave to File Submissions Pursuant to Rule 103”, [No. ICC-01/18-15](#), 4 February 2020.

²¹ See the “Request for Leave to Submit Amicus Curiae Observations by Guernica 37 International Justice Chambers (pursuant to Rule 103 of the Rules)”, [No. ICC-01/18-17](#), 4 February 2020.

²² See the “Request for Leave to Submit Observations with respect to the Situation in the State of Palestine on behalf of the European Centre for Law and Justice”, [No. ICC-01/18-18](#), 5 February 2020.

²³ See the “Request for Leave to File Submissions Pursuant to Rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-19](#), 10 February 2020.

18. On 13 February 2020, the Chamber received the “Request for Leave to Submit Observations on behalf of The Touro Institute on Human Rights and the Holocaust”;²⁴ the “Request pursuant to Rule 103 of the Rules of Procedure and Evidence for leave to submit observations” on behalf of the Czech Republic;²⁵ and the “Application pursuant to Rule 103(1) of the Rules of Procedure & Evidence” on behalf of the Israel Bar Association.²⁶

19. On 14 February 2020, the Chamber received the “Request for Leave to File Submission Pursuant to Rule 103 of the Rules of Procedure and Evidence” on behalf of Professor Richard Falk;²⁷ the “Request for Leave to Submit Observations with respect to the Situation in the State of Palestine” on behalf of the Organization of Islamic Cooperation;²⁸ the “Application for Leave to Submit Observations on the Prosecutor’s Request in accordance with the Chamber’s Order of 28 January 2020 on behalf of the Non-Governmental Organisations: The Lawfare Project, the Institute for NGO Research, Palestinian Media Watch, and the Jerusalem Center for Public Affairs”;²⁹ the “Request for Leave to Submit Amicus Curiae Observations by My AQSA Foundation [...] (pursuant to Rule 103 of the Rules)”;³⁰ the “Request for Leave to Submit Amicus Curiae Observations in the Proceedings Relating to the Prosecution Request Pursuant to Article 19(3) for a Ruling on the Court’s Territorial

²⁴ See the “Corrigendum of ‘Request for Leave to Submit Observations on behalf of The Touro Institute on Human Rights and the Holocaust’”, [No. ICC-01/18-21-Corr](#), 17 February 2020.

²⁵ See the “Request pursuant to Rule 103 of the Rules of Procedure and Evidence for leave to submit observations”, [No. ICC-01/18-22](#), 13 February 2020.

²⁶ See the “Application pursuant to Rule 103(1) of the Rules of Procedure & Evidence”, [No. ICC-01/18-23](#), 13 February 2020.

²⁷ See the “Request for Leave to File Submission Pursuant to Rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-50](#), 13 February 2020.

²⁸ See the “Request for Leave to Submit Observations with respect to the Situation in the State of Palestine”, [No. ICC-01/18-25](#), 14 February 2020.

²⁹ See the “Application for Leave to Submit Observations on the Prosecutor’s Request in accordance with the Chamber’s Order of 28 January 2020 on behalf of the Non-Governmental Organisations: The Lawfare Project, the Institute for NGO Research, Palestinian Media Watch, and the Jerusalem Center for Public Affairs”, [No. ICC-01/18-26](#), 14 February 2020.

³⁰ See the “Request for Leave to Submit Amicus Curiae Observations by MyAQSA Foundation (MyAQSA) (pursuant to Rule 103 of the Rules)”, [No. ICC-01/18-27](#), 14 February 2020.

Jurisdiction in Palestine” on behalf of Professor Eyal Benvenisti;³¹ the “Application for leave to file written observations by the Federal Republic of Germany”;³² the “Application for leave to file observations pursuant to the Order of 28 January 2020 setting the procedure and schedule for the submission of observations” on behalf of Australia;³³ the “Application for Leave to Submit Observations on the Prosecutor’s Request in accordance with paragraph e) of the Chamber’s Order of 28 January 2020 on behalf of the Non-Governmental Organisations UK Lawyers for Israel [...], B’nai B’rith UK [...], the International Legal Forum[...], the Jerusalem Initiative [...] and the Simon Wiesenthal Centre [...]”;³⁴ the “Request for leave to submit amicus curiae observations pursuant to rule 103 of the Rules of Procedure and Evidence” on behalf of the Palestinian Bar Association;³⁵ the “Application by 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 for Leave to Submit Written Observations”;³⁶ the “Request by the [International Association of Jewish Lawyers and Jurists] for Leave to Submit Observations in accordance with the ‘Order setting the procedure and the schedule for the submission of observations’ issued by Pre-Trial Chamber I on 28 January 2020”;³⁷ the “Request for Leave to File Submissions Pursuant to Rule 103” on behalf of Professor Asem Khalil and Assistant

³¹ See the “Request for Leave to Submit Amicus Curiae Observations in the Proceedings Relating to the Prosecution Request Pursuant to Article 19(3) for a Ruling on the Court’s Territorial Jurisdiction in Palestine”, [No. ICC-01/18-28](#), 14 February 2020.

