

---

# The Role of NGOs in Supporting the International Criminal Court (ICC) Investigation

February 02, 2023

On December 20, 2019, then Chief Prosecutor of the International Criminal Court (ICC) Fatou Bensouda announced that she intended to investigate alleged war crimes in the “State of Palestine” and filed a request with the Court’s Pre-Trial Chamber to confirm her jurisdiction. On February 5, 2021, the Pre-Trial Chamber in a controversial 2-1 opinion confirmed the Prosecutor’s jurisdiction. On March 3, 2021, Bensouda announced the launch of a formal investigation.

This move is to a significant degree the product of consistent and heavy lobbying of the ICC for over a decade by non-governmental organizations (NGOs). Throughout, these NGOs have been central to promoting the Prosecutor’s activities: lobbying the Court to accept the Palestinian Authority, filing complaints, representing “victims,” and submitting briefs. Key NGOs include Human Rights Watch, Amnesty International, FIDH (France), and Palestinian and Israeli NGOs. The European Union, Netherlands, Sweden, Denmark, and other European governments have provided tens of millions of dollars to anti-Israel ICC campaigns and lobbying. In some instances, the European funding was explicitly earmarked for NGO activities vis-à-vis the ICC.

According to the legal principle of “complementarity,” the ICC is only authorized to investigate when a country’s judicial system has proven unwilling or incapable of prosecuting cases that fall within the ICC’s jurisdiction. Even if there is evidence of alleged war crimes, the Court is supposed to respect serious local investigations.

Importantly, as part of the NGO Durban Declaration and accompanying BDS campaigns, advocacy organizations have sought to turn the ICC into a court of universal jurisdiction. Like their exploitation of the UN and other international frameworks, these NGOs seek to use the ICC for demonization and to brand Israeli officials as “war criminals.” In contrast, the ICC was [created for the explicit and narrow purpose](#) of prosecuting individuals accused of specified crimes, and not for political legal warfare.



### Addameer

- On December 8, 2022, Addameer hosted a side-event at the 21st Session of the Assembly of States Parties of the International Criminal Court titled “Equitable Access to Justice: The Case of Palestine .” This event was co-sponsored by the State of Palestine and South Africa, along with Al Mezan, PCHR, Amnesty International, INTLawyers, Defence for Children International - Palestine, Al-Haq, Open Society Foundations, and the International Institute of Social Studies of Erasmus University Rotterdam.
- In November 2022, Addameer, alongside Al Mezan, PCHR, the Civic Coalition for Palestinian Rights in Jerusalem, JLAC, Community Action Center—AlQuds University (CAC), and MIFTAH, endorsed a report published by Al-Haq titled “Israeli Apartheid: Tool of Zionist Settler Colonialism .” The report called for the “Office of the Prosecutor of the International Criminal Court [to] expedite the current investigation into the Situation in Palestine without undue delay, including into war crimes and crimes against humanity, comprising, inter alia, the crimes of apartheid, population transfer, appropriation and destruction of property, pillage, persecution, wilful killing, murder, and torture carried out on the Palestinian territory.”
- In November 2022, Addameer and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- On November 28, 2022, Addameer and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel's Apartheid Regime.” According to the letter, “Though mindful of the Court's limited resources and budgetary complications, as well as your office workload and challenges, we are compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in the State of Palestine.”
- In May 2022, Addameer supported a submission from Addameer field researcher and lawyer Salah Hamouri urging the ICC to “prioritize this investigation, with adequate resources and meaningful victim participation, with a view to moving towards the issuance of arrest warrants against those who bear the greatest responsibility for the long-running war crimes and crimes against

humanity committed against Palestinian civilians – a protected population – without further delay.” Addameer General Director Sahar Francis stated, “The prolonged persecution Salah faces is a war crime and a crime against humanity under the Rome statute of the ICC.”

- Hamouri was arrested in 2005 for “attempting to assassinate Ovadia Yosef...and for his involvement with the Popular Front for the Liberation of Palestine.” In an October 2011 statement, the PFLP referred to Hamouri as a “comrade.” A 2009 video supporting Hamouri includes footage from PFLP rallies and a photo of him alongside notorious terrorists. In September 2022, the PFLP identified Hamouri as a PFLP member who had launched a hunger strike while in Israeli prison. In November 2022, Israel stripped Hamouri of his Jerusalem residency status and deported him to France.
- In January 2022, Addameer was a signatory on a joint submission to the United Nations Special Rapporteur Michael Lynk calling for the ICC to “Conduct a prompt, thorough, and comprehensive investigation of the crimes of apartheid and persecution, and other associated crimes that fall within the jurisdiction of the Court concerning the Situation in Palestine, and accordingly prosecute relevant perpetrators.”
- In April 2021, Addameer launched a petition calling for the International Criminal Court to “investigate crimes by the Israeli military judicial system as part of the Israeli apartheid regime, and further call for the end of prosecuting Palestinian civilians in Israeli military courts.”
- On April 22, 2021, Addameer together with 190 organizations wrote a letter to the ICC calling to “urgently include the imminent forced displacement of Palestinians from Sheikh Jarrah as part of the open investigation within the situation in the State of Palestine.”
- In February 2021, Addameer was a signatory on a policy paper titled “United States Policy on Palestine: 2021 and Beyond,” accusing the United States of “obstructing international justice mechanisms, such as the International Criminal Court (ICC)” and of “threaten[ing] prosecution of ICC judges and prosecutors.”
- In March 2020, Addameer submitted an amicus brief to the ICC on behalf of Palestinian prisoners.
- In April 2015, on International Prisoners Day, Addameer called on the ICC to look into violations against Palestinian prisoners, claiming that “Israel is committing nothing short of a modern-day ethnic cleansing before our eyes; in the continuing quest for full annexation of Palestinian land and the expansion of Israel’s colonial frontier.”

## **Funding to Addameer**

- Addameer received 120,000 CHF from the Swiss government in 2018. According to the Swiss government contract, Addameer is expected to “follow up for the submission to the ICC, and to file a new report.”

