

International Criminal Court demands end to threats against judges amid Gaza war probe

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ICC Prosecutor Karim Khan / International Criminal Court

The Hague, May 3 (RHC)-- The prosecutor's office at the International Criminal Court (ICC) has appealed for an end to what it calls intimidation of its staff, saying such threats could constitute an offence against

the “administration of justice” by the world’s permanent war crimes court.

The Hague-based office of ICC Prosecutor Karim Khan said in a statement on Friday that all attempts to impede, intimidate or improperly influence its officials must cease immediately.

While the prosecutor’s statement did not mention Israel, it was issued after Israeli and US officials have warned of consequences against the ICC if it issues arrest warrants over Israel’s war on Gaza.

“The Office seeks to engage constructively with all stakeholders whenever such dialogue is consistent with its mandate under the Rome Statute to act independently and impartially,” Khan’s office said.

“That independence and impartiality is undermined, however, when individuals threaten to retaliate against the Court or against Court personnel should the Office, in fulfillment of its mandate, make decisions about investigations or cases falling within its jurisdiction.”

It added that the Rome Statute, which outlines the ICC’s structure and areas of jurisdiction, prohibits threats against the court and its officials.

Over the past week, media reports have indicated that the ICC might issue arrest warrants for Israeli officials, including Prime Minister Benjamin Netanyahu, over the country’s conduct in Gaza.

The court may prosecute individuals for alleged war crimes, crimes against humanity and genocide. The Israeli military has killed nearly 35,000 people in Gaza and destroyed large parts of the territory since the start of the war on October 7.

News of possible ICC charges against Israeli officials led to an intense pushback by the country and its allies in the United States.

On Tuesday, Netanyahu released a video message rebuking the court. “Israel expects the leaders of the free world to stand firmly against the ICC outrageous assault on Israel’s inherent right of self-defence,” he said. “We expect them to use all the means at their disposal to stop this dangerous move.”

In Washington, several legislators called on President Joe Biden to intervene and thwart any ICC action against Israel. “It would be a fatal blow to the judicial and moral standing of ICC to pursue this path against Israel,” Democratic Senator John Fetterman wrote in a social media post this week.

“Calling on [Biden] to intervene as part of the administration’s ongoing commitment to Israel.”

In 2021, the Biden administration lifted U.S. sanctions against ICC officials that had been imposed by former President Donald Trump.

Israel and the U.S. have not ratified the Rome Statute, but Palestine, a permanent observer state at the United Nations, has accepted the court’s jurisdiction.

The court has been investigating possible Israeli abuses in the occupied Palestinian territory since 2021. Khan has said his team is investigating alleged war crimes in the ongoing war in Gaza.

In October, Khan said the court had jurisdiction over any potential war crimes committed by Hamas fighters in Israel and by Israeli forces in Gaza.



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