



Tool Kit for Palestine Genocide Survivors and Victims to Submit Cases to the International Criminal Court (ICC)

JusticeForAll.org/ICC-Submissions

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BURMA
TASK FORCE

||| **SAVE**
UYGHUR

SAVE
INDIA
FROM
FASCISM

FREE
PALESTINIAN
CHILDREN

KASHMIR
ACTION

SRI LANKA
TASK FORCE

JUSTICE
AT HOME

FREE
PRISONERS
OF **HAQQ**

PREFACE

Justice For All is a human rights organization, with branches in the US and Canada, accredited with the United Nations (DPI). Justice For All and Burma Task Force in 2018 collected testimonies of 160+ victims and survivors of the Rohingya genocide and submitted them to the International Criminal Court (ICC) We hired two Barristers from the UK to pursue their case which is still pending in the ICC.

Due to the funding issues instead of us collecting testimonies of Palestinian victims of genocide and crimes against humanity and our lawyers reviewing the cases before submission, we are facilitating the process.

Your information will go directly and securely to the United Nations' International Criminal Court.

God is the ultimate judge. But He has asked us to establish justice. There are many mechanisms for justice, nationally and internationally.

JusticeForAll.org/ICC-Submissions



INTERNATIONAL CRIMINAL COURT (ICC)

The International Criminal Court (ICC) investigates and, where warranted, tries individuals charged with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity and the crime of aggression. As a court of last resort, it seeks to complement, not replace, National Courts. Governed by an international treaty called the Rome Statute.

The International Criminal Court (ICC) is composed of 18 judges, who are elected for terms of office of nine years by the Assembly of States Parties (ASP) to the Rome Statute, the founding instrument of the Court.

TEN KEY FACTS ABOUT THE ICC LEGAL PROCESS

1. The ICC does not prosecute those under the age of 18 when a crime was committed.
2. Before the Prosecutor can investigate, she must conduct a preliminary examination considering such matters as sufficient evidence, jurisdiction, gravity, complementarity, and the interests of justice.
3. When investigating, the Prosecutor must collect and disclose both incriminating and exonerating evidence.
4. The defendant is considered innocent until proven guilty. The burden of proof lies with the Prosecutor.
5. During all stages of proceedings (Pre-Trial, Trial and Appeals), the defendant has the right to information in a language he or she fully understands, thus the ICC proceedings are conducted in multiple languages, with teams of interpreters and translators at work.
6. Pre-Trial judges issue warrants of arrest and ensure there is enough evidence before a case can go to trial.
7. Before a case is committed to trial (during the Pre-Trial phase), the defendant is referred to as a suspect. Once the case is committed to trial, since at that point the charges have been confirmed, the defendant is referred to as the accused.
8. Trial judges hear the evidence from the Prosecutor, Defence, and the Victims' lawyers, render a verdict, and if a person is found guilty, the sentence and decision on reparations.
9. Appeals judges render decisions on appeals from the Prosecutor or Defence.
10. If a case is closed without a verdict of guilt, it can be reopened if the Prosecutor presents new evidence.

The ICC deals only with the following crimes:

War Crimes,
Crimes Against Humanity,
Genocide, or
Aggression

PALESTINIAN VICTIMS & SURVIVORS CAN FILE A CLAIM NOW

The Office of the Prosecutor (OTP) of the International Criminal Court (ICC) has opened a digital platform to enable people to submit complaints online to the ICC with the option to add pictures and videos that show the crimes of the Israeli occupiers against them for the court to consider them and to take a stance against Israel. Those with information relevant to current events in Israel and Palestine are asked to provide submissions. Information submitted under this portal should relate to alleged crimes within the jurisdiction of the ICC, namely War Crimes, Crimes Against Humanity, Genocide, or Aggression. Examples of each of these crimes will be found on www.justiceforall.org/icc-submission.

Anyone can submit information through the portal. You do not necessarily need to be a victim or witness of the alleged crimes within the jurisdiction of the ICC listed above.

Information can also be submitted collectively or through an organization (for example an NGO, your masjid, a church), as long as there is an identifiable sender.

B'Tselem spokesman Karim Jubran stressed the importance of documenting the crimes committed by the occupation forces with the International Criminal Court, despite its laxity in pursuing speedy accountability of war criminals in the occupying state.

TEST OF EVIDENCE

Article 69(4) of the Rome Statute encompasses a three-tiered test for the admission of evidence.

1. First, the Court examines whether the evidence is prima facie relevant, meaning relevant on the face of it, so far as can be judged from the first disclosure. (see here para. 9).
2. Second, the Court considers whether the evidence contains probative value as determined by factors including reliability; trustworthiness; credibility; and authenticity (para. 26).
3. Finally, the Court evaluates whether the factors at hand have a prejudicial effect on the accused's fair trial rights.

Only the submitter can inquire about their claim and unless they allow it the information submitted will not become public.