Donor	Year/s	Amount
Ireland	2021	€81,000
	2020	€81,000
	2019	€80,625
Switzerland	2020	CHF 135,763
	2019	CHF 139,347
Basque Government (Spain)	2019-2021	€799,362
Autonomous community of Navarre (Spain)	2020	€120,000
	2019	€158,486
Municipality of San Sebastián (Spain)	2020-2022	€48,477
	2019-2021	€50,000

### Al-Dameer

- In November 2022, Al-Dameer and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”

- On November 28, 2022, Al-Dameer and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel's Apartheid Regime.” According to the letter, “Though mindful of the Court's limited resources and budgetary complications, as well as your office workload and challenges, we are compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in the State of Palestine.”
- In February 2021, Al-Dameer was a signatory on a policy paper titled “United States Policy on Palestine: 2021 and Beyond,” accusing the United States of “obstructing international justice mechanisms, such as the International Criminal Court (ICC)” and of “threaten[ing] prosecution of ICC judges and prosecutors.”
- Al-Dameer has submitted various documents to the International Criminal Court (ICC) alongside Al-Haq, Al Mezan and the Palestinian Center for Human Rights.
  - On February 6, 2021, following the ICC Pre-Trial Chamber I ruling that the Court has jurisdiction to investigate alleged war crimes in the Palestinian territories, Al-Dameer, alongside Al-Haq, Al-Mezan, and the Palestinian Center for Human Rights (PCHR), published a press release stating, “...it is imperative that the Prosecutor **include acts of apartheid** in the scope of her investigation...The decision confirmed the State of Palestine... as a full and legitimate State Party to the Rome Statute, and the entirety of the oPt as within the scope of territorial jurisdiction for investigation into international crimes...” (emphasis added). The organizations stressed that they will continue their “tireless” cooperation with the ICC, having submitted “six substantial communications and thousands of eyewitness files to the Office of the Prosecutor...”
  - In December 2017, Al-Dameer, Al Mezan, Al-Haq, and the Palestinian Center for Human Rights (PCHR) submitted a communication calling for the Prosecutor at the ICC to “open an investigation into the serious international crimes committed during the July-August 2014 Israeli military offensive.”
  - On September 20, 2017, these NGOs submitted a “substantive communication” to the Prosecutor of the ICC alleging that “high-level Israeli civilian and military officials have committed war crimes and crimes against humanity in the occupied West Bank including East Jerusalem.”

- On November 22, 2016, delivered a submission to the Office of the Prosecutor of the International Criminal Court, “Requesting Investigation and Prosecution of The Illegal Closure of the Gaza Strip.”Shawan Jabarin, Al-Haq director, claimed, “The ICC Prosecutor has a golden opportunity to bring an end to the suffering of the entire Palestinian population.”

### **Funding to Al-Dameer**

- In 2017-2019, Al-Dameer received CHF 77,221 from Switzerland to “provide information and reports to the International Criminal Court on human rights violations committed by the IOF [Israeli Occupation Forces].”

<b>Donor</b>	<b>Year/s</b>	<b>Amount</b>
European Union	2016-2019	€446,482
Switzerland	2020	CHF 11,740

### **Al-Haq**

- Al-Haq has submitted various documents to the International Criminal Court (ICC) alongside Al-Dameer, Al Mezan, and the Palestinian Center for Human Rights (see above).
- In December 2022, Al-Haq published an article welcoming the ICC Prosecutor Khan’s upcoming visit to Israel and “stresse[d] the importance of this visit to Palestinian victims of Israel’s settler-colonial and apartheid regime who have been craving justice for decades.”
- On December 1, 2022, Al Haq General Director Shawan Jabareen participated in an event titled “Palestine at the ICC: Justice Delayed is Justice Denied.”
- In November 2022, Al-Haq and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- On November 28, 2022, Al-Haq and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel’s Apartheid Regime.” According to the letter, “Though mindful of the Court’s limited resources and budgetary complications, as well as your office workload and challenges, we are compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in

the State of Palestine.”

- In November 2022, Al-Haq wrote a legal briefing on the killing of Shireen Abu Aqleh which was added as an addendum to a complaint submitted to the ICC by the journalist’s family.
- In September 2022, as a member of the Don’t Buy Into Occupation campaign, Al-Haq published a joint report calling on European governments to “Fully cooperate with the Office of the Prosecutor of the International Criminal Court (ICC), in line with relevant obligations set forth in the Rome Statute and the Geneva Conventions; and express public support for the independence of the Court in its investigation into the Situation in Palestine, which could encompass private and corporate actors.”
- In July 2022, Al-Haq and Al Mezan jointly condemned Israel and the United States agreement to oppose the ICC probe in Palestine.
- In May 2022, Al-Haq supported a submission from Addameer field researcher and lawyer Salah Hamouri urging the ICC to “prioritize this investigation, with adequate resources and meaningful victim participation, with a view to moving towards the issuance of arrest warrants against those who bear the greatest responsibility for the long-running war crimes and crimes against humanity committed against Palestinian civilians – a protected population – without further delay.”
  - Hamouri was arrested in 2005 for “attempting to assassinate Ovadia Yosef...and for his involvement with the Popular Front for the Liberation of Palestine.” In an October 2011 statement, the PFLP referred to Hamouri as a “comrade.” A 2009 video supporting Hamouri includes footage from PFLP rallies and a photo of him alongside notorious terrorists. In September 2022, the PFLP identified Hamouri as a PFLP member who had launched a hunger strike while in Israeli prison. In November 2022, Israel stripped Hamouri of his Jerusalem residency status and deported him to France.
- On May 23, 2022, Al-Haq general director Shawan Jabareen participated in an event titled “Palestine and the ICC Paralysis: Is Justice still Possible for Palestinians?”
- In May 2022, Al-Haq, PCHR, and Al Mezan filed a submission to the ICC prosecutor “providing a detailed description and analysis of the war crimes and crimes against humanity committed during the May 2021 Israeli military offensive against Palestinian civilians in the Gaza Strip.”
  - Shawan Jabareen stated that “The commission of these crimes needs to be seen in the context of Israel’s prolonged, belligerent occupation of the entire Palestinian territory, and of the widespread commission of systemic crimes against humanity, including apartheid, and grave war crimes.”
- In December 2021, at the 20th session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Al-Haq hosted a side-event with the State of Palestine titled “Obstructing Justice and Promoting Impunity: Israel’s Designation of Palestinian Civil Society Organisations as ‘Terrorist Organisations.’” The event discussed “Israel’s unlawful designations of

the six Palestinian CSOs is only the last of a series of attacks part of its systematic and ongoing intimidation campaign, which aim to obstruct justice from being delivered to the Palestinian people.”

