



OPEN LETTER TO THE JUDGES OF THE INTERNATIONAL CRIMINAL COURT

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Dear Judges of the International Criminal Court,

When we heard in January that the Court on which you sit had decided to hear the case concerning the situation in Israel-Palestine, we were encouraged. Humanity needs an International Criminal Court that upholds the rule of law and is prepared to investigate the most serious allegations of violations of international law.

Today, on 7 October 2024, exactly one year after the start of the latest and most brutal phase of the seventy-six-year-old Israeli-Palestinian conflict, we feel the need to address you directly. Not only because of the increasing cruelty of what is happening west of the Jordan River, but also because of the dangerous precedent that would be set if a state could operate so far outside the international consensus of acceptable behaviour in times of conflict. Unless such violations are sanctioned by a court such as yours, states will carry out war crimes with greater impunity in the future.

For it is now beyond dispute: Israel's Government has set out to eliminate systematically every aspect of Palestinian life in Gaza. We have already seen:

- 1) The most intensive bombing of a densely populated urban area in living memory
- 2) The most deliberate starvation of a population since the Second World War
- 3) The systematic destruction of health facilities
- 4) An unprecedented number of journalists and UN personnel killed.

The Israeli government has attacked schools, universities, libraries, archives, cultural centres, heritage sites, mosques and churches. Professors and teachers have been killed, along with their students and often their entire families. Meanwhile, under the cover of the Gaza conflict, Israeli settlers, protected by IDF soldiers, are evicting Palestinians from their ancestral homeland in direct violation of every principle of international law.

These are not merely violations by a government. The international community has no reason to expect that a change of government will bring the Israeli state back into the fold of international law. On 19 July 2024 the International Court of Justice ruled as unlawful Israel's occupation of the West Bank, Gaza and East Jerusalem. Five days later, the Israeli Knesset voted 65-9 to ignore the ICJ ruling and provocatively described the West Bank, Gaza and East Jerusalem as part of "the Land of Israel". To prove further

its contempt for international law and the institutions humanity created after the Second World War to support it, last Wednesday Israel's government banned UN Secretary General Guterres from entering the country.

So here is the question: When can we expect indictments from your Court?

Today is the anniversary of the beginning of the bleakest chapter of a tragedy that our generation will be answerable for to future generations. Today humanity needs more than ever a court like yours, where impartial legal minds from around the world can reach consensus on standards of legal conduct in war and its aftermath. Your role is vital, and we implore you to act immediately.

Thank you

Brian Eno and Yanis Varoufakis