



Struggle-La-Lucha.org

Under pressure, ICC opens official investigation into war crimes in Palestine

written by Samidoun Palestinian Prisoner Solidarity Network
December 29, 2019



'End impunity!' November 29 protest calls for action by ICC. Photo: EuroPalestine

The Chief Prosecutor of the International Criminal Court, Fatou Bensouda, issued a



statement on 20 December 2019 that the ICC will be opening an official investigation into Israeli war crimes and crimes against humanity in

occupied Palestine. The announcement comes after years of Palestinian struggle for recognition and a fair hearing at the court, including the [support of international legal organizations](#) and advocates.

In particular, [Khalida Jarrar](#), the imprisoned Palestinian leftist, feminist and legislator, has played a leading role in the campaign to hold Israeli officials accountable before the ICC. She participated in drafting Palestine's application to join the ICC and has been a leading member of the Palestinian committee for presenting evidence to the ICC of Israeli war crimes and crimes against humanity. On 31 October, Israeli occupation forces once again arrested Jarrar, a case that was [featured in Human Rights Watch's new report](#), "Born Without Civil Rights: Israel's Use of Draconian Military Orders to Repress Palestinians in the West Bank."

The Palestinian prisoners' movement has repeatedly urged the ICC to take action on Palestine, as highlighted in [this 2016 statement](#): "Fourth, we call upon the Palestinian Authority and the Prisoners' Affairs Commission, and all national, legal and human rights organizations to raise the issue of the Palestinian prisoners at the International Criminal Court, the UN Human Rights Council, and the United Nations, in order to prosecute the occupation, and to expose its practices and daily violations of the rights of prisoners in Israeli jails."

The move by the ICC comes just over a week after over 200 international organizations, including Samidoun Palestinian Prisoner Solidarity Network, signed on to a collective statement urging the court to end its delays and move forward with a formal investigation into Israeli war crimes and crimes against humanity.

The statement was delivered to the ICC in The Hague on 10 December, Human Rights Day, by [representatives of The Rights Forum](#), the Dutch NGO that initiated the campaign. Among the signatory organizations are human rights organizations, trade unions, lawyers guilds, solidarity groups, religious institutions and other civil society organizations from 25 different countries. Large numbers of signatory

organizations hail from Palestine, Germany, the USA, the Netherlands, Australia and France. The list also includes organizations from Malaysia, India, Japan, Lebanon and Nicaragua.

The [collective letter](#), reprinted below, was issued shortly after [hundreds of Europeans protested in The Hague](#) outside the ICC's offices on 29 November, the International Day of Solidarity with the Palestinian People, to demand action and an end to Israeli impunity.

Background to collective statement

The ICC has been engaged in a [preliminary investigation into the situation in Palestine](#) for almost five years, aiming to establish if criteria are met for an official, full-scale investigation into possible war crimes and crimes against humanity, committed in the Occupied Palestinian Territories. The investigation should have led to a conclusion long ago.

The delay is not only inexplicable, it is also irresponsible. Absent an official investigation, Israel has been allowed to continue carrying out crimes with impunity. Most recently, on November 14th, over thirty Palestinians were killed in Gaza, many of them as a result of indiscriminate Israeli bombings. Among those killed were nine members of the same family, including five children. No wonder that - by stalling an official investigation - the ICC is in breach with its own mission, which it [describes](#) as follows:

“The Court is participating in a global fight to end impunity, and through international criminal justice, the Court aims to hold those responsible accountable for their crimes and to help prevent these crimes from happening again.”

The stalling of the ICC-investigation fits into a wider practice of inexplicable delays. A database of companies involved in Israel's illegal colonization was mandated by

the UN in March 2016, [but has not been published to date](#). A similar database of companies involved with the Myanmar military regime was completed within a year and issued last September.

It seems obvious that holding Israel accountable for its crimes against the Palestinians requires a loud voice. Over the last years many organizations have called on the ICC to take action, notably in September 2018, when a coalition of 25 organizations urged Ms. Bensouda to finalize the preliminary investigation. None of these calls bore fruit. That is why The Rights Forum has now taken the initiative to build a coalition that cannot be ignored.

