Israeli group seeks ICC action against Hamas for using children as shields

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By  [Yair Altman](https://www.israelhayom.com/writer/yair-altman/)

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The Shurat Hadin Israel Law Center is seeking International Criminal Court action against Hamas over the terrorist group's use of children as human shields in the [riots](https://www.israelhayom.com/2018/04/01/gaza-border-on-edge-as-idf-says-will-expand-response-if-clashes-continue/) that have taken place over the past month on the Israel-Gaza Strip border.

The lawsuit is based on a clause in the Rome Statute, the treaty that established the ICC's work, which says that recruiting children under the age of 15 to any militant organization is a war crime.

The suit names former Hamas chief Khaled Mashaal, current deputy leader Saleh al-Arouri, and moneyman Zahar Jabarin as guilty of war crimes, saying that as all three are nationals of Jordan, which is a signatory to the Rome Statute, they are subject to the court's jurisdiction.

"The [death of a 15-year-old boy near the Gaza border last week](https://www.israelhayom.com/2018/04/22/defense-minister-hamas-to-blame-for-palestinian-teens-death-in-border-riot/) was a direct result of the war crimes committed by Hamas leaders against their own people," said Shurat Hadin Director Nitzana Darshan-Leitner.

"It is not Israel that should face an investigation, or fend off criticism by the European Union and a demand by the U.N. for an investigation into the death of [Palestinian] children – it is Hamas leaders who send these children to be human shields, to be killed in battle. They are the ones who should be made to answer for their actions before the International Criminal Court," she said.