

**Cour
Pénale
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**International
Criminal
Court**

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PRE-TRIAL CHAMBER I

Before: Judge Iulia Motoc , Presiding Judge
Judge Nicolas Guillou , Judge
Judge Reine Alapini-Gansou, Judge

SITUATION IN THE STATE OF PALESTINE

**IN THE CASE OF
*THE PROSECUTOR v.***

Public Document

**Submission on behalf of Gaza Victims in the proceedings related to the Situation
in the State of Palestine**

Source: Raji Sourani, Chantal Meloni, Triestino Mariniello

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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I. INTRODUCTION

1. In accordance with Article 68(3) of the Statute, and pursuant to the Pre-Trial Chamber's I (the 'Chamber') decision of 30 July 2024,¹ the undersigned Legal Representatives of Victims ('LRVs') hereby submit, on behalf of 158 individuals they represent ('Gaza Victims'),² their views and concerns in the framework of the proceedings on the Court's jurisdiction in the Situation in the State of Palestine ('Situation Palestine').

2. Victims are extremely worried about the delay and apparent politicisation of the present proceedings. Despite the unprecedented level of destruction – different to what wrongly alleged by some submissions – the situation clearly did not start on 7 October 2023. On the contrary, this is precisely the result of decades of impunity that has been granted at the highest levels to the Israeli officials, notwithstanding their commission of unspeakable crimes against the Palestinian people. As observed also by some *amici curiae* in these proceedings, the reality on the ground in Gaza is of such a gravity that it might be described as fulfilling the elements of an ongoing genocide.³

3. 15 years after the opening of the first ICC's preliminary examination in the Situation Palestine, back in 2009, Gaza Victims are still waiting for justice. In the meantime, and only during the period falling within the temporal jurisdiction of this Court, Gazans have been subjected to several major military operations⁴ and have been

¹ Pre-Trial Chamber I, Public redacted version of 'Decision concerning the views, concerns and general interests of victims', 30 July 2024, ICC-01/18-256-Conf. ('PTC Decision concerning the victims').

² The undersigned LRVs have submitted views and concerns on behalf of the Gaza Victims on 16 March 2020; Situation in the State of Palestine, Raji Sourani, Chantal Meloni and Triestino Mariniello, Submission on Behalf of Palestinian Victims Residents of the Gaza Strip with confidential Annex, 16 March 2020, ICC-01/18-112. The powers of attorney have been on file with this honourable Chamber since then; a list has been re-submitted to the Chamber on 12 July 2024, as confidential annex.

³ Situation in the State of Palestine, Professor William Schabas, *Amicus curiae* observations of Prof. William Schabas pursuant to Rule 103, 30 July 2024, ICC-01/18-257, para 27; Situation in the State of Palestine, Al-Haq Law in the Service of Mankind, Al-Mezan Center for Human Rights and Palestinian Centre for Human Rights, Al-Haq, Al-Mezan Center for Human Rights and the Palestinian Centre for Human Rights Written Observations Pursuant to Rule 103 of the Rules of Procedure and Evidence, 06 August 2024, ICC-01-18/308, para 4.

⁴ IDF Military Operations so-called Protective Edge in 2014, Guardian of the Walls in 2021 and the military repression of the so-called Great March of Return in 2018, just to mention some.

ceaselessly and brutally collectively punished, as a result of the illegal Israeli blockade (or siege) of Gaza, as stressed, *inter alia*, by the UN Secretary-General.⁵ As recognized by the Prosecutor, Palestinians in Gaza are living under a total siege, constantly bombed, repeatedly displaced, intentionally subject to starvation and collective punishment.⁶

4. While the official number of Palestinians killed in Gaza keeps growing by the hour,⁷ as of 10 August 2024, the death toll amounts to 39,677 (mostly women and children), the overall number of excess deaths due to the Israeli military operation could reach 186,000, equal to 7.9% of the population of the Strip.⁸ More than 10,000 are reported missing or under the rubble, while 91,645 have been injured. 1.9 million people, amounting to 90% of the Gazan population, have been internally displaced and are now cramped with an average of 1.5 square metres per person. 96% of the population is projected to face crisis or worse levels of food insecurity. Over 60% of residential buildings and 80% of commercial facilities have been damaged, as well as 85% of school buildings, many of which used as shelters.⁹ Out of 36 hospitals, 20 are out of service and the remaining 16 are only partially functioning.¹⁰

5. Living conditions in besieged Gaza have been deteriorating dramatically, causing widespread famine¹¹ and epidemics, including spread of poliovirus.¹² As reported by the UN Secretary General, “Palestinians in Gaza are enduring horrifying

⁵ UN Human Rights Council (HRC), Report of the Secretary General, “Human rights situation in the Occupied Palestinian Territory, including East Jerusalem”, March 2015, A/HRC/28/45.

