Palestinians to Submit First Files to ICC in Hopes of Prompting Case Against Israel

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The Palestinian Authority is set to submit their first files next week to the International Criminal Court to open a case against Israel, AFP reported on Thursday.   
  
Their accusations against Israel include allegations of abuses which occurred in Gaza during last year's war, and additional alleged crimes that have taken place in the Palestinian Authority territories since 2014.   
  
The first files are to be submitted on June 25 for review by the board, Palestinian Authority official Ammar Hijazi was quoted as saying by AFP.   
  
Hijazi stated that the file submitted is "only general, it's only statistical," and it does not include specific incidences as of yet. "But it certainly draws a grim picture of what Israel is doing and why we think that there are reasonable grounds... for the prosecutor to start investigations," he added.  
  
ICC Chief Prosecutor Fatou Bensouda must decide based on the complaint whether to order a preliminary examination and then a full criminal investigation.

In addition to the allegations submitted against Israel, Bensouda has also said she is considering opening war crimes investigations into the Palestinians themselves, which may turn the spotlight towards Hamas for their actions in last summer's Gaza conflict.

The Palestinian Authority formally joined the ICC on April 1 after signing the Rome Statute, which granted them membership to the International Criminal Court.  
  
The ICC Prosecutor, not Palestine, decides whether or not to indict. To indict, the prosecutor would need to believe there is evidence beyond a reasonable doubt to convict - that there was essentially intent to murder, whereas many incidents in war are foggy and involve mere negligence or mistake.  
  
Israel is not a party to the Rome Statute or the ICC and, like some other countries which have directly or indirectly ignored the ICC, could choose not to give its citizens or evidence over for trials.