



Special Procedures mandate-holders
United Nations Human Rights Special Procedures
Palais de Nations
1211 Geneva 10
Switzerland

Signatories of the Letter dated 23 March 2023

Via email: hrc-sr-opt@un.org

Ref.: OTP2023/008835

Date: 12 May 2023

Dear Special Procedures mandate-holders,

I have the honour to respond to your joint letter dated 23 March 2023, regarding the *Investigation into the Situation in the State of Palestine*.

I am most grateful for the information provided in your letter and the accompanying communications and reports issued by United Nations human rights mechanisms since 13 June 2014. I also thank you for, and welcome, your willingness to provide the Office of the Prosecutor (“Office”) with specific support if required, and your “pledge to support the Court’s efforts in holding all perpetrators of international crimes accountable and put an end to impunity.”

I greatly value working constructively with relevant stakeholders, such as you as Special Procedures mandate-holders, in the context of my Office’s investigations. As I have repeatedly stated, in order to deliver more effectively on the potential of the Rome Statute my Office must deepen its partnerships and dialogue with all actors. Your letter is received in this spirit of common purpose.

Since assuming office in June 2021, I have taken determined steps to further my Office's investigations and prosecutions more efficiently and meet our shared aspiration to advance justice for all victims, including women and children. In doing so, I have sought to ensure we narrow the gap between the hopes we raise with victims and survivors and the tangible impact that my Office has in advancing accountability for Rome Statute crimes.

In relation to the Situation in Palestine, I have worked since the commencement of my term to put in place a dedicated team to take forward this investigation. This is the first time such a team has been established in relation to this situation. No permanent staffing or resources were previously allocated to this Situation prior to the commencement of my term. At the last Assembly of States Parties in December, my Office sought a significant amount of additional resources for this team, representing one of the largest requested increases for that year.

The investigation in relation to the situation in Palestine continues to be taken forward by my Office deliberately and with focus, in line with our independent mandate and in collaboration with civil society, national authorities, and international partners.

I have taken note of your call to dedicate further resources to my Office's investigation, consider certain crimes and actors, and allow for more victims and communities' access. As you will appreciate, specifics relating to the ongoing investigation have to remain confidential, in line with my independent mandate, the need to preserve the integrity of the investigative process, and the safety and security of those concerned. I am also pleased to confirm that victims and communities are already able to access a dedicated portal and share information directly in this and all other situations, while my Office's Information Desk continues to be available to receive information relevant to the investigations.

As noted in your letter, I intend to visit the State of Palestine this year. This will represent the first official visit by the Prosecutor of the ICC in relation to this situation. My Office is making every effort to ensure that this mission can be carried out at the earliest opportunity, reflecting my broader commitment to bring our work closer to communities impacted by alleged international crimes.

It is my hope that this visit will serve as a catalyst to deepen our engagement with all relevant stakeholders and accelerate our work in a manner that allows us to deliver meaningfully for affected communities.

I wish to again express my appreciation for your letter and look forward to strengthening our collaboration, in support of the independent, impartial, and objective exercise of our respective mandates.

Please accept, Special Procedures mandate-holders, the assurances of my highest consideration.

A handwritten signature in black ink, consisting of a stylized initial 'K' followed by a long horizontal line that ends in a small dot.

Karim A.A. Khan, KC
Prosecutor