⁶ Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine, 20 May 2024.

⁷ For adjourned data, see UN OCHA, Humanitarian situation update; <https://www.ochaopt.org/>

⁸ Rasha Khatib, Martin McKee, Salim Yusuf, “Counting the dead in Gaza: difficult but essential”, *The Lancet*, 5 July 2024.

⁹ In the week of 4 August alone, the Israeli army has conducted five attacks on schools and mosques sheltering displaced Palestinians in Gaza, the last one of which killed at least 93 people, as reported by the CNN : www.edition.cnn.com/2024/08/10/middleeast/israeli-school-strike-gaza-intl-hnk/index.html (10 August 2024).

¹⁰ UN OCHA, Reported impact snapshot | Gaza Strip, 7 August 2024.

¹¹ See, *inter alia*, UN Independent Experts, UN experts declare famine has spread throughout Gaza strip, 9 July 2024; UN Secretary General, 18 March 2024; General Assembly, Amid ‘Catastrophic, Unconscionable, Shameful’ Situation in Gaza, General Assembly President Underlines Need for Immediate Ceasefire, 4 March 2024.

¹² See the declaration of the Director-General of the WHO, “Children in Gaza are now at risk of polio as well as bombs – we need a ceasefire now”, *The Guardian*, 26 July 2024.

levels of hunger and suffering”.¹³ In March 2024, the International Court of Justice (the ‘ICJ’) stressed that “[...] the catastrophic living conditions of the Palestinians in the Gaza Strip have deteriorated further, in particular in view of the prolonged and widespread deprivation of food and other basic necessities”.¹⁴

6. All this is a direct consequence of Israel’s intentional policies taken at the highest political and military levels; the Israeli authorities have not only caused this catastrophic level of sufferance, but they are also preventing humanitarian aid, including food and water, from reaching the Gaza population, in blatant disregard of their duties as the Occupying Power,¹⁵ as recently confirmed by the ICJ.¹⁶

II. PROCEDURAL HISTORY

7. On 20 May 2024, the Prosecutor announced that the Office of the Prosecutor (the ‘OTP’) had filed applications for five warrants of arrest for crimes committed in the Situation Palestine for three members of Hamas¹⁷ and two Israeli officials, namely Prime Minister Benjamin Netanyahu and Defence Minister Yoav Gallant.¹⁸

8. On 10 June 2024, the United Kingdom (UK) filed a request (the ‘UK’s Request’) to submit *amicus curiae* observations on “[w]hether the Court can exercise jurisdiction over Israeli nationals, in circumstances where Palestine cannot exercise criminal jurisdiction over Israeli nationals pursuant to the Oslo Accords”.¹⁹

¹³ UN Secretary-General’s press encounter on Gaza food insecurity report - Statement, 18 March 2024.

¹⁴ ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), 28 March 2024, para. 18.

¹⁵ See UNRWA Chief, Philippe Lazzarini, briefing the UN Security Council on 17 April 2024.

¹⁶ ICJ, Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, 19 July 2024 (‘ICJ Advisory Opinion 2024’) para. 262.

¹⁷ Meanwhile two out of the three Hamas leaders are reported dead (as Deif Masri was allegedly killed in a strike in Gaza in July and Ismail Haniyeh was the object of a targeted killing by the IDF in Iran).

¹⁸ Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine, 20 May 2024.

¹⁹ Situation in the State of Palestine, the United Kingdom, Request by the United Kingdom for Leave to Submit Written Observations Pursuant to Rule 103, 11 June 2024, ICC-01/18-171-SECRET-Exp-Anx. The request, initially filed as secret ex parte, was reclassified as public on 27 June 2024 and relabelled ICC-01/18-171-Anx.