³² See the “Application for leave to file written observations by the Federal Republic of Germany”, [No. ICC-01/18-29](#), 14 February 2020.

³³ See the “Application for leave to file observations pursuant to the Order of 28 January 2020 setting the procedure and schedule for the submission of observations”, [No. ICC-01/18-30](#), 14 February 2020.

³⁴ See the “Application for Leave to Submit Observations on the Prosecutor’s Request in accordance with paragraph e) of the Chamber’s Order of 28 January 2020 on behalf of the Non-Governmental Organisations UK Lawyers for Israel (“UKLFI”), B’nai B’rith UK (“BBUK”), the International Legal Forum (“ILF”), the Jerusalem Initiative (“JI”) and the Simon Wiesenthal Centre (“SWC”)”, [No. ICC-01/18-31](#), 14 February 2020.

³⁵ See the “Request for leave to submit amicus curiae observations pursuant to rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-32](#), 14 February 2020.

³⁶ See the “Application by 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 for Leave to Submit Written Observations”, [No. ICC-01/18-33](#), 14 February 2020.

³⁷ See the “Request by the IJL for Leave to Submit Observations in accordance with the “Order setting the procedure and the schedule for the submission of observations” issued by Pre-Trial Chamber I on 28 January 2020”, [No. ICC-01/18-34](#), 14 February 2020.

Professor Halla Shoaibi;³⁸ the “Request for leave to file a written observation [i]n accordance with the Order setting the procedure and the schedule for the submission of observations from 28 January 2020” on behalf of Shurat Hadin-Israel Law Center;³⁹ the “Request for Leave To File Submission Pursuant to Rule 103” on behalf of Todd F. Buchwald and Stephen J. Rapp;⁴⁰ the “Request for Leave to File Submissions Pursuant to Rule 103” on behalf of Azril Mohd Amin;⁴¹ the “*Amicus Curiae* Submission by Intellectum Scientific Society”;⁴² the “Request for Leave to Submit Amicus Curiae Observations by the International Commission of Jurists (pursuant to Rule 103 of the Rules)”;⁴³ the “Request for Leave to File Submissions Pursuant to Rule 103” on behalf of Dr. Robert Heinsch and Dr. Giulia Pinzauti;⁴⁴ the “Request pursuant to rule 103 of the Rules of Procedure and Evidence for leave to submit observations as amicus curiae” on behalf of the Republic of Austria;⁴⁵ the “Request for Leave to submit *Amicus Curiae* observations on behalf of the International Association of Democratic Lawyers”;⁴⁶ the “Request to Submit Amicus Curiae Submissions Pursuant to Rule 103 and Regulation of the Court 77(4)(c)” on behalf of the Office of Public Counsel for the Defence;⁴⁷ the “Application for leave to file written observations on the question of jurisdiction pursuant to Rule 103 of the Rules of Procedure and Evidence” on behalf of the Honourable Professor Robert Badinter,

³⁸ See the “Request for Leave to File Submissions Pursuant to Rule 103”, [No. ICC-01/18-35](#), 14 February 2020.

³⁹ See the “Request for leave to file a written observation In accordance with the Order setting the procedure and the schedule for the submission of observations from 28 January 2020”, [No. ICC-01/18-36](#), 14 February 2020.

⁴⁰ See the “Request for Leave To File Submission Pursuant to Rule 103”, [No. ICC-01/18-37](#), 14 February 2020.

⁴¹ See the “Request for Leave to File Submissions Pursuant to Rule 103”, [No. ICC-01/18-38](#), 14 February 2020.

⁴² See the “*Amicus Curiae* Submission by Intellectum Scientific Society”, [No. ICC-01/18-39](#), 14 February 2020.

⁴³ See the “Request for Leave to Submit Amicus Curiae Observations by the International Commission of Jurists (pursuant to Rule 103 of the Rules)”, [No. ICC-01/18-40](#), 14 February 2020.

⁴⁴ See the “Request for Leave to File Submissions Pursuant to Rule 103”, [No. ICC-01/18-41](#), 14 February 2020.

⁴⁵ See the “Request pursuant to rule 103 of the Rules of Procedure and Evidence for leave to submit observations as amicus curiae”, [No. ICC-01/18-42](#), 14 February 2020.

