



Press Release

Call to the International Criminal Court to investigate on Ursula von der Leyen for complicity in war crimes and genocide committed by Israel in the Occupied Palestinian Territories and in Gaza

27 May 2024, Geneva - On May 22, 2024, the Geneva International Peace Research Institute (GIPRI), the Collectif de Juristes pour le Respect des Engagements Internationaux de la France (CJRF) and a group of international concerned citizens, **submitted a legal brief to the Prosecutor of the International Criminal Court (ICC) Karim Khan requesting the opening of an investigation against Ursula von der Leyen for complicity in war crimes and genocide against Palestinian civilians in the Occupied Palestinian Territories, including the Gaza Strip.**

This legal brief, endorsed by various human rights groups and prominent academics and experts in international criminal law, calls the Prosecutor to initiate investigations on the basis of the information provided against Mrs. Ursula von der Leyen. The latter has been repeatedly informed of violations of international humanitarian law committed in the Occupied Palestinian Territories, particularly in the Gaza Strip, through reports from international organizations and foreign governments. This is evidenced by a letter sent to her on February 14, 2024, by the President of the Spanish government, Pedro Sánchez, and the then Irish Prime Minister, Leo Varadkar.¹

Mrs Ursula von der Leyen is responsible for aiding and abetting the commission of crimes and violations of international humanitarian law, within the meaning of Article 25(3)(c) of the Rome Statute of the International Criminal Court. Mrs von der Leyen enjoys no functional immunity before the International Criminal Court by virtue of Article 27 of the Rome Statute.

The President of the European Commission is complicit in violations of Articles 6, 7 and 8 of the Rome Statute by her positive actions (military, political, diplomatic support to Israel) and by her failure to take timely action on behalf of the European Commission to help prevent genocide as required by the 1948 Genocide Convention. Mrs. Ursula von der Leyen cannot deny awareness of the plausibility of these crimes, especially following the International Court of Justice's provisional measures order of 26 January 2024 in the pending ICJ case South Africa v. Israel. More importantly, Mrs. Von der Leyen has failed to take appropriate action to prevent such crimes, whereas the 1948 Convention on the Prevention and Punishment of the Crime of Genocide and the Statute of the International Criminal Court make prevention an *erga omnes* obligation.

For any further information, please contact :

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¹ Leo Varadkar and Pedro Sánchez, *Letter to the President of the Commission of the European Union Mrs. Ursula von der Leyen*, Oifig an Taoisigh (Office of the Taoiseach) and Gobierno de España – Presidencia del Gobierno, 14/02/2024: <https://www.lamoncloa.gob.es/presidente/actividades/Documents/2024/Letter-to-Commission-President-Ursula-Von-der-Leyen.pdf>