9. On 27 June 2024, the Chamber granted the UK's Request, also inviting others to intervene as *amici curiae* in the proceedings.²⁰ On 22 July 2024, the Chamber granted the request to submit observations of approximately 60 *amici curiae*,²¹ within August 6th.

10. On 30 July 2024, the Chamber also authorised, *inter alia*, the undersigned LRVs which had requested permission to provide the Chamber with the Victims' views and concerns under Article 68(3) of the Statute,²² to file within August 12th.²³

11. While the UK in the end did not file any observations – and most of the observations received support the existence of legal basis for the ICC jurisdiction on Israelis – some of the spurious arguments made by some *amici curiae*,²⁴ that the Court lacks jurisdiction over Israeli nationals, need to be addressed as they strongly affect Gaza Victims' personal interests.

III. VICTIMS' VIEWS

(i) The Oslo Accords do not alter Palestine's prescriptive jurisdiction

12. First, the Oslo Accords did not alter Palestine's prescriptive jurisdiction. As already thoroughly explained by legal experts,²⁵ the Oslo Accords only partially transferred the Palestinian Legislative Council's "ability to exercise enforcement jurisdiction" to Israel, while the Council (and the State of Palestine) retained its prescriptive jurisdiction over the Occupied Palestinian Territory ('OPT').

²⁰ Pre-Trial Chamber I, Public redacted version of 'Order deciding on the United Kingdom's request to provide observations pursuant to Rule 103(1) of the Rules of Procedure and Evidence, and setting deadlines for any other requests for leave to file amicus curiae observations, 27 June 2024, ICC-01/18-173-Red.

²¹ Pre-Trial Chamber I, Decision on requests for leave to file observations pursuant to rule 103 of the Rules of Procedure and Evidence, 22 July 2024, ICC-01/18-249.

²² *Ibid.*, para. 14.

²³ PTC, Decision concerning the victims, para 7.

²⁴ See, *inter alia*, Situation in the State of Palestine, United States Senator Lindsey O. Graham, Written Observations Pursuant to Rule 103 of United States Senator Lindsey O. Graham, 6 August 2024, ICC-01/18-304.

²⁵ Robert Heinsch and Giulia Pinzauti, Submission Pursuant to Rule 103, 16 March 2020, ICC-01/18-107, para. 63.

13. Second, the Oslo Accords cannot be instrumentally used to suggest that the State of Palestine had ceded any of its domestic jurisdiction. Israel has occupied the OPT since 1967.²⁶ Israel is only able to exert its domestic jurisdiction in the territory it occupies to the extent that it is necessary, under International Humanitarian Law (IHL), and must otherwise respect the law already in force.²⁷ As civil society organisations have rightly recalled, the ICJ found that Israel has exercised its regulatory authority “inconsistently with [its obligations under Article 64 GCIV and Article 43 of the Hague Regulations] by extending its domestic jurisdiction over the [OPT]”.²⁸ Any such interim agreement like the Oslo Accords cannot, due to Article 7 GCIV, “adversely affect the situation of protected persons, as defined by the present Convention, nor restrict the rights which it confers upon them”.²⁹ Thus, insofar as they extend Israeli domestic jurisdiction over the State of Palestine, the Oslo Accords are contrary to international law and cannot be relied upon to argue that this Court cannot exercise its jurisdiction.

14. Moreover, in light of Article 47 GCIV, the Oslo Accords cannot:

“purport to have the effect of depriving protected persons in the occupied Palestinian territory of their intransgressible rights under international humanitarian law, nor restrict the right and duty of the Palestinian authorities to exercise their jurisdiction fully in respect of the grave breaches of Geneva Convention IV, whatever legal effects the Oslo Accords may have in respect of everyday crimes.”³⁰

15. The interim Oslo Accords, which have been exercised in a manner inconsistent with the law of occupation, cannot justify any restriction on the ICC’s jurisdiction over crimes committed on Palestinian territory – that would endorse Israel’s continuing

²⁶ International Court of Justice, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory*, 19 July 2024 (‘ICJ Advisory Opinion 2024’) para. 262 *inter alia*.

²⁷ Hague Convention (IV) on War on Land and its Annexed Regulations 1907, Article 43; Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 64.