APPEAL FOR ACTION

International Criminal Court

To the attention of Ms. Fatou Bensouda, chief prosecutor
Oude Waalsdorperweg 10, The Hague, The Netherlands
Amsterdam, December 10th, 2019

Dear Ms. Bensouda,

Today, on Human Rights Day, the signatories of this letter call on you to open an official, full-scale investigation into the 'situation in Palestine' without further delay.

Since January 2015 the International Criminal Court (ICC) has been engaged in a preliminary investigation into the 'situation in Palestine', focusing on possible war crimes and crimes against humanity committed in the Occupied Palestinian Territories. Unfortunately, almost five years into the investigation, you have yet to reach a conclusion. This delay is inexplicable.

It is also irresponsible. As the preliminary investigation drags on, the crimes continue. The Israeli colonization of occupied lands - a war crime under the Rome Statute - comes with the systemic violation and abuse of the human rights of

millions of Palestinians. The Israeli occupation continues to take Palestinian lives.

Concerning Gaza, you yourself have stated that the Israeli violence against Palestinian civilians could amount to war crimes, as could be the case for the violent activities of Palestinian groups. Nevertheless, we still witness Palestinian civilians being killed or wounded on a weekly basis.

The absence of an official investigation, this much is clear, has fueled the already existing culture of impunity. But it also affects the integrity and credibility of the ICC, and thereby the confidence of the public in a functioning legal order.

Over the last years, many have called on you to finalize the preliminary investigation. Among them human rights organizations, a broad civil delegation from Palestine, and Palestinian Foreign Minister Riad Malki. In September 2018, 25 international organizations urged you to act. You did not respond.

That is why we repeat their call today, on Human Rights Day: Ms. Bensouda, open an official and full-scale investigation into the 'situation in Palestine' without further delay.

On behalf of the signatory organizations,

Yours sincerely,

THE RIGHTS FORUM (NL)

ÁBACOenRed (NI)

ADDAMEER PRISONER SUPPORT AND HUMAN RIGHTS ASSOCIATION (PS)

AIDOUN LEBANON (LB)

AJPP - AUSTRALIANS FOR JUSTICE AND PEACE IN PALESTINE (AU)

AK PALÄSTINA TÜBINGEN (DE)

AL HAQ ORGANIZATION - DEFENDING HUMAN RIGHTS (PS)

AL MEZAN CENTER FOR HUMAN RIGHTS (PS)

AL-AWDA, THE PALESTINE RIGHT TO RETURN COALITION (US)
ALDAMEER ASSOCIATION FOR HUMAN RIGHTS (PS)
ALLIANCE FOR WATER JUSTICE IN PALESTINE (US)
APPA - AUSTRALIAN PALESTINIAN PROFESSIONALS ASSOCIATION (AU)
APPLIED RESEARCH INSTITUTE - JERUSALEM (PS)
ARAB JEWISH PARTNERSHIP FOR PEACE AND JUSTICE IN THE MIDDLE EAST (US)
ARBEITERFOTOGRAFIE, BUNDESVERBAND (DE)
ARBEITSKREIS NAHOST - BERLIN (DE)
ARBEITSKREIS NAHOST - BREMEN (DE)
ARBEITSKREIS PALÄSTINA IM NÜRNBERGER EVANGELISCHEN FORUM FÜR DEN FRIEDEN (DE)
ARTICLE 1 COLLECTIVE (NL)
ASSOCIATION BELGO-PALESTINIENNE - WALLONIE/BRUXELLES (BE)
ASSOCIATION FRANCE PALESTINE SOLIDARITÉ (FR)
ATTAC ARBEITSGRUPPE GLOBALISIERUNG UND KRIEG (DE)
AUSTRALIA PALESTINE ADVOCACY NETWORK (AU)
AUSTRALIAN MANUFACTURING WORKERS UNION (AU)
AUSTRALIANS FOR PALESTINE (AU)
BADIL - RESOURCE CENTER FOR PALESTINIAN RESIDENCY AND REFUGEE RIGHTS (PS)
BAY AREA WOMEN IN BLACK (US)
BDS AUSTRALIA (AU)
BDS BERLIN (DE)
BDS JAPAN (JP)
BDS MALAYSIA (MY)
BDS SWITZERLAND (CH)
BDS-GRUPPE BONN (DE)
BELGIAN CAMPAIGN FOR THE ACADEMIC AND CULTURAL BOYCOTT OF ISRAEL

(BE)