- According to the event invitation, “Israel has been systematically silencing opposition to its widespread and systematic human rights violations and apartheid practices as a method to maintain its apartheid regime, and created a climate of fear and intimidation by using arbitrary detention, torture and other ill-treatment, collective punishment, racist hate speech and incitement to racial hatred, as well as smear and delegitimizing campaigns against human rights defenders “seeking to challenge its prolonged occupation, human rights abuses, and apartheid regime over the Palestinian people.”
- In September 2021, Al-Haq sent a letter to the UN permanent representatives of Ireland, Kenya, Mexico, Niger, and Norway urging cooperation between the ICC and the UN Security Council. The letter called for the state representatives to “Cooperate to promote and advance an agenda item on cooperation between the UNSC and the ICC throughout their presidency.”
- In March 2021, PCHR, Al-Haq, and Al Mezan Center held a joint press conference on developments with the ICC.
  - Director Shawan Jabareen stated “that Israeli media campaigns and its attempts to intimidate Palestinians of the possibility of bringing Palestinians to the ICC should not deter us, as the one who commits war crimes, i.e. the occupation, is the one who should be concerned.”
- In February 2021, Al-Haq was a signatory on a policy paper titled “United States Policy on Palestine: 2021 and Beyond,” accusing the United States of “obstructing international justice mechanisms, such as the International Criminal Court (ICC)” and of “threaten[ing] prosecution of ICC judges and prosecutors.”
- On February 6, 2021, following the ICC Pre-Trial Chamber ruling that the Court has jurisdiction to investigate alleged war crimes in the Palestinian territories, Al-Haq, alongside Al-Mezan, and the Palestinian Center for Human Rights (PCHR), published a press release stating, “...it is imperative that the Prosecutor include acts of apartheid in the scope of her investigation...The decision confirmed the State of Palestine... as a full and legitimate State Party to the Rome Statute, and the entirety of the oPt as within the scope of territorial jurisdiction for investigation into international crimes...” (emphasis added). The organizations stressed that they will continue their “tireless” cooperation with the ICC, having submitted “six substantial communications and thousands of eyewitness files to the Office of the Prosecutor...”

## **Funding to Al-Haq**



Donor	Year/s	Amount
Denmark	2021	DKK 925,433
	2019-2020	DKK 1,454,253
European Union	2018-2021	€296,600
Sweden	2019-2021	\$8.1 million project with 7 other partners. Unclear how much each NGO received
France	2020-2023	€900,000 with 17 other partners. Unclear how much each NGO received
Ireland	2021	€81,000
	2020	€81,000
	2019	€80,625
Italy	2018-2020	€1,800,000
Norway	2019-2021	NOK 5.8 million

### Al Mezan

- Al Mezan has submitted various documents to the International Criminal Court (ICC) alongside Al-Dameer, Al-Haq, and the Palestinian Center for Human Rights (see above).
- On December 1, 2022, Al Mezan director Issam Younis participated in an event titled “Palestine at the ICC: Justice Delayed is Justice Denied.”
- On November 28, 2022, Al-Haq and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel’s Apartheid Regime.” According to the letter, “Though mindful of the Court’s limited resources and budgetary complications, as well as your office workload and challenges, we are compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in the State of Palestine.”

- In November 2022, Al-Dameer and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- In May 2022, Al-Haq, PCHR, and Al Mezan filed a submission to the ICC prosecutor “providing a detailed description and analysis of the war crimes and crimes against humanity committed during the May 2021 Israeli military offensive against Palestinian civilians in the Gaza Strip.”
  - Issam Younis said, “Victims have already waited for too long. How much longer will Palestinians in Gaza need to wait, before the ICC holds Israeli officials to account?”
- In May 2022, Al Mezan supported a submission from Addameer field researcher and lawyer Salah Hamouri urging the ICC to “prioritize this investigation, with adequate resources and meaningful victim participation, with a view to moving towards the issuance of arrest warrants against those who bear the greatest responsibility for the long-running war crimes and crimes against humanity committed against Palestinian civilians – a protected population – without further delay.”
  - Hamouri was arrested in 2005 for “attempting to assassinate Ovadia Yosef...and for his involvement with the Popular Front for the Liberation of Palestine.” In an October 2011 statement, the PFLP referred to Hamouri as a “comrade.” A 2009 video supporting Hamouri includes footage from PFLP rallies and a photo of him alongside notorious terrorists. In September 2022, the PFLP identified Hamouri as a PFLP member who had launched a hunger strike while in Israeli prison. In November 2022, Israel stripped Hamouri of his Jerusalem residency status and deported him to France.
- On May 23, 2022, Al Mezan director Issam Younis participated in an event titled “Palestine and the ICC Paralysis: Is Justice still Possible for Palestinians?”
- In March 2021, PCHR, Al-Haq, and Al-Mezan held a joint press conference on developments with the ICC.
  - Director Issam Younis said “Our cause is just, and the ICC is the last refuge for Palestinians. We cannot let the victims pay the price without accountability for those who committed the crimes against them.”

## **Funding to Al Mezan**

- In 2019, Al Mezan received \$244,756 from UN-OCHA’s “occupied Palestinian territory Humanitarian Fund” for “Monitoring and documentation of IHL and IHRL violations in the Gaza Strip.”
- In 2018, Al Mezan received a 200,000 grant from the Dutch government. According to the Dutch government funding contract, Al-Mezan is expected “to ensure that “information on IHRL [international human rights law] and IHL and violations in the oPt [occupied Palestinian territories] are disseminated locally and internationally.”

Donor	Year/s	Amount
European Union	2017-2020	€449,997
Sweden	2021	SEK 26,000,000 for a project with Al-Haq, BADIL, DCI-P, B'Tselem, Breaking the Silence, Gisha and Yesh Din
	2020	SEK 7,000,000 for a project with Al-Haq, BADIL, DCI-P, B'Tselem, Breaking the Silence, Gisha and Yesh Din
Netherlands	2019-2022	€7.1 million for a project with B'Tselem, Gisha, Breaking the Silence, BIMKOM, Yesh Din, Center for Human Rights, Society of St. Yves, The Palestinian Working Women Society for Development

### **Palestinian Center for Human Rights (PCHR)**

- PCHR has submitted various documents to the International Criminal Court (ICC) alongside Al-Dameer, Al Mezan, and Al-Haq (see above).
- On December 1, 2022, PCHR director Raji Sourani was a panelist at an event titled “Palestine at the ICC: Justice Delayed is Justice Denied.”
- In May 2022, Al-Haq, PCHR, and Al Mezan filed a submission to the ICC prosecutor “providing a detailed description and analysis of the war crimes and crimes against humanity committed during the May 2021 Israeli military offensive against Palestinian civilians in the Gaza Strip.”
- On May 23, 2022, PCHR co-sponsored an event titled “Palestine and the ICC Paralysis: Is Justice still Possible for Palestinians?”
- In April 2022, PCHR published a position paper calling to the ICC prosecutor to “Respond Immediately to Escalating IOF War Crimes against Palestinians.” According to the paper, PCHR “witnessed immediate action from international actors, including the Prosecutor of the International

Criminal Court (ICC), to investigate allegations of war crimes against Ukrainian civilians; meanwhile, those same actors suffice with silence towards similar crimes committed by IOF over the course of decades against Palestinian civilians and their properties.”