²⁸ *Situation in the State of Palestine*, Open Society Justice Initiative, European Centre for Constitutional and Human Rights, REDRESS Trust, Human Rights Watch, Amnesty International, Amicus Curiae Observations by Civil Society Organisations Pursuant to Rule 103, 6 August 2024, ICC-01/18-317, para 26; Also see: ICJ Advisory Opinion 2024, para. 139.

²⁹ Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 7.

³⁰ Vera Gowlland-Debbas, “Note on the Legal Effects of Palestine’s Declaration Under Article 12(3) of the ICC Statute”, in Chantal Meloni and Gianni Tognoni (eds.) *Is There a Court for Gaza? A Test Bench for International Justice* (T.M.C. Asser Press, 2012), 524.

unlawful occupation of the OPT.³¹ Practices by the Occupying Power meant to prolong an unlawful situation, cannot become an obstacle to the Court's jurisdiction over crimes committed against the Palestinian people. This conclusion, that the Oslo Accords cannot limit the jurisdiction of the ICC, is further reinforced by the findings of the Court in the *Situation in Afghanistan*, where the Appeals Chamber clarified that the Court is not bound by bilateral agreements where a State waives its right to enforce jurisdiction over crimes allegedly committed by foreigners on its territory.³²

16. It is therefore undisputable that the State of Palestine retains its prescriptive jurisdiction with regard to all international crimes within the jurisdiction of the Court committed on the entirety of the OPT, i.e. Gaza and the West Bank, including East Jerusalem.³³

(ii) Palestine's accession to the Rome Statute is all that is needed for the ICC to exercise jurisdiction over the OPT.

17. By lodging two *ad hoc* declarations under Article 12(3) of the Statute first and, ultimately, by becoming a Party to the Rome Statute, the State of Palestine accepted the ICC's jurisdiction, conferring upon this Court the power to adjudicate all crimes committed throughout its territory. These conclusions were already met by the Chamber in 2021.³⁴

18. As this Chamber already had the occasion to clarify with regards to the territorial scope of jurisdiction in the Situation in Palestine:

“By becoming a State Party, Palestine has agreed to subject itself to the terms of the Statute and, as such, all the provisions therein shall be applied to it in the same manner than to any other State Party. Based on the principle of the effectiveness, it would

³¹ ICJ Advisory Opinion 2024, para. 105.

³² Appeals Chamber, Judgment on the appeal against the decision on the authorisation of an investigation into the situation in the Islamic Republic of Afghanistan, 5 March 2020, ICC-02/17-138, para. 44.

³³ Pre-Trial Chamber I, Decision on the 'Prosecution request pursuant to article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine', 5 February 2021 ('PTC Decision on Jurisdiction, 2021'), para. 118.

³⁴ PTC Decision on Jurisdiction, 2021, para. 118.

indeed be contradictory to allow an entity to accede to the Statute and become a State Party, but to limit the Statute's inherent effects over it."³⁵

19. More generally, and beyond the specific situation at stake, it shall be noted that State Parties do not delegate or transfer their jurisdiction to the Court, but rather "confer upon" or "accept" the jurisdiction of the Court,³⁶ enabling it to investigate and adjudicate cases that in most instances lie beyond the capacity of their national systems. Multiple arguments support this understanding.

20. Firstly, if the jurisdiction conferred to the Court was a mere delegation of domestic criminal jurisdiction, the ICC would not be able, for example, to prosecute State officials that enjoy immunity under international customary law. On the contrary, it is a foundation of the Court, that "[i]mmunities or special procedural rules which may attach to the official capacity of a person, whether under national or international law, shall not bar the Court from exercising its jurisdiction over such a person".³⁷ This view was upheld within the *Al-Bashir* case. In the proceedings, some States argued that Heads of States could be turned over to the ICC only where their State of nationality provided a waiver of their immunity, as the Court could not exercise jurisdiction where States had no power to delegate it. However, the Appeals Chamber rejected this view, in light of the "different character of an international court when compared with domestic jurisdictions".³⁸

21. Secondly, this conclusion is further supported by the plain reading of the Rome Statute – specifically, Articles 5, 11 and 12 of the Statute, which govern the jurisdictional powers of the Court. Notably, Article 12(2) affirms that the Court may exercise "its" jurisdiction if the crimes defined under Article 5 occur within the territory of a State Party.³⁹ It is also significant that, whenever questions of

³⁵ Ibid., para. 102.

