

# NGO Monitor's International Advisory Board Statement on ICC's Jurisdiction Claim

As members of the NGO Monitor International Advisory Board, we strongly condemn the exploitation of the principles of international law seen in the International Criminal Court's claim to have jurisdiction over issues related to the Israeli-Palestinian conflict. As a prelude to investigations targeting individual Israelis, this is a form of legal warfare, ("lawfare") that uniquely targets the Jewish state.

Beyond the blatant substantive errors in the recent ICC decision, we note the central role of influential but unaccountable non-governmental organizations (NGOs) in lobbying the Court. This highlights what the late Robert Bernstein, founder of Human Rights Watch, denounced as the moral failure of his own organization for leading efforts "to turn Israel into a pariah state."

As NGO Monitor reports demonstrate in detail, for 20 years, the network of radical NGOs continuously promoted accusations of Israeli "war crimes," cynically erasing the context of Palestinian terror and the obligation of the IDF to defend Israeli citizens against attack. We also reject their blatant and politicized denigration of the highly regarded Israeli legal system. The false accusations and myths prompted by unaccountable NGOs were copied directly into the Prosecutor's jurisdiction brief and from there, into the decisions of the two judges that endorsed her claims.

We also call on the funders and enablers of these NGO campaigns, particularly among European governments, to end these irresponsible policies. The massive funding amounts to tens of millions of dollars annually (as documented by NGO Monitor), including for terror-linked NGOs, to craft bogus indictments against Israeli officials. In some instances, the European funding to Palestinian NGOs was explicitly earmarked for their activities vis-à-vis the ICC. These organizations are not credible sources of information for the Court. A number of the European-funded NGOs met repeatedly with the Prosecutor, encouraging them to flout the ICC's own procedures in manufacturing the case against Israel. NGO Monitor, together with three other groups, jointly filed an amicus brief with the ICC that lays out the legal and factual flaws behind the argument

that the ICC has jurisdiction.

The damage resulting from this NGO campaign goes beyond adding to the invidious campaigns based on the “Israeli war crimes” canard. This cynical exploitation of the ICC severely undermines the legitimate and necessary efforts to bring real war criminals and mass murderers to justice.

Signed by:

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