- In March 2021, PCHR, Al-Haq and al-Mezan Center held a joint press conference on developments with the ICC.
  - PCHR director Raji Sourani said “that all three human rights organizations created a coalition to document war crimes committed by Israeli occupation forces during its military operation on the Gaza Strip in 2014 to hold the State of Israel accountable for its crimes before the International Criminal Court.”
- In February 2021, PCHR director Souranimet with international delegations from Switzerland, Spain, and the European Union to discuss “the importance of supporting the International Criminal Court’s (ICC) role in protecting human rights in the oPt.”
- In December 2020, PCHR director Raji Souranipublished in opinion piece in Al Jazeera titled “The Palestinian case at the ICC is legal, not political” in which he claimed “Abandoned by the international community, unable to access any Israeli, foreign or international tribunal, and subjected to a cruel occupation, the fate of the Palestinian people is now more than ever tied to that of the ICC.”
- In March 2020, PCHR submitted two amicus briefs to the International Criminal Court.
- According to its 2019 annual report, “PCHR has worked restlessly for more than 11 years to reach the ICC, this work was intensified in the past 5 years after the Public Prosecutor announced opening a preliminary investigation [into Israel] in January 2015. Starting in 2020, PCHR **will employ all its resources and energy in this trajectory**, which will require us to coordinate on multiple levels” (emphasis added).

### Funding to PCHR

- In 2021, PCHR received \$194,255 from the UN OCHA occupied Palestinian territory Humanitarian Fund for “Advocacy, monitoring and documentation of HR and IHL violations and related trends in the Gaza Strip and West Bank.”
- In 2018, PCHR received 280,000 CHF grant from the Swiss government in for “**Conduct[ing] communications with the Office of the General Prosecutor of the ICC and other intn’l litigation mechanisms**” (emphasis added) (On file with NGO Monitor).

Donor	Year/s	Amount
European Union	2018-2020	€320,187

Donor	Year/s	Amount
Switzerland	2021	CHF 276,000
	2020	CHF 289,586
	2019	CHF 334,971
Ireland	2021	€81,000
	2020	€81,000
	2019	€80,625
DanChurchAid (Denmark)	2019-2022	DKK 300,000
Norway	2019-2022	NOK 7.3 million



## Israeli NGOs

### Adalah

- In December 2022, Adalah was a signatory on a joint letter to the ICC Prosecutor Karim Khan stating that “We are all committed to assisting your office in advancing the ongoing investigation of the Situation in Palestine.”
- In October 2022, Adalah published a press release welcoming the findings of the UN Commission of Inquiry and writing that “We hope that the report will be adopted by the UN General Assembly and that it will lead to a swift response by the International Court of Justice and by the prosecutor of the International Criminal Court.”
- In March 2021, Adalah “welcome[d] the opening of the International Criminal Court investigation .” According to Adalah, “This decision confirms what Adalah has maintained for years: there is serious and grave suspicion that Israel is committing war crimes against the Palestinian people.”
- In December 2019, Adalah applauded the decision of ICC Prosecutor Fatou Bensouda to launch an investigation against Israel stating that “the ICC prosecutor has made the right decision given the facts. No other decision could have been possible. We welcome her position, and we believe that the ICC has full jurisdiction to decide on the concerned criminal cases.”

- Hassan Jabareen stated, “It is ironic to see the Attorney General of Israel use the prolonged occupation of the Palestinian territories as an argument against Palestine’s rights of sovereignty and a shield against the Court’s jurisdiction,” and called for “all States Parties and relevant stakeholders to cooperate with and support the Court.”

## Funding to Adalah

- In 2017-2021, the New Israel Fund (NIF) authorized grants worth \$652,869 to Adalah.

### Amounts in NIS

Donor	2022	2021	2020	2019
Federal Department of Foreign Affairs (Switzerland)		538,004	678,373	702,560
Bread for the World-EED (Germany)	237,710	446,091	341,473	575,652
European Union			414,115	295,728
Christian Aid (UK)	338,126	226,302	196,338	277,157
Broederlijk Delen	99,381			

## B’Tselem

- In December 2022, B’Tselem was a signatory on a joint letter to the ICC Prosecutor stating that “We are all committed to assisting your office in advancing the ongoing investigation of the Situation in Palestine.”
- On October 3, 2022, B’Tselem wrote to the ICC to “stop Israel from committing a war crime in South Hebron Hills.” According to the submission, “Israel’s apartheid regime is forcing ‘1,000 or so Palestinian residents of the South Hebron Hills into a humiliating bare-bones existence...there are certain Israeli officials who are responsible for its current execution...the responsibility of top Israeli echelons for the criminal policies being currently applied in the South Hebron Hills is undoubted.”
- In June 2021, B’Tselem published an article titled “Israeli prison guards beat bound Palestinian prisoners: Whitewashing highlights importance of ICC.” According to the article, “The Israeli apartheid regime is based on constant, organized violence against Palestinians that is crucial to its survival. Therefore, the regime is neither willing nor able to investigate, let alone prosecute, those who plan and execute this violence...The case proves, yet again, that Palestinian victims of violence

by Israeli security forces cannot achieve justice via Israeli systems and can hope to do so only in an international court.”