³⁶ Leila Sadat, "The Conferred Jurisdiction of the International Criminal Court" (2023), 99 *Notre Dame L. Rev.* 552.

³⁷ Art. 27(2), Rome Statute.

³⁸ Leila Sadat, cit., 593.

³⁹ Adil Haque, The International Criminal Court's Jurisdiction in Palestine and the Oslo Accords Issue, *Just Security*, 9 July 2024; Leila Sadat, cit., 554.

complementarity arise, “it is the Court, not the State in question, that has the final word on whether the ICC will relinquish its jurisdiction”.⁴⁰

22. Thirdly, it is clear that enabling States to restrain the scope of their accession to the Rome Statute via bilateral/other agreement would effectively constitute an impermissible reservation,⁴¹ going against the clear objects of the Statute to “put an end to impunity for perpetrators of [international] crimes” and to ensure that “the most serious [international crimes] ... not go unpunished”.⁴²

23. Lastly, the *travaux préparatoires* of the Rome Statute supports the view that the Court’s jurisdiction is not based on delegation. An “overwhelming majority of states” during negotiations “accepted the idea of automatic jurisdiction” over crimes under the Statute, which would operate upon ratification.⁴³

IV. VICTIMS’ CONCERNS

24. Victims wish to express their concerns that a number of *amici curiae* submissions present arguments that are entirely irrelevant to the scope of the proceedings as identified by this Chamber on 27 June 2024. These submissions include, *inter alia*, suggestions that the Court should not exercise its jurisdiction due to complementarity,⁴⁴ that Israel was compliant with international law in its military operation in the Gaza Strip,⁴⁵ that such crimes are being enforced inconsistently,⁴⁶ and

⁴⁰ Leila Sadat, *cit.*, 575.

⁴¹ Situation in the State of Palestine, Professor Adil Ahmad Haque, *Amicus curiae* observations of Professor Adil Ahmad Haque submitted pursuant to the ‘Decision on requests for leave to file observations pursuant to Rule 103 of the Rules of Procedure and Evidence’ of 22 July 2024 (ICC-01/18-249), 6 August 2024, ICC-01/18-303, para 5.

⁴² Rome Statute of the International Criminal Court, Preamble.

⁴³ Carsten Stahn, “The ICC, Pre-Existing Jurisdictional Treaty Regimes, and the limits of the Nemo dat Quod Non Habet Doctrine” (2016) 49 *Vand J Tran L* 443, 449.

⁴⁴ Situation in [the State of] Palestine, Federal Republic of Germany, Observations Pursuant to Rule 103(1) of the Rules of Procedure and Evidence, 6 August 2024, ICC-01/18-307, para. 12; Situation in the State of Palestine, Written Observations by the United States of America Pursuant to Rule 103, 6 August 2024, ICC-01/18-300.

⁴⁵ Situation in the State of Palestine, High-Level Military Group, *Amicus curiae* observation of High-Level Military Group pursuant of Rule 103, 05 August 2024, ICC-01/18-267, para. 16.

⁴⁶ Situation in the State of Palestine, Association for the Promotion of International Humanitarian Law, Observations by ALMA – Association for the Promotion of International Humanitarian Law, 05 August 2024, ICC-01/18-273.

that the OTP's investigation "significantly [deviated]" from its scope.⁴⁷ Some of these submissions further revisit issues that the Chamber has already settled, such as the Court's jurisdiction and Palestine's status as a State Party to the Rome Statute.⁴⁸

25. These arguments, which are out of scope, would add a significant and unnecessary burden on the Court and would further delay the ongoing proceedings, including any possible issuance of urgently needed arrest warrants. Some of the unrelated allegations presented by a few *amici curiae* are clearly designed to reopen settled matters and needlessly extend the duration of the proceedings. Such deliberate tactics are detrimental to the timely administration of justice and only exacerbate the suffering of the Victims.

26. Furthermore, the introduction of political statements in the observations by some governments, as the US and the German ones,⁴⁹ as well as by some individuals,⁵⁰ also unacceptably threatens to politicize the entire legal process, dangerously detracting the Court from its mandate to deliver impartial justice. These submissions aim to distort and shift the focus from legal principles to political grounds, undermining the integrity of the proceedings. The undersigned LRVs thus respectfully demand that the Chamber dismiss all those submissions which are not strictly relevant to the scope of the proceedings as identified by the Chamber.

