

The Palestinian Authority's International Criminal Court Gambit: A True Partner for Peace?

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ABOUT THE AUTHORS



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In responding to the PA's move, Washington will need to strike a balance between firing shots across the ICC's bow and preserving invaluable Israeli-Palestinian security coordination in the West Bank.

The following is an excerpt from Mr. Makovsky's prepared remarks; [download the PDF to read the full testimony, or watch video of the hearing \(<http://foreignaffairs.house.gov/hearing/subcommittee-hearing-palestinian-authority-s-international-criminal-court-gambit-true>\)](#).

Instead of bringing the parties closer together, the Palestinian move for membership in the ICC creates a whole new arena of confrontation that could play out over years. We want the parties to solve their problems, and not to lock into a villain and victim narrative that would make conflict resolution impossible. This is bad not just for the Palestinians, but also for the ICC itself.

The purpose of the ICC is to deal with mass atrocities, and not serve as another politicized UN agency. It is hard to see how countries like the United States, whose membership the ICC actively seeks, will be attracted by such an overreach in applying the court's jurisdiction. The ICC Prosecutor Fatou Bensouda herself wrote in a Guardian op-ed, "It is my firm belief that recourse to justice should never be compromised by political expediency. The failure to uphold this sacrosanct requirement will not only pervert the cause of justice and weaken public confidence in it, but also exacerbate the immense suffering of the victims of mass atrocities. This, we will never allow." If the ICC wants to be taken seriously and not be viewed like the Geneva-based UN Human Rights Council, which regards Israel as an obsession at a time when 200,000 Syrians have been slaughtered, it should remain true to its origins and avoid politicization by inserting itself into a complex conflict such as the Israeli-Palestinian issue... ❖

House Subcommittee on the Middle East and North Africa

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