- In April 2021, B’Tselem welcomed the decision of the ICC to launch a formal investigation into alleged war crimes committed by Israel in the “State of Palestine.” According to B’Tselem, “This is a long-awaited and a critically important step towards ensuring the rule of law and ending impunity, while ensuring accountability for Israel’s crimes within the jurisdiction of the Court.”
- On March 12, 2021, B’Tselem published a position paper titled “The Israeli Attorney General’s Memorandum: Everything the ICC is not Meant to be.” According to the policy paper, “Israel not only refuses to accept the legitimacy of an ICC investigation, but also flouts its obligation to obey international law like every other state.”
- In a March 2020 mass email (on file with NGO Monitor), B’Tselem demanded that “The ICC can – and must – investigate the situation in Palestine....Israel may finally have to start considering the price for its crimes against the Palestinians. We hope the court will make the right decision to back the Prosecutor’s position and rule: there is jurisdiction, and there will be an investigation.”
  - B’Tselem also published a press release and position paper (March 12) that accused Israel of using the Holocaust to justify its policies vis-a-vis the Palestinians, “the very values that the ICC is meant to safeguard – the values that the world has been trying to promote since the end of World War II, in response to the unspeakable atrocities committed during that dark chapter in history. With shameless cynicism, Israel is trying to use these very horrors to justify continued oppression, land grab and killings at its own hands.”
- In a January 2020 *Ha’aretz* op-ed, Elad alleged that Israeli legal system “works to ensure impunity for Israeli security forces who kill, abuse or torture them [Palestinians].” He concluded that “**For Palestinians, quite literally, the International Criminal Court is their court of last resort**.” (emphasis added)
- In 2019, B’Tselem welcomed the findings of the ICC that the “opening of an investigation into alleged war crimes in the situation in Palestine is warranted” and “further appreciate the Prosecutor’s legal analysis that the Court has jurisdiction over the West Bank, including East Jerusalem, and Gaza.”

### **Funding to B’Tselem**

- In 2017-2021, the New Israel Fund (NIF) authorized grants worth \$1,344,923 to B’Tselem.
- In 2018–2019, B’Tselem received €184,800 from the Netherlands. Among the activities supported by the Dutch funding is a “report on the role of the Israeli Supreme Court.”
  - According to Dutch government documentation, “B’Tselem regularly refers to the Supreme Court as one of the main mechanisms that permits the ongoing occupation and human rights

violations by granting judicial legitimacy to Israel’s policies.”

*Amounts in NIS*

<b>Donor</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>
Bread for the World (Germany)	362,305	999,657	815,092	822,843
DanChurchAid	139,027	215,844	156,627	167,286
Norway		542,849	198,771	307,988
Switzerland	250,622	276,429	266,101	228,870
NGO Development Center (NDC)	2,032,202	1,681,403	2,632,58	2,243,568
European Union		357,823	233,314	363,949
Trocaire	88,298	125,928	97,806	98,802
AECID (Spain)		19,644	39,570	19,926
Christian Aid Ireland	234,180	240,009	409,249	272,710
UNDP	2,865,420	675,912	935,479	522,150
ACPP (Spain)	43,704	74,888	19,035	14,401

### **Breaking the Silence**

- In February 2021, Breaking the Silence Executive Director Avner Gevaryahu published an article titled “The best way to avoid an ICC probe: Don’t commit war crimes.” In the article, Gevaryahu alleged that “Military operation after military operation, Israel has ignored the black flag — a warning sign of immoral orders which ought to be defied — that flies over the rules of engagement dictated by its government cabinet and the IDF’s top brass.”
- In February 2021, Breaking the Silence claimed that right wing groups are using “absurd claims to turn human rights groups into scapegoats for the ICC’s recent decision to investigate Israel.”
- On February 2, 2021 Breaking the Silence wrote on facebook that “The ICC’s ruling is just a symptom. The underlying problem is that the government has failed, not only by ignoring the



warning signs, but also by continuing its immoral policy of entrenching the occupation & advancing de facto annexation on the ground.”

- On May 13, 2015, the Israeli news site *Ynet* reported that ICC Prosecutor Bensouda expressed a desire to utilize Breaking the Silence publications: “Bensouda said her office was trying to get a copy of the [Breaking the Silence] report ‘to see how it can assist us in the preliminary examination phase’” in her review of the 2014 Gaza war.

### Funding to Breaking the Silence

- In 2017-2021, the New Israel Fund (NIF) authorized grants worth \$2,900,547 to Breaking the Silence.
- In 2018, the Dutch government granted €191,840 to Breaking the Silence.
  - In 2018, the Dutch government published project information regarding this grant. One of the objectives was efforts to encourage “diaspora Jewish communities to voice their opposition to the occupation.” Breaking the Silence was also to use Dutch funds to “increase opposition in the international arena to Israel’s prolonged occupation of the oPt” through challenging “key international public figures...to respond.”

*Amounts in NIS*

Donor	2022	2021	2020	2019
AECID (Spain)		56,526	99,996	135,745
Broederlijk Delen (Belgium)	114,994	240,310		160,927
CAFOD (United Kingdom)		173,738	89,212	94,402
DanChurchAid (Denmark)	203,208	258,739	236,922	276,789
European Union	124,797	1,251,869	389,256	452,980
Switzerland	595,354	826,369	599,074	402,538
Trocaire (Ireland)	51,759	144,070	117,381	119,087
UNDP	1,332,315	736,842	632,374	516,480

Donor	2022	2021	2020	2019
NGO Development Center (NDC)	1,167,561			

## Yesh Din

- In December 2022, Yesh Din was a signatory on a joint letter to the ICC Prosecutor stating that “We are all committed to assisting your office in advancing the ongoing investigation of the Situation in Palestine.”
- In a December 2022, following Al Jazeera submitting a brief to the ICC regarding the death of Shireen Abu Akleh, Yesh Din “welcomed Al Jazeera’s move” and stated that “From the first moment, Israel’s conduct has shown that the only way to get to the bottom of the Shireen Abu Akleh case is to open an independent international investigation that will lead to a fair, effective and justified probe of the incident.”
- In May 2022, Yesh Din released a data sheet on “Law enforcement against Israeli soldiers suspected of harming Palestinians, 2019-2020 summary” and cited the reason for this report as being “spearheaded by the announcement of the International Criminal Court (ICC) on the investigation of suspected war crimes allegedly committed by the State of Israel under the auspices of its control in the OPT.”
- In February 2021, Yesh Din welcomed the decision of the ICC to launch a formal investigation into alleged war crimes committed by Israel in the “State of Palestine.” According to Yesh Din, “As an Israeli organization working to defend the human rights of Palestinians in the Occupied Territories, particularly with respect to law enforcement, we lament the Israeli policies and practices that have resulted in this preventable low point. At the same time, we are convinced that given Israel’s ongoing failure to investigate suspected breaches of the laws of war and occupation, an international investigation is unavoidable, and, therefore, welcome the decision of the ICC.”

