Former ICC chief prosecutor: Investigation into Israel could take 18 months

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Luis Moreno Ocampo is an Argentine lawyer who served as the first chief prosecutor of the International Criminal Court from 2003 to 2012. In an interview with *Israel Hayom*, Ocampo responds to The Hague's decision to lay the foundation for a [war crimes investigation into Israel](https://www.israelhayom.com/2021/02/05/icc-asserts-jurisdiction-to-investigate-israel-hamas-for-war-crimes/).

"This is a conflict from 2009, and I worked on it for three years," Ocampo, 68, told Israel Hayom. "In my time, Palestine wasn't given the status of a state, but now the situation is different," he noted.

"When I was prosecutor, Palestine tried to enter the International Criminal Court, and we debated the problem for three years." He said the decision was made not to address the issue "because at the time, it wasn't a state. In Oct. 2012, the [UN] General Assembly decided was an observer state and a UN member, and in 2015, the Assembly [of States Parties] agreed that Palestine was a member-state."

From that moment on, Ocampo said, "According to the ICC, Palestine is a state. It wasn't decided by judges but by the states because it's not a political issue."

Ocampo was succeeded in his role by incumbent Fatou Bensouda. It was Ocampo's assessment Bensouda "will now investigate the allegations of crimes, even of those earlier on." He said, "The investigation will continue for a year and half, so that there is a year to take advantage of this conflict and turn it into something positive.

Prior to serving as ICC prosecutor, Ocampo served as deputy prosecutor in the 1985 trial of members of the de facto military dictatorship that ruled Argentina from 1976 to 1983.

On Friday, the ICC laid the foundations for a criminal investigation into Israel for alleged war crimes after ICC justices voted 2-to-2 to recognize "Palestine" as a state.

Prime Minister Benjamin Netanyahu blasted the move, reiterating Israel's position that the court had no jurisdiction on matters pertaining to Israel.

"The ICC has again proved that it is a political body – not a judicial institution," Netanyahu said immediately following the decision. "The ICC ignores the real war crimes and instead pursues the State of Israel, a state with a strong democratic government that sanctifies the rule of law and is not a member of the ICC."