

Human rights groups call on U.S. president to oppose threats to International Criminal Court

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Washington, May 25 (RHC)-- Human rights groups are urging U.S. President Joe Biden's administration to oppose threats against the International Criminal Court (ICC) after its chief prosecutor's decision to seek arrest warrants against Israeli officials drew ire in Washington.

In a letter to Biden that was made public on Thursday, more than 100 organisations from around the world called on the US government to "oppose any legislative efforts to undermine the ICC".

"The ability of the ICC to provide justice for victims requires full respect for its independence. A selective approach to judicial decisions undermines the credibility, and ultimately, the force of the law as a shield against human rights violations and abuses," the letter reads.

Human Rights Watch, Amnesty International USA and the U.S. Campaign for Palestinian Rights were among the signatories. The letter was sent days after ICC Prosecutor Karim Khan announced on Monday that he was seeking arrest warrants for Israeli Prime Minister Benjamin Netanyahu and Defence Minister Yoav Gallant as well as three senior Hamas officials.

Khan accused the Israeli leaders of bearing “criminal responsibility” for war crimes and crimes against humanity in relation to Israel’s war on the Gaza Strip, which has killed more than 35,500 Palestinians since early October.

Those alleged crimes include intentional attacks against civilians, willful killings and starvation of civilians as a weapon of war, Khan said.

The announcement drew immediate anger from pro-Israel lawmakers from both the US Democratic and Republican parties, including Biden himself, who called Khan’s decision “outrageous”.

Some Republicans have gone further and have called on Congress to pass bipartisan legislation that would impose sanctions on ICC officials in response to the arrest warrant requests. “It is imperative that the Senate, in a bipartisan way, comes up with crippling sanctions against the ICC – not only to support Israel but to deter any future action against American personnel,” Republican Senator Lindsey Graham said on social media.

During a congressional hearing on Tuesday, US Secretary of State Antony Blinken suggested the Biden administration would be willing to work with lawmakers on legislation to penalise the international tribunal.

“I think we have to look at the appropriate steps to take to deal with, again, what is a profoundly wrongheaded decision,” the top U.S. diplomat said.

Shortly after taking office in 2021, Biden lifted US sanctions against ICC officials that had been imposed by his Republican predecessor Donald Trump as part of the Democratic president’s push to re-engage with international institutions after Trump’s presidency.

“Our support for the rule of law, access to justice, and accountability for mass atrocities are important US national security interests that are protected and advanced by engaging with the rest of the world to meet the challenges of today and tomorrow,” the Biden administration said at the time.

But the Biden administration has provided unequivocal diplomatic and military support for Israel during the Gaza war despite widespread criticism and calls to condition U.S. aid to the top Middle East ally.

The U.S. provides at least \$3.8 billion in military aid to Israel each year, and it has provided additional assistance during the ongoing conflict in Gaza. At the same time, the U.S. has had a fraught relationship with the ICC, which was established under the Rome Statute to investigate war crimes, crimes against humanity and other atrocities.

Neither the U.S. nor Israel are parties to the Rome Statute and neither recognize the jurisdiction of the court. And both countries have flagrantly ignored the UN court’s rulings.

Palestine, a nonmember observer state at the United Nations, formally accepted the ICC’s jurisdiction in 2015, extending the court’s authority to investigate atrocities committed in the occupied Palestinian territory.

In Thursday’s letter, the rights groups called on the Biden administration “to ensure that any disagreement about the Court’s process is pursued through proper judicial channels under the Court’s treaty.”

“We welcomed press statements by your administration in recent weeks indicating that it does not support ‘threats or intimidation’ of ICC officials,” the letter reads.

“We urge you to oppose any legislative efforts to undermine the ICC, and to make clear that regardless of its views on specific ICC investigations, the United States continues to support independent international justice mechanisms.”

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