ABSTRACT

Reasons for Palestine Accession to the International Criminal Court in 2015

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On 31 December 2014, Palestine issued a declaration to accept the jurisdiction of International Criminal Court on the Palestinian territories since 13 June 2014. The declaration was made in pursuant of Article 12(3) of the Rome Statute. Beside issuing a declaration, Palestine also deposited instrument of accession to the Rome Statute with the United Nations Secretary General on 2 January 2015, and by 6 January 2015 Palestine has become the 123rd state party of the International Criminal Court. Palestine accession to the International Criminal Court came right at the onset of the 2014 Gaza War and the struggle for Palestinian statehood especially since Palestine’s admittance as the non-member observer state status in the United Nations General Assembly. The question then arise, why did Palestine accede to the International Criminal Court?

This research seeks to address just that question, using the rational choice theory and constructivism theory. Qualitative method is employed in this research in order to compile, select, categorize, and then explain the data. This research found that there are two reasons why Palestine acceded to the International Criminal Court: to gain the ability to persecute international crimes and to project Palestine’s identity as a legitimate state.

Keywords: Palestine, ICC, accession