## Funding to Yesh Din

- In 2018, Yesh Din received €170,000 from the Netherlands.

- According to the grant agreement, Yesh Din is expected to ensure that the “**Issue of impunity of ISFP [Israeli security forces personnel] in cases of offences committed against Palestinians in the West Bank and in Jerusalem remains on international agenda** and in discussions between GOI [Government of Israel] and foreign government representatives. **Increased international awareness on systemic impact of law enforcement failure** for Palestinian communities, forcible home entries and the human rights situation in the West Bank and in Jerusalem (emphases added).
- Yesh Din has also obtained European government funding to bolster its narrative that Israel does not properly investigate wrongdoing. The EU provided €150,000 to a 2011-2013, €234,000 project Yesh Din undertook “To change Israeli policy vis-a-vis criminal accountability of Israeli Security Forces Personnel in the occupied Palestinian Territories, in such a way that acknowledges and takes into account the severity and the different nature of War Crimes, as distinguished from regular, domestic crimes” (emphasis added). From 2012-2018 Ireland provided the NGO with NIS 2.7 million for a series of projects, including those devoted to investigating Israeli law enforcement and the IDF.
- In 2017-2021, the New Israel Fund (NIF) authorized grants worth \$696,321 to Yesh Din.

*Amounts in NIS*

Donor	2022	2021	2020	2019
Norwegian Refugee Council (NRC)	695,745	650,060	920,505	502,230
Norway		307,587	398,540	452,654
Switzerland		321,925		
Sweden	197,848			
NGO Development Center	1,611,635	1,206,955	1,456,274	
European Union		144,422		424,736
Ireland	280,551	282,050		309,479
UNDP	802,374	280,382	712,598	864,875

Donor	2022	2021	2020	2019
CAFOD (UK)		194,484	150,266	
Germany			775,323	
France			193,050	



## International NGOs

### Amnesty International

- In November 2022, Amnesty and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- In October 2022, Amnesty published a “research briefing” calling for the ICC to “investigate unlawful attacks committed during Israel’s August 2022 assault on the Gaza Strip as war crimes.” The briefing also called for the ICC to “Consider the applicability of the crime against humanity of apartheid within the current formal investigation of crimes under international law committed in the Occupied Palestinian Territories (OPT) since 13 June 2014.”
- In a July 2022, Amnesty published an article titled “The ICC at 20: Double standards have no place in international justice” expressing its “concern[] that the court and its principals have largely remained silent on the situation in Palestine and other investigations, in contrast to the publicity they have given to the Ukraine situation.”
- In February 2022, Amnesty published a report titled “Israel’s Apartheid against Palestinians: Cruel System of Domination and Crime against Humanity” calling on the ICC to “Consider the applicability of the crime against humanity of apartheid within the current formal investigation of crimes under international law committed in the OPT since 13 June 2014.”

- In an April 2021 article in +972 magazine, Amnesty is quoted as saying “all states who claim to support universal and non-selective international justice have a shared interest in supporting the ICC to exercise its jurisdiction over the situation in Palestine.”
- In March 2021, Amnesty welcomed the decision of the ICC to launch a formal investigation into alleged war crimes committed by Israel in the “State of Palestine.” According to Amnesty, “The ICC investigation provides the first genuine prospect for thousands of victims of crimes under international law to gain long overdue access to justice, truth and reparations. It also offers a historic opportunity to finally put an end to the pervasive impunity that has driven serious violations in the Occupied Palestinian Territories for more than half a century.”

### **Human Rights Watch**

- On May 20, 2021, HRW published an article claiming that Israeli attacks during the May 2021 conflict “may amount to war crimes and highlight the importance of the International Criminal Court’s (ICC) ongoing investigation of Israeli and Palestinian conduct.”
- In March 2021, following the Court’s decision to launch a formal investigation into alleged war crimes committed by Israel in the “State of Palestine,” then Executive Director Ken Roth tweeted, “The International Criminal Court wouldn’t need to investigate Israeli and Palestinian war crimes if Israeli and Palestinian authorities had been prosecuting their own war criminals. They haven’t been. At all.”
- On February 11, 2021 HRW published an article condemning Australia for condemning the ICC probe on Israel: “Instead of undermining the ICC, Australia should voice its support for the court, protect its independence, and stop trying to block a Palestine investigation.”

### **International Federation of Human Rights (FIDH)**

- In November 2022, FIDH and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- On November 28, 2022, FIDH and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel’s Apartheid Regime.” According to the letter, “Though mindful of the Court’s limited resources and budgetary complications, as well as your office workload and challenges, we are compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in

the State of Palestine.”

- In September 2022, as a member of the Don’t Buy Into Occupation campaign, FIDH jointly published a report calling on European governments to “Fully cooperate with the Office of the Prosecutor of the International Criminal Court (ICC), in line with relevant obligations set forth in the Rome Statute and the Geneva Conventions; and express public support for the independence of the Court in its investigation into the Situation in Palestine, which could encompass private and corporate actors.”
- On June 10, 2022, FIDH and the Public Committee Against Torture in Israel (PCATI) presented a joint communication to the Office of the Prosecutor of the ICC calling for alleged “Israeli war crimes against Palestinian detainees... [to] be investigated by ICC Prosecutor.” The NGOs also stated that “We remain at the OTP’s disposal for any request concerning access to evidence.”
- In May 2022, together with the Center for Constitutional Rights, FIDH filed a submission from Addameer field researcher and lawyer Salah Hamouri urging the ICC to “prioritize this investigation, with adequate resources and meaningful victim participation, with a view to moving towards the issuance of arrest warrants against those who bear the greatest responsibility for the long-running war crimes and crimes against humanity committed against Palestinian civilians – a protected population – without further delay.”
  - According to FIDH, “we urge the ICC Prosecutor to take active and concrete investigative steps in order to break the cycle of impunity for perpetrators of war crimes and crimes against humanity committed in Palestine, including East Jerusalem.”
  - Hamouri was arrested in 2005 for “attempting to assassinate Ovadia Yosef... and for his involvement with the Popular Front for the Liberation of Palestine.” In an October 2011 statement, the PFLP referred to Hamouri as a “comrade.” A 2009 video supporting Hamouri includes footage from PFLP rallies and a photo of him alongside notorious terrorists. In September 2022, the PFLP identified Hamouri as a PFLP member who had launched a hunger strike while in Israeli prison. In November 2022, Israel stripped Hamouri of his Jerusalem residency status and deported him to France.
- On March 24, 2022, FIDH “Welcom[ed] the decision of the International Criminal Court (ICC) to recognise the jurisdiction of the court in the OPT, as well as the ongoing investigation by the ICC into violations of the Rome Statute of the International Criminal Court committed during the occupation of the Palestinian territory by Israel.”