⁴⁶ See the “Request for Leave to submit *Amicus Curiae* observations on behalf of the International Association of Democratic Lawyers”, [No. ICC-01/18-43](#), 14 February 2020.

⁴⁷ See the “Request to Submit Amicus Curiae Submissions Pursuant to Rule 103 and Regulation of the Court 77(4)(c)”, [No. ICC-01/18-44](#), 14 February 2020.

the Honourable Professor Irwin Cotler, Professor David Crane, Professor Jean-François Gaudreault-DesBiens, Lord David Pannick and Professor Guglielmo Verdirame;⁴⁸ the “Request for Leave to File Submissions Pursuant to Rule 103” on behalf of 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;⁴⁹ the “Brazilian Application for Leave to File Amicus Curiae Observations on the question of jurisdiction set forth in paragraph 220 of the Prosecutor’s Request” on behalf of the Federative Republic of Brazil;⁵⁰ the “Request for Leave to Submit Observations Pursuant to Rule 103” on behalf of Professor Malcolm N. Shaw;⁵¹ the “Application for leave to file written observations by Hungary”;⁵² the “Request for Leave to Submit *Amicus Curiae* Observations on Issues Raised by the ‘Prosecution request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine’” on behalf of Ambassador Dennis Ross;⁵³ the “Request for Leave to Submit *Amicus Curiae* Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence” on behalf of the International Federation for Human Rights, No Peace Without Justice, Women’s Initiatives for Gender Justice, and REDRESS;⁵⁴ the “Request for Leave to Submit an Opinion in Accordance with Article 103 of the Rules of Procedure and Evidence” on behalf of Professor William Schabas;⁵⁵ the “Request for Leave to Submit Amicus Curiae Observations by International-Lawyers.org [...]

⁴⁸ See the “Application for leave to file written observations on the question of jurisdiction pursuant to Rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-45](#), 14 February 2020.

⁴⁹ See the “Request for Leave to File Submissions Pursuant to Rule 103”, [No. ICC-01/18-46](#), 14 February 2020.

⁵⁰ See the “Brazilian Application for Leave to File Amicus Curiae Observations on the question of jurisdiction set forth in paragraph 220 of the Prosecutor’s Request”, [No. ICC-01/18-47](#), 14 February 2020.

⁵¹ See the “Request for Leave to Submit Observations Pursuant to Rule 103”, [No. ICC-01/18-48](#), 14 February 2020.

⁵² See the “Application for leave to file written observations by Hungary”, [No. ICC-01/18-49](#), 14 February 2020.

⁵³ See the “Request for Leave to Submit Amicus Curiae Observations on Issues Raised by the ‘Prosecution request pursuant to article 19(3) for a ruling on the Court’s territorial jurisdiction in Palestine’”, [No. ICC-01/18-51](#), 14 February 2020.

⁵⁴ See the “Request for Leave to Submit *Amicus Curiae* Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-52](#), 14 February 2020.

⁵⁵ See the “Request for Leave to Submit an Opinion in Accordance with Article 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-53](#), 14 February 2020.

pursuant to Rule 103 of the Rules of Procedure and Evidence in accordance with paragraphs 15 and 17 of the Order of the Pre-Trial Chamber I Setting the Procedure and Schedule for the Submission of Observations”;⁵⁶ and the “Request for Leave to Submit Observations with respect to the Situation in the State of Palestine” on behalf of the League of Arab States.⁵⁷

20. On 17 February 2020, the Chamber received the “Request for Leave to File Submissions Pursuant to Rule 103” on behalf of Me Yael Vias Gvirsman;⁵⁸ the “Request for Leave to Submit Amicus Curiae Observations by The Popular Conference of Palestinians Abroad (pursuant to Rule 103 of the Rules)”;⁵⁹ the “Application for Leave to Submit Observations as Amicus Curiae pursuant to Rule 103(1) of the Rules of Procedure and Evidence” on behalf of the Israel Forever Foundation;⁶⁰ the “COURT’S TERRITORIAL JURISDICTION IN PALESTINE” on behalf of Dr. Frank Romano;⁶¹ and the “Request for Leave to File a Submission Pursuant to Rule 103 of the Rules of Procedure and Evidence” on behalf of Ralph Wilde and Ata Hindi.⁶²

⁵⁶ See the “Request for Leave to Submit Amicus Curiae Observations by InternationalLawyers.org (INTLawyers) (pursuant to Rule 103 of the Rules of Procedure and Evidence in accordance with paragraphs 15 and 17 of the Order of the Pre-Trial Chamber I Setting the Procedure and Schedule for the Submission of Observations”, [No. ICC-01/18-54](#), 14 February 2020.

