



Dear Mr. Karim Khan,
The Prosecutor of the International Criminal Court (ICC)

I am writing in my capacity as Chairman of the Human Rights and Equality Institution of Türkiye (HREIT), established on April 20, 2016 with the mandate to serve as national human rights institution, national preventive mechanism and the equality body. With this letter, I would like to inform you about the institutional work we are carrying out as regarding the humanitarian crisis in Palestine and to explore new ways of cooperation and working areas between national human rights institutions and the ICC.

As is known, the heavy attacks on Gaza and the deployment of disproportionate force have led to a severe humanitarian crisis in the region, disproportionately affecting the most vulnerable, including children, women, and the elderly. The civilian population, who should be shielded from the devastating impacts of conflicts under international humanitarian law, now find themselves at the epicenter of these attacks.

Our Institution remains committed to closely monitoring the ongoing situation and taking various initiatives within our authority as a national human rights institution to raise responsiveness at the national and international levels about Israel's actions, which constitute war crimes.

In the context of the ongoing investigation into crimes in the Situation of Palestine, a State party to the ICC, your office is empowered to investigate crimes taking place on the territory of Palestine regardless of the nationality of the perpetrator (art. 12(2)(a)) or by a national of a State party (art. 12(2)(b)). To assist your investigation into crimes being committed on the territory of Palestine in Gaza, kindly find below the work of our Institution regarding the humanitarian situation in Gaza. Through our works, we set forth the factual and legal basis to conclude that a reasonable basis exists to investigate the crime of genocide being committed against the Palestinian population in Gaza.

As an active member of the European Network of National Human Rights Institutions (ENNHRI), our Institution sent a letter to the other national human rights institutions within ENNHRI on October 13, 2023. This letter highlighted the severe impact of the cutoff of vital food, energy, and humanitarian aid to Gaza, along with the indiscriminate targeting of civilian settlements. Inhumane treatments such as “collective punishment” were strongly condemned and peer national human rights



institutions were called to raise awareness about resolving the problem through fair and diplomatic methods, where civilians are protected in all situations and conditions. ¹

On October 27, 2023, our Institution extended its efforts by sending a letter to 120 peer national human rights institutions, members of the Global Network of National Human Rights Institutions (GANHRI), calling for an end to the systematic attacks against the civilian population in Gaza, which constitute war crimes. In this letter, we emphasized our solidarity with the Independent Commission for Human Rights in Palestine (ICHRP) and urged all GANHRI members to be more responsive to this atrocity and play an effective role in ending human rights violations in Gaza.²

On October 13, 2023, our Institution published the “Press Release on Cessation of Conflicts between Palestine and Israel” on our website, emphasizing that the main priority in terms of humanitarian law is to ensure the safety of life and property of civilians in these conflicts as soon as possible.³

Subsequently, on October 18, 2023, our Institution published the “Press Release on the Targeting of a Hospital in Gaza by Israel” on its website, highlighting the humanitarian crisis and urging the international community to act against Israel's heinous actions.⁴

On October 22, 2023, our Institution issued another press release on the “Targeting of Civilians in Gaza by Israel” on our website, underscoring that Israel's systematic, encompassing, and disproportionate acts of disproportionate violence against Palestinian civilians constituted a war crime. All international institutions and organizations, especially the member states of the United Nations (UN) are called upon to take a more constructive attitude towards upholding human dignity and human rights in the face of this historical tragedy.⁵

On October 27, 2023, our Institution published the “Press Release on The Cessation of Israel's War Crimes Attacks in Gaza” on our website, highlighting that Palestinians were facing the danger of mass ethnic cleansing in front of the eyes of the world and calling on all actors in the international

¹ <https://www.tihek.gov.tr/en/official-letter-on-ending-inhumane-treatments-in-gaza>

² <https://tihek.gov.tr/en/letter-on-the-cessation-of-systematic-attacks-against-civilians-in-gaza-that-constitute-war-crimes>

³ <https://tihek.gov.tr/press-release-on-cessation-of-conflicts-between-palestine-and-israel>

