



Joint Statement at the General Debate of the 22nd Session of the Assembly of State Parties to the Rome Statute of the International Criminal Court

Date: 8 December 2023

On 7 December 2023, Al-Haq, Al Mezan Center for Human Rights, Defense for Children International-Palestine and Palestinian Centre for Human Rights delivered a joint statement at the General Debate of the 22nd session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, in New York.

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Excellencies, ladies and gentlemen,

Thank you for the opportunity to address you today, which comes at a dire moment as Israeli officials and armed forces brazenly demonstrate a near-complete disregard for international law through overt acts amounting to war crimes, crimes against humanity, and genocide.

For decades, Palestinian human rights organisations have consistently documented and exposed atrocity crimes perpetrated by Israeli forces against Palestinians living in the occupied West Bank, including East Jerusalem, and the Gaza Strip. Our organizations have routinely documented unceasing Israeli war crimes including wilful killing; torture or inhuman treatment; wilfully causing great suffering; extensive destruction and appropriation of property; wilfully depriving protected persons of the rights of fair and regular trial; intentionally directing attacks against the civilian population, civilian objects, UN buildings, schools, hospitals, and ambulances; and the unlawful transfer by the Israeli government of parts of its own population into occupied territory. We have also documented and exposed crimes against humanity including the crime of apartheid and persecution against the Palestinian people.

Excellencies,

These international crimes by Israeli authorities and military have been and continue to be pursued as part of Israel's 56-year illegal belligerent occupation of Palestinian territory, the longest occupation in modern history, and the 16-year suffocating medieval-like closure and blockade of Gaza—a measure of collective punishment and persecution of over 2.3 million people. Furthermore, it must be said that the backdrop of these flagrant violations of international law and the unfolding genocide that we are witnessing today is Israel's 75-year settler colonial apartheid regime that has been denying the Palestinian people their inalienable rights, including the right to self-determination and return.

Our efforts to seek justice and accountability on behalf of Palestinian victims have been constant, yet, despite overwhelming evidence, the international community has failed to hold

Israeli officials and military personnel accountable and has instead worked to, directly and indirectly, perpetuate impunity for international crimes and gross human rights violations. Now, the world is witnessing the result of systemic impunity: the unfolding genocide of the Palestinian people.

Over the past two months, Israeli attacks in Gaza killed over 16,000 Palestinians, including over 7,000 children, with thousands of others under the rubble, most likely dead. Almost 1.9 million Palestinians in Gaza, or nearly 85% of the population, are estimated to be internally displaced. Unprecedented killing and displacement are compounded by the decision of the Israeli Defense Minister to implement a total siege on Gaza, prohibiting electricity, fuel, food, water, and humanitarian supplies. In their totality, these actions by Israeli authorities and military can only be characterised as creating conditions of life to bring about the physical destruction of the Palestinian people in Gaza.

Last month, the United Nations observed a minute of silence to honour the more than 100 UN employees killed in Gaza in Israeli attacks, the largest toll of humanitarian workers in the organisation's history. Just yesterday, the Secretary-General urged the Security Council to act on the crisis in Gaza as a threat to international peace and security, noting that nowhere in Gaza is safe and there is a severe risk that the humanitarian system will collapse due to the intensity of Israeli bombardment.

Excellencies,

We welcomed Prosecutor Khan's October visit to Rafah and his recent statement reiterating that wilfully impeding relief supplies to civilians may constitute a war crime under the Rome Statute. However, since his visit on 29 October, the Palestinian death toll has more than doubled and Israeli forces having destroyed northern Gaza are now intensively targeting areas in the south. Through their statements and actions, Israeli authorities and military are shouting to the world that they will not be deterred from their campaign of genocide against Palestinians in Gaza. Warnings are not enough in the face of an unfolding genocide of the Palestinian people. Action on all levels is needed now.

States parties must ensure that the Court has the resources it needs, within its regular budget, and the requisite level of cooperation needed to deliver on its mandate. We also commend States Parties that mentioned Palestine in their statement and unequivocally called for accountability for victims of atrocity crimes. However, we regret the statements of States Parties that acted like Palestinian victims are invisible, while enthusiastically calling for accountability in other situations. Double standard, hypocrisy and selectivity should have no place at this assembly or in international justice in general.

We urge the Office of the Prosecutor to imminently issue arrest warrants and expedite its investigation into crimes related to Israeli illegal colonial settlements in the occupied West Bank, including East Jerusalem, crimes against humanity, including apartheid and persecution, and to investigate and prosecute Israeli officials and military personnel responsible for the commission of international crimes that have been orchestrated across the occupied Palestinian

territory, including East Jerusalem as a matter of priority, especially crimes committed against or affecting children.

Excellencies,

The Office of the Prosecutor must deliver on its mandate without fear or favour. It must act now because the cost of every minute delay is more Palestinian civilians, including children, killed. Never again is now.

Thank you