Palestinian Authority Joins the ICC - Israel's Response

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Israel's position - which is also the position of several other countries, including the United States and Canada - is that the Palestinians are not eligible to join the International Criminal Court (ICC). The ICC lacks jurisdiction in this instance, first and foremost because there is no Palestinian state according to international law. In this context, the ICC's Office of the Prosecutor erred in its decision to open a preliminary examination.

The Palestinian decision to join the ICC, done in order to initiate proceedings against Israel, is a political, hypocritical and cynical maneuver. The government of the Palestinian Authority has established a partnership with Hamas, a murderous terrorist organization that commits war crimes similar to those of Islamic State. Such a government is the last party that should be able to threaten submitting complaints to the ICC in The Hague.

The Palestinian attempt to advance proceeding against Israel in the ICC contradicts the core purposes for which the Court was founded and will bring about the destructive politicization of the Court as well as undermine its standing. The ICC was established in order to prosecute those responsible for the world's gravest atrocities. It is not acceptable to cooperate with those attempting to abuse the ICC system and its limited resources to promote their political agenda.

Unilateral Palestinian steps, in particular the move to join the ICC, are blatant violations of the basic principles that Israel and the Palestinians agreed upon - with the support of the international community - to resolve the conflict between the two sides. These unilateral measures demonstrate yet again the Palestinians' rejection of negotiating peace with Israel.

Israel is a democracy that stands at the forefront of the global fight against terrorism, while continuing to respect international law. Insofar as claims are raised regarding alleged violations of the law, Israel investigates such claims in accordance with international standards and in a manner that has earned it international praise. Israel will continue to defend itself and its citizens while respecting international law and abiding by Israel's independent, impartial and effective legal system.