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ICC Prosecutor statement: Fears over justice for Gaza victims

A “dangerous” statement by the office of International Criminal Court (ICC) prosecutor that it cannot consider allegations of crimes committed during the 2008-9 Gaza conflict means Palestinian and Israeli victims seem likely to be denied justice, Amnesty International said.

The [Office of the Prosecutor today said](#) that it cannot consider allegations of crimes committed during the conflict unless the relevant UN bodies or ICC states parties determine that the Palestinian Authority is a state.

"This dangerous decision opens the ICC to accusations of political bias and is inconsistent with the independence of the ICC. It also breaches the Rome Statute which clearly states that such matters should be considered by the institution's judges," said Marek Marczyński, Head of Amnesty International's International Justice campaign.

"For the past three years, the prosecutor has been considering the question of whether the Palestinian Authority is a "state" that comes under the jurisdiction of the ICC and whether the ICC can investigate crimes committed during the 2008-9 conflict in Gaza and southern Israel."

"Now, despite Amnesty International's calls and a very clear requirement in the ICC's statute that the judges should decide on such matters, the Prosecutor has erroneously dodged the question, passing it to other political bodies."

"Amnesty International once again calls on the Prosecutor to follow the procedures established by the Rome Statute by passing the matter to the judges, rather than frustrating efforts to bring justice to Palestinian and Israeli victims of the Gaza conflict."