⁴ <https://tihek.gov.tr/press-release-on-the-targeting-of-a-hospital-in-gaza-by-israel>

⁵ <https://tihek.gov.tr/press-release-on-the-targeting-of-civilians-in-gaza-by-israel>

community to be more resolute in responding to this atrocity and to play an effective role in ending human rights violations in Gaza.⁶

Lastly, on October 31, 2023, our Institution published the “Press Release on the Targeting of the Turkish-Palestinian Friendship Hospital by Israeli Forces” on its website, stating that Israeli forces targeted the Turkish-Palestinian Friendship Hospital, the only cancer hospital in Gaza, on 30 October 2023, and highlighted this action was a manifestation of a crime against humanity aimed at the annihilation of the Palestinian people. The statement emphasized that Israel's attacks on hospitals, medical facilities, healthcare personnel, and wounded civilians are contrary to the Geneva Conventions that determine the law of war.⁷

In addition to these press releases, I wrote an article titled “The Humanitarian Crisis in Gaza in the Context of International Human Rights Law and Humanitarian Law” published on the website of Anadolu Agency, Türkiye's national news agency, on October 24, 2023. This article highlighted Israel's comprehensive blockade of the people in Gaza, along with apartheid and persecution, as constituting crimes against humanity.⁸

We have also engaged in a series of interviews as part of our "HREIT Academy: Human Rights Talks" initiative, shared on our Institution's YouTube account. These interviews aimed to shed light on various aspects of the Palestinian issue in the context of international law and humanitarian law. On November 2, 2023, we had an interview with Assoc. Prof. Muhammed Demirel regarding "The Right of the Strong vs. Humanitarian Law in the Context of Israel."⁹ On October 26, 2023, we interviewed Professor Dr. Yücel Acer, who discussed "The Right to Self-Defense, International Humanitarian Law, and Israel's Actions."¹⁰ On October 23, 2023, Professor Dr. Berdal Aral shared insights on “The Future of the Palestinian Issue in the Context of International Law.”¹¹

On November 1, 2023, in the program held on the TRT Haber television channel, in which I participated as a guest, an evaluation was made about Israel's attacks and actions against Palestine in the context of international law and humanitarian law. It was emphasized that Israel's attacks constituted a war crime under the Geneva Conventions, and it was reiterated that international

⁶ <https://www.tihk.gov.tr/en/-press-release-on-the-cessation-of-israels-war-crimes-attacks-in-gaza>

⁷ <https://tihek.gov.tr/press-release--on-the-targeting-of-the-turkish-palestinian-friendship-hospital-by-israeli-forces>

⁸ <https://www.aa.com.tr/tr/analiz/gorus-uluslararası-hukuk-baglamında-gazze-de-yasanan-insanlık-krizi/3030749>

⁹ <https://www.youtube.com/watch?v=-BufcOKrnew>

¹⁰ <https://www.youtube.com/watch?v=-BufcOKrnew>

¹¹ <https://www.youtube.com/watch?v=-BufcOKrnew>



institutions and organizations should take the necessary initiatives based on global common sense to urgently resolve the issue through democratic means.

Furthermore, during the meeting of the Türkiye Human Rights and Equality Board held on November 2, 2023, a Commission for the Investigation and Reporting of Human Rights Violations and War Crimes Committed by Israel in Palestine in the Context of International Law and Humanitarian Law was established. A decision was made to write a report titled “Investigation of Human Rights Violations and War Crimes Committed by Israel in Palestine in the Context of International Law and Humanitarian Law.”

In this context, as the national human rights institution, we are planning to organize several awareness-raising activities and meetings on this issue and we are planning to pay an official visit to the Court possibly on February 2024 order to discuss the humanitarian crisis in Gaza and exchange views on possible cooperation areas.

We hope our works will contribute to your investigation into crimes being committed on the territory of Palestine in Gaza.

Respectfully yours,

Prof. Dr. Muharrem KILIÇ
Chairman