Gaza media building owner complains to ICC, says Israeli strike a ‘war crime’

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The owner of a Gaza building housing international media that was destroyed in an Israeli airstrike is lodging a complaint with the International Criminal Court, his lawyer said.

The complaint by Jawad Mehdi says that the attack on May 15 which flattened Jala Tower, housing the offices of US news agency Associated Press and Al Jazeera television, was a “war crime.”

The filing, a copy of which was seen by AFP, comes after the chief prosecutor of the ICC said last week that “crimes” may have been committed during the recent violence between Israel and the Palestinians.

“The owner of this building, who is a Palestinian, has mandated his lawyers to file a war crime complaint with the International Criminal Court,” lawyer Gilles Devers said in a statement.

Devers told AFP outside the court, where around 10 pro-Palestinian protesters were gathered, that Israel could show “no military objective” for the attack.

“We hear a lot that this tower could have been destroyed because there was equipment or an armed resistance team. This is something that we totally deny after studying the case,” Devers said.

“International law is that you can only harm civilian property if it is used for military purposes, and that was not the case. So we say it today in front of this court and in this complaint.”

Devers said the complaint would be formally sent to the court by email later Friday.

Israel has claimed that Hamas military intelligence units and weapons development efforts were operating in the building. The US has said Israel has provided it with information to back up that claim, though it has not commented on whether it accepts the assertion.

Mehdi said at the time that an Israeli intelligence officer warned him he had one hour to ensure the building was evacuated before a missile slammed into the 13-story building.

The ICC has no obligation to consider complaints filed to its prosecutor, who can decide independently what cases to submit to judges at the court.

The ICC opened an investigation in March into possible war crimes in the Palestinian Territories by both Israeli forces and Palestinian terror groups since 2014. The move infuriated Israel which is not a member of the court, while Palestine has been a party to the ICC since 2015.

Prosecutor Fatou Bensouda said last week that she noted with “great concern the escalation of violence” in the West Bank and Gaza “and the possible commission of crimes under the Rome Statute,” which founded the ICC.

On Tuesday US Secretary of State Antony Blinken said Israel had given the United States information about its bombing of the Gaza building.

Prime Minister Benjamin Netanyahu has called the building a “perfectly legitimate target” and told CBS’s “Face the Nation” on Sunday that Israel passes such evidence through intelligence channels. There were no injuries in the strike, following an advance warning to those inside to evacuate.

Blinken said from Iceland on Tuesday that “we have received some further information through intelligence channels.” He declined to characterize the material, saying “that’s not something I can comment on.”

Israeli officials, speaking on condition of anonymity, said that Israel’s defense establishment handed Pentagon officials classified intelligence pointing to Hamas military operations conducted from the Gaza high-rise.

Press freedom groups condemned the attack, which marked a new chapter in the already rocky relationship between the Israeli military and the international media.

AP President Gary Pruitt has called for an independent investigation into the strike.

Sally Buzbee, AP’s executive editor, said the news agency has had offices in the building for 15 years and was never informed or had any indication that Hamas might be in the building.

A [report in The Atlantic in 2014](https://www.theatlantic.com/international/archive/2014/11/how-the-media-makes-the-israel-story/383262/) claimed that Hamas members had repeatedly burst into the AP’s offices in the building and threatened staff, actions it asserted went unreported.

The IDF accused Hamas of hiding behind the offices of the press outlets in the tower and using them as human shields.

Early Friday a ceasefire went into effect between Israel and Gaza terror groups, after 11 days of fighting that saw over 4,000 rockets launched into Israel and hundreds of Israeli airstrikes in Gaza.

More than 250 people were killed, the majority of them Palestinians. Israel asserts some 200 were terror operatives.