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ICC Must Investigate Al-Aqsa Mosque Incursions

Today, December 8, 2022, Arab Organisation for Human Rights in the UK (AOHR UK) filed a complaint to the International Criminal Court (ICC) via its legal team headed by Professor William Schabas. The complaint was about the systematic attacks on Al-Aqsa Mosque at the hands of politicians, soldiers, and settlers, aimed at changing the current reality and building the so-called Temple.

This complaint was submitted after decades of various crimes being committed in Jerusalem and Al-Aqsa Mosque at the hands of the Israeli occupation, which has never been held accountable for any crimes. It is worth noting that crimes are expected to increase following the Israeli elections of MPs who are keen on building the Temple and legitimizing current outposts, as well as building new settlements.

According to the complaint, Al-Aqsa Mosque has always been targeted by Temple groups supported by successive Israeli governments, with the aim of building the Temple in its place.

Successive Israeli government have been issuing decisions for daily incursions, which has been taking place under the protection of the IOF. These incursions also included attacks on worshippers, preventing them from praying, banishing them from Al-Aqsa Mosque, and firing live bullets and gas canisters at them.

The complaint emphasised that Al-Aqsa Mosque is a place of worship purely for Muslims. This was based on historical facts and dozens of international resolutions confirming that Al-Aqsa Mosque, with all its buildings, walls, courtyards, and annexes above and below the ground, as well as endowments on it, and the fenced land with its walls on the four sides surrounding it, of 144 dunum (a dunum=1000 square



meters), and its length of (491m) from the western side, (462m) from the eastern side, (310m) from the northern side, and (281m) from the southern side, all of which confirm the ownership of Arabs and Muslims of it alone.

In this context, Professor William Schabas stated that ‘the Prosecutor of the International Criminal Court has conducted investigations and successful prosecutions concerning the protection of religious sites and attacks on them. Such acts may fit within the definitions of crimes against humanity and war crimes and are, consequently, punishable under the Rome Statute.’

Schabas added “The information in the submission to the Court highlights the seriousness of the situation in Palestine, which has not received sufficient attention of the world. These issues are of great urgency as they could trigger violence. Prompt action by the International Criminal Court can have an important deterrent effect, as it may be used as a warning to those who seek to ignite aggressive confrontations”

Testimonies of victims included in the complaint revealed the seriousness of the violations against Al-Aqsa Mosque. It provided that each time calls to storm Al-Aqsa Mosque by Temple groups arise, force is always being used by the IOF to vacate the Mosque and its courtyards, which turn it into battlefields, with live bullets being fired at the worshippers, of which many get killed or wounded.

The complaint pointed out that the Temple groups movement is growing in numbers, where dozens of organisations joined under its umbrella, and stressed that the movement is financed and supported at various political, security and military levels. On December 18, 2022, and under the new leadership, these groups will call for more incursions and violations against Al-Aqsa Mosque on Hanukkah Day.

The Palestinian people feel furious over the double standards' policy of the USA and the West in dealing with human rights violations practiced against them and in general, where Israeli perpetrators of crimes enjoy impunity, while others get sanctioned, arrested and prosecuted.

Mohamed Jamil, head of AOHR UK, stated that ‘this complaint urges the ICC and the international community to open investigations, prosecute perpetrators of crimes, and end the politically motivated incursions.



Jamil added that 'Ben Gvir and Smotrich used the incursions, the support groups of the Temple, as well as settlers to achieve gains in the Knesset -which was the case- and it is difficult to envision how far they could go, using their position in the government, thus urging the international community to remain alert'.

The lack of actions by the international community and the lack of political will encourage the occupation to commit more crimes, while its perpetrators still enjoy impunity. Therefore, AOHR UK repeats its calls to the Public Prosecutor of the ICC, which is the only possible means to achieve justice for the Palestinians, to take the necessary measures to investigate the cases submitted before the Prosecutor General's Office.

Arab Organisation for Human Rights in the UK (AOHR UK)