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### Shams Center Calls on the International Criminal Court to Exercise Jurisdiction Regarding Crimes Committed by the Israeli Occupation Forces

Human Rights and Democracy Media Center- SHAMS, calls on the International Criminal Court to start its jurisdiction procedures immediately, according to Rome Statute 1998. The Center addressed the prosecutor of the ICC demanding to start an immediate investigation of the crimes committed by the Israeli occupation against Palestinian civilians in the Gaza Strip. The reports issued by international and national legal and human rights organizations as well as the reports issued by the Arabic and regional governments, affirm that Israel is committing war crimes and crimes against humanity by its aggression on the Gaza Strip. The practices of the Israeli occupation stand as crimes of genocide and ethnic cleansing. SHAMS Center affirms that Israeli crimes in the Gaza Strip are considered war crimes, crimes against humanity, and genocide crimes according to the Rome Statute of the International Criminal Court- 1998. These crimes fall under the jurisdiction of the ICC. Article 5 of the Statute states: "The jurisdiction of the Court shall be limited to the most serious crimes of concern to the international community as a whole. The Court has jurisdiction in accordance with this Statute with respect to the following crimes:

- (a) The crime of genocide;
- (b) Crimes against humanity;
- (c) War crimes;
- (d) The crime of aggression.

Article 6 of the Statute identified the genocide crime as: "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group

Article 7 of the statute states that crimes against humanity are: "Any acts committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack".

On a related level, Article 8 of the Statute identifies war crimes as:

"The violations of the Geneva Fourth Convention,

Torture or inhuman treatment, including biological experiments,

Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities,

Intentionally directing attacks against civilian objects, that is, objects, that are not military objectives,

Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict



Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not military objectives

Extermination" includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population.

"Shams" Center condemns the collective sanctions imposed by (Israel) as an occupying authority on the Gaza Strip, including cutting off water, electricity, fuel, and medicine, preventing the delivery of humanitarian aid, targeting schools, universities, churches, mosques, hospitals, medical centers, ambulances, civil defense personnel, destroying residential buildings, and forcibly displacing the population. The use of internationally prohibited weapons and indiscriminate shelling of civilians and population centers, where the number of martyrs in the Gaza Strip has reached approximately 12,300, including 5,000 children and 3,300 women, with around 30,000 injured. The number of medical personnel martyred is about 200, including doctors, nurses, and paramedics. Approximately 225,000 housing units have been destroyed, along with 94 governmental facilities, 253 schools, and damage to 73 mosques and 7 churches due to the continuation of the aggression and direct targeting of civilians and civilian objects in the Gaza Strip, according to the statistics of the Palestinian Ministry of Health. This is considered a clear and explicit manifestation of war crimes, genocide, and crimes against humanity, falling within the jurisdiction of the International Criminal Court. The Court is obligated to immediately initiate its legal proceedings to prosecute Israeli war criminals for these blatant crimes and serious violations of international humanitarian law and the fundamental principles of the Court.

"Shams" Center emphasizes that the credibility of the international community and international institutions is at stake. Either they fulfill their ethical and legal responsibilities and adhere to their international commitments by carrying out their work in accordance with their internal regulations and principles, or they succumb to dictates from major powers that control international decisions, especially the United States and its allies who support the Israeli aggression against the Palestinian people. In this case, these institutions become tools in the hands of those colonial powers, manipulated and used to serve their interests and promote their aggressive policies worldwide against vulnerable and oppressed peoples. This denies the institutions, foremost among them the United Nations and the International Criminal Court, their human, legal, and ethical character "Shams" Center affirms that the continuation of these crimes against the Palestinian people would not have persisted on such a large scale without the legal and political international cover and the green light granted by the United States and its European allies to the Israeli occupation. This embodies a policy of impunity and immunity enjoyed by the leaders and generals of the occupation, whose hands are stained with the blood of innocent children, women, and elderly Palestinians. This exposes the double standards employed by these countries in dealing with grave violations of human rights and international law, depending on the nationality of the victims or the perpetrators.