

Subject: Delayed Actions on Arresting War Criminals Contribute to Impunity, Allowing Them to Continue Committing More Crimes

Dear Honorable Judges of the International Criminal Court ,

Greetings ,

On the morning of Saturday, August 10, 2024, Israeli occupation forces targeted a prayer area in a school in the Al-Daraj neighborhood in central Gaza City, which served as a shelter for people forced to flee their homes due to the war. This attack resulted in the horrific massacre of over 100 Palestinians, leaving dozens of others injured and turning the worshippers into scattered remains at the site. This constitutes a blatant violation of international charters and laws .

Meanwhile, all who believe in international justice and defend human rights are still awaiting the decision of the Pre-Trial Chamber of the International Criminal Court to issue the arrest warrants requested by the Prosecutor against the accused war criminals among the occupation leaders, to stop the ongoing genocide in Gaza. Lebanese and Palestinian organizations question how many more deaths and injuries must occur before the judges issue the arrest warrants. Does this delay in proceedings not contribute to giving the occupation the green light to commit more crimes?

Lebanese and Palestinian organizations emphasize that the slow approach of the International Criminal Court towards the situation in Palestine since joining the Rome Statute to the present day strengthens the occupation's position and increases human rights violations. Delaying decisive action and the ineffective response of international justice to these horrific events create an environment of impunity, encouraging the occupying forces to

commit more crimes. When perpetrators feel shielded from prosecution, the humanitarian crisis deepens, and the suffering continues unabated. It is essential for the international community to act more swiftly and effectively to ensure accountability for those responsible and to protect civilians, rather than getting mired in unnecessary complexities that only exacerbate the suffering of the innocent .

The institutions also highlight the ruling issued on February 5, 2021, regarding the "Prosecution's Request under Article 19(3) for a Ruling on the Court's Territorial Jurisdiction in Palestine" (ICC-01/18-143), where the Chamber confirmed its jurisdiction over Gaza, the West Bank, and East Jerusalem. Moreover, the International Court of Justice recently declared that the Occupied Palestinian Territories are recognized as a single territorial unit, including the West Bank, East Jerusalem, and the Gaza Strip .

The organizations and institutions affirm that the International Court of Justice has clarified that the status of Gaza as an occupied territory has not changed, despite Israel's withdrawal in 2005, a position reaffirmed after the events of October 7, 2023. Consequently, the ongoing conflict does not affect the Court's jurisdiction in the region, nor does it require the Chamber to predetermine the admissibility of the case before issuing arrest warrants .

Therefore, we express our deep concern about how this process is currently being handled and its implications for the credibility of the International Criminal Court, especially regarding the impartiality of the judges in this case. We urge the judges of this Chamber to fulfill their duties in accordance with the values on which they were elected, as outlined in Article 36(3)(a) of the Rome Statute, and to promptly issue the arrest warrants that have been requested for nearly three months now .

With utmost respect and consideration ,

Beirut, 23/08/2024

Signatories :

1. The Palestinian Association for Human Rights (Witness)
2. Mr. Moein Ghazi, Assistant Secretary-General of the Arab Lawyers Union - Beirut
3. The 302 Committee to Defend Refugees' Rights
4. Development Center for the Defense of Palestinian Rights
5. Social Aid Association
6. Islamic University of Lebanon
7. National Human Rights Association – Jordan
8. "Thabit" Organization for the Right of Return
9. Children and Youth Center
10. Human Rights Center
11. Khyam Rehabilitation Center for Victims of Torture
12. Solidarity Foundation for Prisoner Rights
13. Advisory Center for Services
14. Global Network to Defend the Palestinian People
15. National Youth Forum for Palestine
16. Refugee Rights Center (Returnees)
17. Global Campaign to Return to Palestine
18. Global Scholarly Forum for Palestine
19. Civil Society Activation Organization
20. Blue Ribbon Campaign
21. Arab Association for International Law
22. Human Rights Monitoring of Israeli Crimes
23. Dr. Ahlam Bidoun
24. Head of Human Rights Department at Jinan University - Dr. Iskandar Sukkar
25. Mr. Osama Al-Ghoul

26. Coordinator of the Palestinian European Council Mr. Ahmed Al-Frasini – Belgium
27. Dr. Mohammad Safa
28. Dr. Jenan Tufaili
29. Mr. Abdul Hakim Al-Balochi
30. Dr. Tarteel Darwish
31. Dr. Mahmoud Al-Hanafi
32. Mr. Mohammad Al-Shouli