



# General Assembly

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## Human Rights Council

### Fifty-fifth session

26 February–5 April 2024

Agenda item 7

**Human rights situation in Palestine and other  
occupied Arab territories**

### **Joint written statement\* submitted by Organization for Defending Victims of Violence, Ertegha Keyfiat Zendegi Iranian Charitable Institute, Network of Women's Non- governmental Organizations in the Islamic Republic of Iran, non-governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 February 2024]

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\* Issued as received, in the language of submission only.



## **According to the Rome Statute, the Intentional Starving of Civilians is a War Crime**

### **The Current Situation of the Occupied Palestinian Territory (OPT)**

The long history of violation of all human rights in the Occupied Palestinian Territory (OPT) lead to serious escalation of conflict on 7 October 2023. Israel heavy bombardment campaign, unprecedented in modern history, led to thousands of civilian deaths and injuries. Since 7 October the civilian population of Gaza were subject to heavy unabated bombardments, as well as collective punishment, war crimes, crimes against humanity and genocide.

What the people of Gaza are experiencing today is deadly limitations placed on access to: clean water and sanitation; sufficient food; medicine and medical care; necessary items including fuel, electricity, and means of communication and safe shelter in addition to continuation of heavy bombardments that can lead to mass deaths in the enclave.

Denial of access to fundamental items required for maintenance of life and survival of people including clean water, sufficient food and medicine and medical items, violate international humanitarian law and the Article 56 of the fourth Geneva conventions, constituting "war crimes". In addition, the Rome Statute specifies that intentionally starving civilians depriving them of objects indispensable to their survival, including willfully impeding relief supplies" is a war crime.

The current situation proves the commitment of widespread war crimes in the enclave with about two million people being on the verge of famine, struggling with disease and mass displacement to overcrowded UN shelters at the same time.

According to the Integrated Food Security Phase Classification (IPC), Gaza is facing "catastrophic levels of food insecurity," with the risk of famine "increasing each day." Infectious diseases are also thriving in Gaza, with over 100,000 cases of diarrhea reported since mid-October. Half of these were among young children under the age of 5 years. Over 150,000 cases of upper respiratory infection, and numerous cases of meningitis, skin rashes, scabies, lice and chickenpox have also been reported(1) . The dire humanitarian situation can lead to collective death and add significant numbers to the already staggering death toll caused by the bombardments.

The mass destruction of a large number of people of the State of Palestine is a situation for which the international community is bearing international responsibility. The world is responsible for preventing the continuation of international crimes which are taking lives in Gaza.

The international community must act as soon as possible to prevent another genocide similar to Rwanda and Bosnia and Herzegovina. The world must act NOW, before the deadly man-made combination of hunger, disease and bombardment draws the people of Gaza into a black whole of collective death.

We strongly welcome the indication of provisional measures by the International Court of Justice and the confirmation of the Court that the situation on the ground in Gaza is catastrophic.

While any concrete enforcement of this ICJ order remains unlikely in light of the United States of America's veto power on the Security Council, the order itself is legally binding and amounts to an international legal obligation for Israel to prevent the commission of genocidal acts in Gaza.

Continuation of the current conduct by Israel including killing civilians and children, communication blackout and destruction of crimes evidence, blockade, denial of humanitarian aid, incitement to violence and genocide are considered as breach of the legally binding ICJ order.

Welcoming the relentless efforts made by the Special Rapporteur on the Occupied Palestinian Territory (OPT) to discharge her duties assigned by the Human Rights Council while the Occupied Palestinian Territory (OPT) is experiencing a "Crisis of Humanity", we call on the Special Rapporteur to issue a call for all the concerned NGOs, human rights activists and members of the civil society to provide her mandate with all the evidences and documentations of the crimes committed in the region especially the ones committed against women and children, so that the Special Rapporteur and the Commission of Inquiry of the Occupied Palestinian Territory (OPT) can verify the information and send it to both the ICJ and the International Criminal Court (ICC).

We call on the Special Rapporteur to urge Prosecutor Karim A.A. Khan of the ICC to accelerate relevant investigations and support the people of the State of Palestine under the current ongoing crisis.

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1- <https://www.who.int/news/item/21-12-2023-lethal-combination-of-hunger-and-disease-to-lead-to-more-deaths-in-gaza>