



Justice for Palestine: Historic Day for Palestinian Victims of Israeli Crimes

Al-Haq, Al Mezan Center for Human Rights, the Palestinian Centre for Human Right and Al Dameer Association for Supporting Prisoners and Human Rights (the Coalition) acknowledge and welcome the 3 March 2021 [announcement](#) by the Office of the Prosecutor of the International Criminal Court (ICC) on the opening of a full criminal investigation into the Situation in Palestine. This is a historic day in the decades long Palestinian campaign for international justice and accountability for Israel's apparent atrocity crimes in the Palestinian territory.

It is imperative that the ICC carry out a full, thorough and comprehensive investigation and hold to account those responsible for the commission of international crimes, inclusive of war crimes and crimes against humanity, in Palestine. We urge that there be no undue delay, and that the utmost urgency be brought to bear. Israel's occupation of Palestinian territory has been characterised by the widespread violation of the human rights of Palestinians, and the commission of repeated and ongoing apparent war crimes and crimes against humanity, facilitated by an environment of impunity.

This investigation represents a critically important step towards ending impunity and upholding the international rule of law, while ensuring the dignity of the Palestinian people who continue to be denied their right to self-determination and who are subjected to a criminal regime of apartheid, forced displacement, population transfer, extensive destruction and appropriation of property, pillage, wilful killings, and persecution, amongst other crimes within the jurisdiction of the Court.

Investigating war crimes related to the settlement enterprise in the West Bank, including East Jerusalem, as well as Israel's subjection of Palestinian civilians in Gaza to the inhumane closure and brutal military offensives, and apartheid as a crime against humanity, will require the Court to engage both with the conduct of individual soldiers and military commanders, and the entire military and civilian hierarchies embedded in and advancing the Israeli occupation.

Our Coalition reiterate that individuals, whether members of the Israeli occupying forces, or others complicit in and responsible for the clearly apparent perpetration of Rome Statute crimes, have not been subject to any independent legal investigation in Israel. Israel has consistently failed to make any attempt to hold individuals, at any level, responsible for war crimes and crimes against humanity.

As a State Party to the Rome Statute of the ICC, Palestine has properly and fully consented to the Court's jurisdiction over all international crimes committed on the territory of the State of Palestine, encompassing the West Bank, including East Jerusalem, and the Gaza Strip.

The decision of the Pre-Trial Chamber of 5 February 2021 affirmed that there is no obstacle in law for the Court to exercise such jurisdiction, and it is now essential that all States Parties to the Rome Statute, as well as all other states, fully cooperate with the Court as it undertakes this crucial investigation. It is further essential that the Court has all the resources necessary as it seeks to exercise its mandate and duty of investigating and prosecuting with the utmost independence and impartiality.

Our Coalition calls on third states and the international community to fully cooperate with the Office of the Prosecutor as per the obligations set forth in Article 86 of the Rome Statute, and in line with Common Article 1 of the four Geneva Conventions and Article 146 of the Fourth Geneva Convention, to ensure the arrest and transfer to The Hague of persons investigated and accused of international crimes, and to prevent the continued perpetration of international crimes against the Palestinian people.

Our organisations wish to thank the Office of the Prosecutor of the International Criminal Court for standing strong in the face of concerted attacks on the Court to ensure that the voices of those most marginalised and silenced by Israel's crimes are finally heard and their fundamental right to access justice vindicated. Our organisations wish to thank all those who have supported the pursuit of justice, who never gave up hope that justice would be delivered and who believed in the integrity of the international legal system and its strong institutions.