BONNER NAKBA60-GRUPPE (DE)

BOYCOTT FROM WITHIN - ISRAELI CITIZENS FOR BDS (IL)

BRADFORD PALESTINE SOLIDARITY CAMPAIGN GROUP YORKSHIRE (UK)

BROEDERLIJK DELEN (BE)

BRYN MAWR PEACE COALITION (US)

BÜNDNIS FÜR GERECHTIGKEIT ZWISCHEN ISRAELIS UND PALÄSTINENSER (DE)

CAMBRIDGE BETHLEHEM PEOPLE TO PEOPLE PROJECT (US)

CANADA PALESTINE ASSOCIATION (CAN)

CANADIAN BDS COALITION (CAN)

CANADIAN BOAT TO GAZA (CAN)

CANADIAN UNITARIANS FOR SOCIAL JUSTICE (CAN)

CANVA - CONSTRUIRE ET ALERTER PAR LA NON VIOLENCE ACTIVE (FR)

CAPJPO EUROPALESTINE (FR)

CDA MEMBERSHIP COUNCIL MIDDLE-EAST (NL)

CJACP - COLLECTIF JUDÉO ARABE ET CITOYEN POUR LA PALESTINE (FR)

CJPP - COALITION FOR JUSTICE AND PEACE IN PALESTINE - AUSTRALIA (AU)

COALITION AGAINST ISRAELI APARTHEID VICTORIA (CAN)

COALITION FOR JERUSALEM (PS)

COLLECTIF URGENCE PALESTINE - VAUD (CH)

COMMITTEE FOR A JUST PEACE IN THE MIDDLE EAST (LUX)

COUNCIL OF PALESTINIAN POLITICAL FORCES (PS)

DCI - DEFENSE FOR CHILDREN INTERNATIONAL - PALESTINE (PS)

DE-COLONIZER (IL)

DEUTSCHER KOORDINATIONSKREIS PALÄSTINE ISRAEL (DE)

DEUTSCHES NETZWERK EAPPI (DE)

DEUTSCH-PALÄSTINENSISCHE GESELLSCHAFT (DE)

DEUTSCH-PALÄSTINENSISCHE MEDIZINISCHE GESELLSCHAFT (DE)

DEUTSCH-PALÄSTINENSISCHER FRAUENVEREIN (DE)
DOCP (NL)
DOOPSGEZIND WERELDWERK WERKGROEP MIDDEN OOSTEN (NL)
DUTCH SUPPORT GROUP OF THE INTERNATIONAL SOLIDARITY MOVEMENT (NL)
EAJS - EEN ANDERE JOODSE STEM / ANOTHER JEWISH VOICE (BE)
EDINBURGH ACTION FOR PALESTINE (UK)
EEN ANDER JOODS GELUID (NL)
ELDERS RISING (US)
EUROPÄISCHE ALLIANZ ZUR VERTEIDIGUNG DER PALÄSTINENSISCHEN GEFANGENEN (DE)
EUROPAL FORUM (UK)
EUROPEAN LEGAL SUPPORT CENTER (NL)
FACILITATE GLOBAL (UK)
FEDERATION OF INDEPENDENT TRADE UNIONS (PS)
FINNISH-ARAB FRIENDSHIP SOCIETY (FI)
FLÜCHTLINGSKINDER IM LIBANON (DE)
FOOD SOVEREIGNTY ALLIANCE (IN)
FRAUENNETZWERKNAHOST (DE)
FREE GAZA - AUSTRALIA (AU)
FREUNDE VON SABEEL DEUTSCHLAND (DE)
FRIENDS OF SABEEL - AUSTRALIA (AU)
FUPECG - FUNDACIÓN PEDAGÓGICA COOPERACIÓN GENUINA (NI)
GAIC - GROUPE D'AMITIÉ ISLAMO CHRÉTIENNE (FR)
GATE48 - CRITICAL ISRAELIS IN THE NETHERLANDS (NL)
GENERAL UNION OF PALESTINIAN TEACHERS (PS)
GENERAL UNION OF PALESTINIAN WOMEN (PS)
GENERAL UNION OF PALESTINIAN WORKERS (PS)
GENTS ACTIEPLATFORM PALESTINA (BE)

