House Republicans urge Biden to curb ties with PA over ICC complaint

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A group of 25 House Republicans sent a letter to President Joe Biden and Secretary of State Antony Blinken, urging them to curb ties with the Palestinian Authority over its complaint against Israel at the International Criminal Court.

“We are writing to implore the White House and the State Department to uphold longstanding law regarding the threat posed to American soldiers and our allies by the misuse of the International Criminal Court,” the lawmakers wrote in the letter, spearheaded by Rep. Jeff Duncan of South Carolina.

When Congress passed the Consolidated Appropriations Act of 2021, it included language forbidding funding assistance for the PA if it were to initiate an ICC judicially authorized investigation, or if it were to actively support such an investigation into alleged crimes committed against the Palestinians by Israel, the letter said.

“We believe that this type of unilateral lawfare flies in the face of American objectives to help both parties achieve a negotiated, lasting, and comprehensive peace,” the lawmakers wrote. “Such language clearly warned of the ramifications should such action be taken and has been a part of our appropriations process since 2014, with massive bipartisan consensus every year.”

Moreover, “the PA has unequivocally violated the first condition of that provision by, among other things, submitting a formal referral to the ICC in 2018,” they wrote, adding that it also violated the second condition by “repeated submission of purported evidence and materiel to the ICC, and official visits and communications with the ICC Prosecutor and staff, actively in support of the Court’s investigation.”

“As we enter a new administration, we strongly believe that it is imperative to continue to uphold the established law of the land,” the letter said. “Those commitments include barring any funding assistance for the PA, as well as the continued closure of the Palestinian Liberation Organization’s mission in Washington, D.C.”

Both the United States and Israel are not a party to the Rome Statute of the ICC, they wrote.

“Last month, the Prosecutor and the Pre-Trial Chamber of the Court have proceeded to approve and open an investigation of our closest ally, Israel,” they added. “The move is an attack on the fundamentals of international law, including respect for consent, sovereignty, and the concept of complementarity in the case of countries, like the United States and Israel, that are governed by the rule of law.”

“The ICC move concerning Israel, and the PA’s active support, initiation, participation and encouragement of it, are major impediments to the peace process and America’s strong commitment to a negotiated settlement,” the letter said.