- On April 22, 2021, FIDH together with 190 organizations wrote a letter to the ICC to support the Sheikh Jarrah families calling to “urgently include the imminent forced displacement of Palestinians from Sheikh Jarrah as part of the open investigation within the situation in the State of Palestine.”
- In 2019, FIDH welcomed the findings of the ICC that the “opening of an investigation into alleged war crimes in the situation in Palestine is warranted” and “further appreciate the Prosecutor’s legal analysis that the Court has jurisdiction over the West Bank, including East Jerusalem, and Gaza.”

#### Funding to FIDH

Donor	2021
Bread for the World- EED	109,328
European Union	1,946,682
Ireland	181,314
France	159,340
Netherlands	321,017
Sweden	1,456,735



## European NGOs

#### Rights Forum

- In November 2022, the Rights Forum and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- On November 28, 2022, the Rights Forum and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel's Apartheid Regime.” According to the letter, “Though mindful of the Court's limited resources and budgetary complications, as well as your office workload and challenges, we are

compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in the State of Palestine.”

- In September 2022, as a member of the Don't Buy Into Occupation campaign, jointly published a report calling on European governments to “Fully cooperate with the Office of the Prosecutor of the International Criminal Court (ICC), in line with relevant obligations set forth in the Rome Statute and the Geneva Conventions; and express public support for the independence of the Court in its investigation into the Situation in Palestine, which could encompass private and corporate actors.”
- In August 2022, the Rights Forum was a signatory on a letter calling for the “international community to take action against Israel for targeting Palestinian human rights organisations.” According to the letter, “The Netherlands, as host country of the ICC, has an additional responsibility to ensure that civil society organisations, individuals and states can continue to provide the ICC with evidence and information.”
- In November 2021, the Rights Forum was a signatory on a letter to the EU High Representative for Foreign Affairs condemning the decision by the Israeli Ministry to designate six Palestinian NGOs as terrorist organizations. The letter called for the EU to “clearly reject the Israeli allegations and question their legitimacy, publicly renew your confidence in these human rights organisations, which are doing remarkable and indispensable work on the ground... [and] publicly and financially support the action of the ICC including the case for Palestine.”
- On April 22, 2021, the Rights Forum together with 190 organizations wrote a letter to the ICC to support the Sheikh Jarrah families calling to “urgently include the imminent forced displacement of Palestinians from Sheikh Jarrah as part of the open investigation within the situation in the State of Palestine.”
- In March 2021, the Rights Forum Director Gerard Jonkmancelebrated the ICC’s decision on territorial jurisdiction over Palestine stating, “War crimes cannot go unpunished...it is crucial that perpetrators are held accountable and brought to justice. And that the victims of the crimes, in this case mainly Palestinians, but also Israelis, receive satisfaction.”

**Diakonia – Sweden**



- In a May 2021 legal brief, Diakonia recommended for all parties of the conflict to “cooperate with the ICC in the investigation of the Situation in Palestine” and for all states that are not parties to the conflict and to the international community to “cooperate with the ICC in the investigation of the Situation in Palestine, as required; and provide diplomatic and public demonstration of support of the mandate of the ICC and the Office of the Prosecutor’s investigation of the Situation in Palestine.”
- In April 2021, Diakonia published an ICC FAQ page on their website in reference to the ICC investigation into Palestine. They also published a report titled “The ICC Investigation of the Situation in Palestine.”
- On December 14, 2021, Diakonia hosted a webinar titled “Shrinking Space: International Law and the Clampdown on Civil Society in Israel-Palestine” which was moderated by Diakonia legal expert Eitan Diamond. Panelists on the webinar included Sahar Francis, general director of Addameer. On the webinar, lawyer Michael Sfard said in reference to the Israeli designation of Palestinian NGOs as terror affiliated organizations that such NGOs are “considered a “strategic threat” for the Israeli right’s annexationist project” and “The timing of the designations coincided with important developments before the ICC, including the formal opening of an investigation into the Situation in Palestine and the appointment of a new Prosecutor. Without a forceful, sustained international response, the designations may serve as a blueprint for authoritarian governments around the world on how to successfully silence critics and civil society, particularly those that seek to engage with the international human rights system.”
- On June 17, 2021, Diakonia hosted a webinar titled “What good can international humanitarian law deliver for Palestinians?” Panelists included Human Rights Watch program director Sari Bashi, general director of Adalah Hassan Jabareen and Special Rapporteur on the situation of human rights in the Palestinian Territories Michael Lynk.
  - Italian Lawyer Chantal Meloni discussed the limitations of the ICC investigation of Israel due to “the protracted nature of the proceedings, the narrow scope of alleged crimes that have so far been flagged for investigation (alleged war crimes, but not crimes against humanity like apartheid), and significant political pressures threatening to distort the proceedings.”
  - Sari Bashi argued that “the apartheid framework is more effective than IHL at capturing the nature of the regime of institutionalized domination that Israel imposes on Palestinians.”