V. CONCLUSIONS

27. Gaza Victims wish to recall the fundamental requirement that proceedings be prompt and effective, as recognized by international human rights standards, whose

⁴⁷ Situation in the State of Palestine, Prof. Yuval Shany and Prof. Amichai Cohen, Written observations on the question of jurisdiction pursuant to Rule 103 of the Rules of Procedure and Evidence, 5 August 2024, ICC-01/18-265, para. 27.

⁴⁸ Situation in the State of Palestine, The Jerusalem Center for Public Affairs and the Institute for NGO Research, Application for Leave to Submit Observations on the Prosecutor's Request in accordance with the Chamber's Order on 28 June 2024, 6 August 2024, ICC-01/18-281, paras 3-4, *inter alia*.

⁴⁹ See footnote 44.

⁵⁰ For examples of such egregiously irrelevant political statements, see Situation in the State of Palestine, Amicus curiae observations of Hostages and Missing Families Forum and Raoul Wallenberg Centre for Human Rights pursuant to Rule 103, ICC-01/18, 6 August 2024, para 8(a)-(m); Situation in the State of Palestine, Amicus curiae observations of Eli M. Rosenbaum pursuant to Rule 103, ICC-01/18, 6 August 2024, para. 2.

relevance to the ICC's proceedings is explicitly recognized by Article 21(3) of the Statute. Indeed, justice delayed is justice denied. Time is of essential importance in this case, in the face of a concrete risk of irreparable harm, amounting to a possible genocide in Gaza, caused by the Israeli officials' policies and decision.⁵¹ Victims thus request that the Chamber proceed with the greatest urgency with the issuance of the warrants of arrest, as requested by the Prosecutor on May 20th.

28. In this regard, Gaza Victims also wish to reiterate the recommendation already advanced by some *amici curiae*, that the charges are expanded to include well documented crimes, including genocide⁵² and torture⁵³, and additional arrest warrants are sought in this regard.

29. The very foundation of the Rome Statute is to provide a forum for justice when no other mechanism is available. Israel has historically failed to hold its officials accountable for international crimes,⁵⁴ and there is no indication of any serious change in prospect, being the crimes approved at the highest levels. Victims demand that the Court fulfils its mandate by acting decisively and impartially in the Situation Palestine, to fill the gaps in the enforcement of international law; it is crucial that the Court rejects any attempt of politicisation and stands firm in its commitment to hold perpetrators of international crimes accountable, regardless of their nationality.

⁵¹ ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip, First Provisional Measures, 26 January 2024, para. 54.

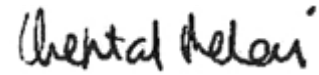
⁵² see, 'Anatomy of a Genocide', Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, A/HRC/55/73.

⁵³ Widespread and systematic abuse against Palestinian prisoners, including torture in unlawful detention is documented, *inter alia*, by UNOHCHR, 'Israel's escalating use of torture against Palestinians in custody a preventable crime against humanity: UN experts' (5 August 2024); B'tselem, 'Welcome to Hell: The Israeli Prison System as a Network of Torture Camps' (August 2024); see Smadar Ben-Natan and Itamar Mann, 'Justice for Trans-border Torture Requires Rethinking the International Criminal Court's Jurisdiction in the Israel-Palestine Conflict' (*Just Security*, 7 August 2024).

⁵⁴ See, *inter alia*, HRC, Report of the United Nations High Commissioner for Human Rights, 23 February 2022, para. 44 ; HRC, Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, 9 May 2022, A/HRC/50/21, para. 62-67 ; HRC, Report of the detailed findings of the independent international Commission of inquiry on the protests in the Occupied Palestinian Territory, 18 March 2019, A/HRC/40/CRP.2, para. 758, HRC, Report of the United Nations High Commissioner for Human Rights, 12 June 2017, A/HRC/35/19, para. 18 ; HRC, Report of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1, 24 June 2015, A/HRC/29/52, para. 76 ; HRC, Report of the United Nations Fact-Finding Mission on the Gaza Conflict, 25 September 2009, A/HRC/12/48, paras. 1940 and 1961.



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Dated this 12 August 2024

Cairo - Milan - Liverpool

At [place, country]