⁵⁷ See the “Request for Leave to Submit Observations with respect to the Situation in the State of Palestine”, [No. ICC-01/18-55-Corr](#), 17 February 2020.

⁵⁸ See the “Request for Leave to File Submissions Pursuant to Rule 103”, [No. ICC-01/18-56](#), 14 February 2020.

⁵⁹ See the “Request for Leave to Submit Amicus Curiae Observations by The Popular Conference of Palestinians Abroad (pursuant to Rule 103 of the Rules)”, [No. ICC-01/18-57](#), 17 February 2020.

⁶⁰ See the “Application for Leave to Submit Observations as Amicus Curiae pursuant to Rule 103(1) of the Rules of Procedure and Evidence”, [No. ICC-01/18-58](#), 17 February 2020.

⁶¹ See the “COURT’S TERRITORIAL JURISDICTION IN PALESTINE”, [No. ICC-01/18-59](#), 17 February 2020. See also the “Request for Leave to Submit Amicus Curiae Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-65](#), 27 February 2020.

⁶² See the “Request for Leave to File a Submission Pursuant to Rule 103 of the Rules of Procedure and Evidence”, [No. ICC-01/18-60](#), 17 February 2020.

21. On 18 February 2020, the Chamber received the “Request pursuant to Rule 103 of the Rules of Procedure and Evidence for leave to submit observations” on behalf of Dr. Uri Weiss.⁶³

22. On 20 February 2020, the Chamber received the “Request by the Republic of Uganda for leave to submit amicus curiae observations in response to the Prosecutor’s request pursuant to article 19(3) of the Rome Statute for a ruling on the Court’s territorial jurisdiction in Palestine”.⁶⁴

23. On the same day, the Chamber granted leave to all States, organisations and individuals to submit observations summarised in their respective applications, except for the application submitted by Ralph Wilde and Ata Hindi, since it was filed after the established deadline, and that submitted by Azril Modh Amin, since it was purportedly filed on behalf of MyAQSA Foundation, but the latter had filed a separate request for leave to present observations.⁶⁵ The Chamber reminded all *amici curiae* “that the present proceedings are limited to the question of jurisdiction set forth in paragraph 220 of the Prosecutor’s Request, pursuant to which ‘[t]he Prosecution respectfully requests Pre-Trial Chamber I to rule on the scope of the Court’s territorial jurisdiction in the situation of Palestine and to confirm that the ‘territory’ over which the Court may exercise its jurisdiction under article 12(2)(a) comprises the West Bank, including East Jerusalem, and Gaza”⁶⁶ and specified that “[a]ny observations exceeding this question that are nonetheless submitted by any amicus curiae shall be disregarded by the Chamber”.⁶⁷

⁶³ See the “Request pursuant to Rule 103 of the Rules of Procedure and Evidence for leave to submit observations”, [No. ICC-01/18-61](#), 18 February 2020.

⁶⁴ See the “Request by the Republic of Uganda for leave to submit amicus curiae observations in response to the Prosecutor’s request pursuant to article 19(3) of the Rome Statute for a ruling on the Court’s territorial jurisdiction in Palestine”, [No. ICC-01/18-62](#), 20 February 2020.

⁶⁵ See the “Decision on Applications for Leave to File Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence” (Pre-Trial Chamber I), [No. ICC-01/18-63](#), 20 February 2020.

⁶⁶ *Idem*, para. 58.

⁶⁷ *Ibid.*

24. On 24 February 2020, Ralph Wilde and Ata Hindi submitted an “Appeal to the ‘Decision on Application for Leave to File Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence’”.⁶⁸

25. On 3 March 2020, Professor John Quigley filed his “Submission Pursuant to Rule 103”.⁶⁹

26. On 11 March 2020, the Chamber rejected the appeal submitted by Ralph Wilde and Ata Hindi.⁷⁰

27. On 12 March 2020, Victims from Khan al-Ahmar village submitted their observations.⁷¹

28. On 13 March 2020, the Czech Republic submitted its observations pursuant to Rule 103.⁷²

⁶⁸ See the “Appeal to the ‘Decision on Application for Leave to File Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence’”, [No. ICC-01/18-64](#), 24 February 2020.

⁶⁹ See the “Submissions Pursuant to Rule 103 (John Quigley)”, [No. ICC-01/18-66](#), 3 March 2020.

⁷⁰ See the “Decision on the ‘Appeal to the “Decision on Applications for Leave to File Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence”’”, [No. ICC-01/18-67](#), 11 March 2020.

⁷¹ See “The Khan al-Ahmar Victims’ Observations”, [No. ICC-01/18-68](#), 12 March 2020.

⁷² See the “Submission of Observations Pursuant to Rule 103”, [No. ICC-01/18-69](#), 13 March 2020.