GIBANJE ZA PRAVICE PALESTINCEV (SI)
GLOBAL PALESTINE RIGHT OF RETURN COALITION (PS)
GLOBAL WOMEN COALITION FOR AL QUDS AND PALESTINE (MY)
GRASSROOTS PALESTINIAN ANTI-APARTHEID WALL CAMPAIGN (STOP THE WALL) (PS)
GREEN MOUNTAIN SOLIDARITY WITH PALESTINE (US)
HAAGS VREDESPLATFORM (NL)
HILTON HEAD FOR PEACE (US)
HURRYYAT - CENTER FOR DEFENSE OF LIBERTIES AND CIVIL RIGHTS (PS)
ICAHD FINLAND (FI)
INDEPENDENT JEWISH VOICES CANADA (CAN)
INDIAN CAMPAIGN FOR ACADEMIC AND CULTURAL BOYCOTT OF ISRAEL (IN)
INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS (INT)
INTERNATIONAL SOLIDARITY MOVEMENT - NORTHERN CALIFORNIA (US)
INTERNATIONALER VERSÖHNUNGSBUND IVB, DEUTSCHER ZWEIG (DE)
IPPNW (DE)
ISRAELI COMMITTEE AGAINST HOUSE DEMOLITIONS (ICAHD) - GERMANY (DE)
JEWISH VOICE FOR PEACE GERMANY (DE)
JEWS FOR JUSTICE FOR PALESTINIANS (UK)
JEWS FOR PALESTINIAN RIGHT OF RETURN (US)
JLAC - JERUSALEM LEGAL AID AND HUMAN RIGHTS CENTER (PS)
JÜDISCH-PALÄSTINENSISCHE DIALOG-GRUPPE - MÜNCHEN (DE)
JUST PEACE ADVOCATES (CAN)
KAIROS-SABEEL NEDERLAND (NL)
KIA ORA GAZA (NZ/AOTEAROA)
LABOR FOR PALESTINE (US)
LE MOUVEMENT INTERNATIONAL DE LA RÉCONCILIATION - BRANCHE FRANÇAISE (FR)
LIGUE DES DROITS DE L'HOMME (FR)

MALAYSIAN WOMEN COALITION FOR AL QUDS AND PALESTINE (MY)
MÉDECINS DU MONDE - FRANCE (FR)
MOUVEMENT POUR UNE ALTERNATIVE NON-VIOLENTE (MAN) (FR)
MRAP - MOUVEMENT CONTRE LE RACISME ET POUR L'AMITIÉ ENTRE LES PEUPLES (FR)
NATIONAL DALIT CHRISTIAN WATCH (IN)
NATIONAL LAWYERS GUILD INTERNATIONAL COMMITTEE (US)
NEDERLANDS PALESTINA KOMITEE (NL)
NEW WEAPONS RESEARCH GROUP ONLUS (IT)
NORTHAMPTONSHIRE PALESTINE SOLIDARITY CAMPAIGN (UK)
NUHANOVIC FOUNDATION: CENTRE FOR WAR REPARATIONS (NL)
OC4P - OBAN CONCERN FOR PALESTINE (UK)
ONE JUSTICE (FR)
PACBI - PALESTINIAN CAMPAIGN FOR THE ACADEMIC AND CULTURAL BOYCOTT OF ISRAEL (PS)
PAJU - PALESTINIAN AND JEWISH UNITY (CAN)
PALÄSTINA FORUM - MÜNCHEN (DE)
PALÄSTINA FORUM NAHOST - FRANKFURT (DE)
PALÄSTINA/NAHOST-INITIATIVE HEIDELBERG (DE)
PALESTINA SOLIDARITEIT (BE)
PALESTINA WERKGROEP ENSCHEDE (NL)
PALESTINE ISRAEL ECUMENICAL NETWORK - AUSTRALIA (AU)
PALESTINE JUST TRADE (CAN)
PALESTINE LINK (NL)
PALESTINE SOLIDARITY CAMPAIGN (UK)
PALESTINE SOLIDARITY COMMITTEE - SEATTLE (US)
PALESTINE SOLIDARITY COMMITTEE - STUTTGART (DE)
PALESTINE SOLIDARITY COMMITTEE OF INDIA (IN)
PALESTINE SOLIDARITY NETWORK AOTEAROA (NZ/AOTEAROA)

