



# Comentario a la Decisión de la Sala de Cuestiones Preliminares I de fecha 5 de febrero de 2021:: la transferencia soberana de la jurisdicción prescriptiva como fundamento de la legitimación del sistema punitivo internacional [

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text (article)

Analítica

It has been observed that the judges of the International Criminal Court, in application of the norms of the Treaty of Rome, perform an extensive interpretation of their jurisdiction. Among its resolutions, the Decision issued by Pre-Trial Chamber I of February 5 2021 is no exception to this tendency. In this Resolution, by which authorizes to the Prosecutor's Office to investigate those perpetrators for the commission of international crimes when occurred in the context of the Israeli-Palestinian conflict, they base its decision on an autonomous interpretation of the norms established in the Statute of the Court and the Rules of Procedure and Evidence, on the consideration of the fact that Palestine is a State Party for the purposes of the Treaty of Rome. Given the relevance of its grounds, this work analyzes the content of said Decision, as well as the legal positions maintained by the judges who were part of the Chamber, since the exercise of jurisdiction was an essential element of the established punitive system, and from a perspective regulations of international criminal jurisdiction, which can only be consistent with the general norms of international law

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