TIPS TO SUBMIT CLAIMS

Best practice would be to gather all the information beforehand. Before filling out the submission form, gather photographs, text messages, paperwork, etc

Field # 1: Name of Investigation: Choose State of Palestine

Field # 2: Contact Name: Add Your Real Name

Field # 3: Contact Email: Add your Email

Field # 4: Contact: Add Your Telephone

Anonymous Checkbox: You can check this box to make the submission anonymous, if you fear for your safety. The portal notes however that information provided anonymously is more difficult to corroborate and use in judicial proceedings

Field #5: Name of Incident: You can write for example, killing of Alhareeri in Gaza genocide or destruction of home through bombing in Khan Younis (You can submit a separate claim for each member of your family, or loss of property)

Field # 6: Factual Summary: The information you submit may, but does not necessarily need to include information about a specific incident or set of incidents, a specific crime or set of crimes, the place and time of any such incident(s) or crime(s) and details on the alleged perpetrator and victims. With that being said, your submission should contain as much detailed information as possible, including which crimes were committed (remember **it must be either: War Crimes, Crimes Against Humanity, Genocide, or Aggression**), by whom, where, when and against whom

If the submission exceeds 1.8 MB for text and data, you can make an additional entry.

Include names of all family members who have been killed, as well as their locations:

Family Members
Human Rights Defenders
Medics
Journalists
Humanitarian aid workers
UN Staff
Women
Children
People with Special needs
Pregnant women

Field # 7: Date of Incident: You can give approximate dates and times, you can also upload war crimes, crimes against humanity and aggression incidents from the past.

Field # 8: Language: Indicate the language of the Item. Ideally, communications should be written in one of the working languages of the ICC.

If that is not possible, then it can be accepted in one of the ICC's other official languages (i.e. Arabic, Chinese, Russian, or Spanish), or one of the many languages in the drop down menu.

Field # 9: Location of Incident: Please provide the location where the incident happened. There is an online map. You may drag the position on the map if necessary.

The last field lets you upload documents, photographs and other evidence.
Each file size under 2.0 GB
Total submission size under 4.0 GB
Maximum number of files can be uploaded under each submission: 1000

Please be mindful not to use a VPN or Proxy during your submission process.

AFTER SUBMISSION

Once your submission is complete you should receive an automated acknowledgement of receipt from the Prosecutor's Office.

After this point all information submitted will then be screened and, if it meets the requirements it will be registered in the Prosecutor's database of communications. The Prosecutor's office will assess the information submitted in accordance with the Rome Statute and with full independence and impartiality. The first step in the process is to assess whether the information submitted relates to crimes that are manifestly outside the jurisdiction of the Court; whether they are linked to an ongoing preliminary examination or investigation; or whether they otherwise warrant further analysis. The Prosecutor's office will aim to inform communication senders on this initial determination as soon as possible, in writing.

SUBMITTING ADDITIONAL INFORMATION

If you need to submit additional information after your initial submission, you can do so and it will be added in the ICC's system to the same record.

IF THE CLAIM IS REJECTED

Upon completing its assessment if the Prosecutor's Office concludes that the information provided does not fall within the jurisdiction of the ICC or otherwise does not provide a reasonable basis for an investigation, the Prosecutor's Office will inform you in writing. Nonetheless, this will not prevent the Prosecutor's Office from reconsidering its assessment in the light of new facts or evidence.

More at: JusticeForAll.org/icc-submissions

IN 2018 BURMA TASK FORCE/JUSTICE FOR ALL SUBMITTED CASES OF ROHINGYA SURVIVORS TO THE ICC



Burma Task Force (Justice For All) hut office in the Rohingya camps 2018 in Bangladesh.



Survivors being interviewed at the Burma Task Force hut office in Bangladesh. 160+ testimonies were recorded which were used for submission at the International Criminal Court as well as the International Court of Justice. Both cases are still ongoing regarding the Rohingya genocide in Burma.



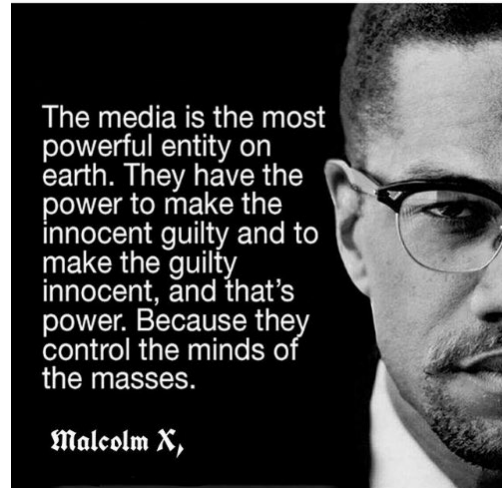
Rohingya survivors and victims of genocide gather at Burma Task Force hut office to record their testimonies.

GENOCIDE BEGINS WITH DEHUMANIZATION.

Adama Dieng

The United Nations Secretary-
General's Special Adviser on
Prevention of Genocide.

Dec 10, 2023



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