**Abstract**

**The Politics of Hesitation**

With the recent Israeli war on Gaza, much confusion has been broken out on the possibility for Palestine to join the International Criminal Court (ICC). The Palestinian Authority (PA) has been ambiguous in dealing with this issue. Palestine is now qualified to become an ICC member after its recognition as a state by the UN General Assembly in November 2012. In particular, the admission of Palestine to the Court has become more likely after accession to 19 treaties in April 2014, including the four Geneva conventions, seven core human rights treaties, as well as the apartheid and genocide conventions. Examples of the crimes that the ICC may punish include willful-killing, torture, attacking civilian objects such as hospitals, homes, schools, and electricity installations. A particularly relevant crime to the present context that the ICC punishes over is the transfer of citizens from the occupier state to the occupied territory, in our case Israeli settlements in the West Bank and Jerusalem. There are now 122 ICC member states. Although Israel is not an ICC member, the Court can still exercise jurisdiction on crimes committed on the territory of Palestine regardless of perpetrators' nationality.