#### Funding to Diakonia

Donor	2021	2020
Sweden	SEK 176.2 million	SEK 191.1 million

Donor	2021	2020
Swedish Embassy	SEK 177.5 million	SEK 254.3 million
SEK 254.3 million	SEK 33.7 million	SEK 36.4 million

### European Legal Support Center (ELSC)

- In November 2022, ELSC and 197 other NGOs sent a letter to the President of the Assembly of States Parties to the Rome Statute stating that “Israel’s unsubstantiated designations and its latest outrageous raid of Palestinian civil society offices appear to be an attempt by its apartheid authorities to conceal its crimes and to prevent the ICC from acquiring the information that has been collected by those organisations.”
- On November 28, 2022, ELSC and 197 other regional and international civil society organizations sent an open letter to the ICC Prosecutor Karim Khan urging him to “Investigate and Deter Israel’s Apartheid Regime.” According to the letter, “Though mindful of the Court’s limited resources and budgetary complications, as well as your office workload and challenges, we are compelled to stress that Palestinian victims deserve justice and require equal attention as in other situations...we will continue our cooperation with your office and our support of your investigation into the Situation in the State of Palestine.”
- In September 2022, as a member of the Don’t Buy Into Occupation campaign, jointly published a report calling on European governments to “Fully cooperate with the Office of the Prosecutor of the International Criminal Court (ICC), in line with relevant obligations set forth in the Rome Statute and the Geneva Conventions; and express public support for the independence of the Court in its investigation into the Situation in Palestine, which could encompass private and corporate actors.”
- On May 23, 2022, ELSC promoted an event titled “Palestine and the ICC Paralysis: Is Justice still Possible for Palestinians?” This event featured Raji Sourani (Palestinian Centre for Human Rights), Roger Waters (Pink Floyd), Shawan Jabareen (Al-Haq), Delphine Carlens (FIDH), and Issam Younis (Al Mezan) as panelists.
- On April 22, 2021, ELSC together with 190 organizations wrote a letter to the ICC to support the Sheikh Jarrah families calling to “urgently include the imminent forced displacement of Palestinians from Sheikh Jarrah as part of the open investigation within the situation in the State of Palestine.”

- In April 2020, ELSC was a signatory on a letter to International Criminal Court Prosecutor Fatou Bensouda, stating it is “Time to Investigate Crimes in Palestine, Time for Justice” and calling for “perpetrators of war crimes and crimes against humanity committed in Palestine must be held accountable.”

## **EuroMed Rights**

- On April 15, 2022, EuroMed posted on Twitter: “Expressing concern is insufficient to guarantee Palestinians' human rights. Dismantling Israeli systemic oppression and dispossession of Palestinians is an urgent take. EU & its Member States must support accountability mechanisms, incl. ICC investigation #EndImpunity.”
- On March 30 2021, Executive Director Rasmus Alenius Boserup published an article in the euobserver titled “The ICC probe into Palestine: where is the EU?” He wrote “The recent opening of an investigation by the International Criminal Court into the situation in Palestine provides a unique opportunity for the EU to hold Israel accountable for crimes committed in the occupied Palestinian territory” and “While the EU has publicly supported ICC proceedings in the vast majority of third countries under investigation, Palestinian proceedings at the ICC in their entirety, from the Palestinian Authority's accession to the Rome Statute in 2015 to the opening of the investigation by the prosecution, have been met by the EU with indifference at best and rejection at worst.”
- In March 2021, EuroMed Rights welcomed the decision of the International Criminal Court (ICC) to launch a formal investigation into alleged war crimes committed by Israel in the “State of Palestine.” According to EuroMed Rights President Wadih Al-Asmar “Today is an important day for international justice in the Euro-Mediterranean region. After decades of systematic impunity and international neglect of the thousands of Palestinian victims of the most egregious crimes, the Court has officially embarked on the road to justice, accountability and reparations for victims in the Gaza Strip and the West Bank, including East Jerusalem.”
  - EuroMed Rights Executive Director Rasmus Alenius Boserup called on the “EU and its Member States to strongly support the ICC’s legitimacy from the escalating threats to its independence and mandate, and provide effective and decisive protection to Israeli and Palestinian human rights defenders and potential witnesses in the face of ongoing cases of smear, harassment and intimidation.”
- In April 2020, EuroMed was a signatory on a letter calling to support the International Criminal Court (ICC) and encouraging ICC state parties to “cooperate with...any possible investigation into the situation in Palestine.”
- In September 2018, EuroMed Rights was a signatory on a letter to International Criminal Court (ICC) Prosecutor Fatou Bensouda, calling to open an investigation

as the “situation in Palestine is rapidly deteriorating and war crimes and crimes against humanity are allegedly frequently committed to entrench Israeli control over Palestinian territory and the Palestinian people” and there is a need to “prosecute and convict perpetrators, including high-level officials of war crimes and crimes against humanity.”

### **Lawyers for Palestinian Human Rights (LPHR) – UK**

- In February 2021, LPHR director Tareq Shrouf published an article titled “ICC is the only realistic forum for justice on Gaza” in the biggest legal magazine in the UK, the *Law Society Gazette*. He wrote, “The recurrent alleged serious violations that have egregiously harmed thousands of civilians in Gaza over the years without distinction - men and women, boys and girls, the elderly and people with disabilities - must be met with an effective accountability deterrent that only the avenue of the International Criminal Court can realistically provide at this time.”
- On April 22, 2021, LPHR together with 190 organizations wrote a letter to the ICC to support the Sheikh Jarrah families calling to “urgently include the imminent forced displacement of Palestinians from Sheikh Jarrah as part of the open investigation within the situation in the State of Palestine.”
- In April 2021, LPHR condemned the British Prime Minister's statement rejecting ICC jurisdiction over Israel: “the Prime Minister’s statement sets a wholly dangerous precedent by the UK, that may impact victims of grave crimes and threatens the viability, objectives, and the future of the court itself.”
- In May 2021, LPHR submitted a joint statement to the Australian Centre for International Justice to the Australian Department of Foreign Affairs and Trade’s (DFAT) calling for “The Australian Government [to] support the investigation and prosecution of international crimes committed as part of the Situation in Palestine at the International Criminal Court and commit to fully cooperate with the Office of the Prosecutor of the ICC, in line with Australia’s international law and domestic legal obligations.”
- In July 2020, LPHR and Al Mezansubmitted a statement to the ICC calling to “include 2014 attacks within the scope of her pending investigation.”

## **Topics in this Report**

- Apartheid Rhetoric
- International Criminal Court (ICC)

- Lawfare

## **Key Issues in this Report**

- International Criminal Court (ICC) and NGOs

## **NGOs in this Report**

- European Legal Support Center (ELSC)
- Al-Dameer
- Addameer
- B'Tselem
- Breaking the Silence (Shovrim Shtika)
- Human Rights Watch (HRW)
- FIDH: International Federation of Human Rights (Paris)
- Palestinian Center for Human Rights (PCHR)
- Al-Haq
- Yesh Din- Volunteers for Human Rights
- Al-Mezan Center for Human Rights
- EuroMed Rights
- Adalah
- Lawyers for Palestinian Human Rights (LPHR)
- Amnesty International (AI)

Source: <https://www.ngo-monitor.org/reports/ngos-supporting-icc-investigation/>