PALESTINIAN ASSOCIATIONS OF FARMERS UNION (PS)
PALESTINIAN HUMAN RIGHTS ORGANIZATIONS COUNCIL (PS)
PALESTINIAN NATIONAL INSTITUTE OF NGOS (PS)
PALESTINIAN UNION OF POSTAL, IT AND TELECOMMUNICATION WORKERS (PS)
PAX CHRISTI AUSTRALIA (AU)
PAX CHRISTI FRANCE (FR)
PAX CHRISTI, DEUTSCHE SEKTION (DE)
PAX CHRISTI, DIÖZESANVERBAND AUGSBURG (DE)
PCG - PALESTINIAN COMMUNITY GERMANY (DE)
PCHR - PALESTINIAN CENTRE FOR HUMAN RIGHTS (PS)
PLATE-FORME CHARLEROI-PALESTINE (BE)
PLATEFORME DES ONG FRANÇAISES POUR LA PALESTINE (FR)
PNGO - PALESTINIAN NGO NETWORK (PS)
PSCC - POPULAR STRUGGLE COORDINATION COMMITTEE (PS)
QUAKER PEACE AND LEGISLATION COMMITTEE (AU)
RACHEL CORRIE FOUNDATION FOR PEACE AND JUSTICE (US)
RAMALLAH CENTER FOR HUMAN RIGHTS STUDIES (PS)
RELIGIONS FOR PEACE NETHERLANDS (NL)
ROOTSACTION.ORG (US)
ROSE2ROSE (MY)
RUMBO A GAZA (ES)
SALAMSHALOM ARBEITSKREIS ISRAEL-PALÄSTINA - MÜNCHEN (DE)
SAMIDOUN PALESTINIAN PRISONER SOLIDARITY NETWORK (INT)
SCOTTISH FRIENDS OF PALESTINE (UK)
SEAMAC - SEATTLE MIDEAST AWARENESS CAMPAIGN (US)
SHIP TO GAZA NORWAY (NO)
SLOVAK INITIATIVE FOR A JUST PEACE IN THE MIDDLE EAST (SK)
SOLIDARITÄT INTERNATIONAL (DE)

SOLIDARITY WITH PALESTINE – ST. JOHN'S (CAN)
STAAT VAN BELEG (NL)
STICHTING GRONINGEN-JABALYA (NL)
STICHTING HUMANISTISCH VREDESBERAAD (NL)
STICHTING VRIJ OOST TIMOR (NL)
STOP DE BEZETTING (NL)
STUDENTS FOR JUSTICE IN PALESTINE AT ARIZONA STATE UNIVERSITY (US)
THE ASSOCIATION OF NORWEGIAN NGOS FOR PALESTINE (NO)
THE INDEPENDENT COMMISSION FOR HUMAN RIGHTS (PS)
UNION OF EUROPE-PALESTINIAN YOUTH (EU)
UNION OF PALESTINIAN CHARITABLE ORGANIZATIONS (PS)
UNION OF PALESTINIAN COMMUNITIES AND ORGANIZATIONS (EU)
UNION OF THE PALESTINIAN DEMOCRATS – HOLLAND (NL)
UNITED FOR JUSTICE AND PEACE (US)
US BOATS TO GAZA (US)
US CAMPAIGN FOR THE ACADEMIC AND CULTURAL BOYCOTT OF ISRAEL (US)
UTAHNS FOR A JUST PEACE IN THE HOLY LAND (US)
VD AMOK (NL)
VETERANS FOR PEACE – CHAPTER #113 – HAWAII (US)
VETERANS FOR PEACE – CHAPTER #35 – SPOKANE (US)
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VIVA PALESTINA MALAYSIA (MY)
VLAAMS-SOCIALISTISCHE BEWEGING (VL)
VREDE WVZW (BE)
VREDESBEWEGING PAIS (DUTCH SECTION OF WAR RESISTERS' INTERNATIONAL) (NL)
WASHINGTON ADVOCATES FOR PALESTINIAN RIGHTS (US)
WELTFRIEDENSDIENST E.V. (DE)
WESPAC FOUNDATION (US)

WOMEN CAMPAIGN TO BOYCOTT ISRAELI PRODUCTS (PS)

WOMEN FOR PALESTINE (AU)

WOMEN IN BLACK - VIENNA (AT)

WORLD BEYOND WAR (INT)

Source: [Samidoun](#)

