Palestinians to ICC: We have sole sovereignty over 'State of Palestine'

March 16, 2020

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The Jerusalem Post

<https://www.jpost.com/Arab-Israeli-Conflict/Palestinians-to-ICC-We-have-sole-sovereignty-over-State-of-Palestine-621188>

The Palestinians on Monday submitted their observations to the International Criminal Court (ICC) in relation to the Prosecutor’s request for a determination on the scope of the court’s territorial jurisdiction in the “State of Palestine.”

On January 28, Pre-trial Chamber I of the ICC issued an order setting the procedure and the schedule for the submission of observations on the Prosecutor’s request, resubmitted on January 22, under article 19(3) of the Rome Statute related to the scope of the Court’s territorial jurisdiction in the “Situation in the State of Palestine.”

The Chamber invited Israel and the Palestinians to submit written observations on the ICC Prosecutor’s request no later than March 16.

In their observations, the Palestinians said that “the State of Palestine affirms that it has sole sovereignty over the territory of the State of Palestine, occupied in 1967, which is comprised of the West Bank, including East Jerusalem, and the Gaza Strip, and which is also recognized by the international community.”

The Palestinians informed the ICC that the “State of Palestine recognizes that the Court plays an important role in bringing justice to the most serious crimes of concern to the international community.”

The Palestinians also welcomed the submission of several lawyers, professors, and human rights defenders “reaffirming that the Court has a jurisdiction over the territory of the State of Palestine, thus leaving no doubt that over who is entitled to the territory, including in particular the submissions of the League of Arab States and the Organization Cooperation.”

The Pre-Trial Chamber had ruled that other states, organizations and/or persons may submit written observations by no later than March 16. It said that any observations shall be limited to the question of jurisdiction set forth in the Prosecutor’s request.

“Other submissions on behalf of Palestinian victims demonstrate how a decision denying the territorial scope over the entirety of the territory of Palestine would contradict the object and purpose of the court, of ending impunity and holding perpetrators accountable for their crimes,” the Palestinians wrote in their observations.

“The State of Palestine looks forward to an expeditious ruling from the Pre-Trial Chamber I, in accordance with the Chambers Practice Manual which sets a timeframe of 120 days, preventing any further delay in the Prosecutor’s opening of an investigation into the Situation in the State of Palestine.”

The Palestinians said that they “stand by the independent nature of the Court, a pillar of the rule of law,” adding that it was the responsibility of all states to protect its independence.

“The situation in the State of Palestine remains the ultimate test of the court’s impartiality as well as the State Parties’ universality of international justice,” the Palestinians added.

“The State of Palestine reaffirms its solid commitment to upholding its legal obligations as a State Party to the Rome Statute and will continue to fully cooperate with the court.”