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The International Criminal Court Unfairly Targets Israel

PRESS STATEMENT

MICHAEL R. POMPEO, SECRETARY OF STATE

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Today, the Prosecutor of the International Criminal Court (ICC), Fatou Bensouda, announced that she has concluded her preliminary examination into the so-called “situation in Palestine” and asked the ICC judges to confirm that the Court may exercise jurisdiction over the West Bank, East Jerusalem, and Gaza. By taking this action, the Prosecutor expressly recognized that there are serious legal questions about the Court’s authority to proceed with an investigation.

We firmly oppose this and any other action that seeks to target Israel unfairly. As we made clear when the Palestinians purported to join the Rome Statute, we do not believe the Palestinians qualify as a sovereign state, and they therefore are not qualified to obtain full membership, or participate as a state in international organizations, entities, or conferences, including the ICC.

The United States also reiterates its longstanding objection to any assertion of ICC jurisdiction over nationals of States that are not parties to the Rome Statute, including the United States and Israel, absent a referral from the UN Security Council or the consent of such a State.

The United States respects the decision of those nations that have chosen to join the ICC, and in turn, we expect that the decision on the part of the United States and Israel not to join and not to place our personnel under the court’s jurisdiction will also be respected.

The United States remains deeply, firmly, and consistently committed to achieving a comprehensive and lasting peace between Israel and the Palestinians. The only realistic path forward to end this conflict is through direct negotiations.

<https://www.state.gov/the-international-criminal-court-unfairly-targets-israel/>