

International Criminal Court affirms impeding aid to Gaza could be crime under ICC jurisdiction



Cairo, October 29 (RHC)-- The International Criminal Court's Prosecutor Karim Khan told a news conference in the Egyptian capital Cairo on Sunday that Israel must make "discernible efforts" to ensure civilians get basic food and medicine.

In a video statement posted earlier on X, the platform formerly known as Twitter, Khan warned that curtailment of those rights could give rise to "criminal responsibility" under the Rome Statute.

"There should not be any impediment to humanitarian relief supplies going to children, to women and men, civilians," Khan said in the video from the Rafah border crossing with Egypt. "They are innocent, they have rights under international humanitarian law," Khan added. "These rights are part of the Geneva Conventions, and they give rise to even criminal responsibility when these rights are curtailed under the Rome Statute."

The prosecutor also said he hopes to visit the Gaza Strip and Israel while he is in the region, as his "office is determined we make sure to vindicate those rights wherever possible and wherever we have jurisdiction."

Aid supplies to Gaza have been minimal since Israel began bombarding the densely populated Palestinian enclave on October 7 after a deadly Hamas attack. Shortly afterward, Israel imposed a total siege on the territory, cutting off its residents from electricity, water, and food supplies.

Earlier this week, Oxfam said Israel is using "starvation as a weapon of war" in Gaza, noting that since the war began, Gaza has received only 2 percent of the food it normally would have seen delivered.

Aid trucks started trickling into the Gaza Strip from the Rafah crossing with Egypt on October 21, but aid agencies have called that a "drop in the ocean."

Khan said the court has "active investigations ongoing" in relation to "crimes allegedly committed in Israel on October 7, and also in relation to Gaza and the West Bank in our jurisdiction, going back to 2014." "We are independently looking at the situation in Palestine, we are looking at events in Israel and the allegations that Palestinian nationals have also committed crimes," Khan said.

At least 8,005 Palestinians have been killed in Israeli attacks in Gaza since the war began. In Israel, more than 1,400 people have been killed, mostly in the Hamas attack of October 7.

Israel, which is not a member of the ICC, has previously rejected the court's jurisdiction and does not formally engage with the court. The ICC's founding Rome Statute gives it legal authority to investigate alleged crimes on the territory of its members or by their nationals, when domestic authorities are "unwilling or unable" to do so.

On October 10, the office of the prosecutor of the ICC said its mandate applies to potential crimes committed in the current conflict.

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