



## [ICC Decision to Seek Arrest Warrants for Israeli Prime Minister Netanyahu and Others](#)

The prosecutor of the International Criminal Court (ICC) has announced that he is seeking arrest warrants against Israeli Prime Minister Benjamin Netanyahu, Israeli Defense Minister Yoav Gallant, and three senior Hamas officials over war crimes. In his statement, ICC prosecutor Karim Khan expressed that based on collected evidence, he had grounds to believe that Netanyahu and Gallant bear criminal responsibility for crimes against humanity and war crimes committed including starvation of civilians as a method of warfare. He also implicated them in intentionally and systematically directing attacks against a civilian population, obstructing aid delivery by humanitarian agencies, and restricting the transfer of needed supplies. Analysts have highlighted that the move is significant, as it only adds to the sizable criticism towards Israel's military actions in Gaza and serves to further isolate them internationally. In the aftermath of the request for the arrest warrants, it is now up to a panel of pre-trial judges to weigh the evidence and determine if they will be issued in the coming weeks. Should they decide to do so, this could mean that any of the five individuals – the two Israeli officials and the three Hamas officials – are subject to potential arrest and extradition to The Hague for trial if they travel to one of the more than 120 countries that are parties to the Rome Statute.

A group of international law experts conveyed support for the ICC decision, and their involvement in the process which led to it, even publishing an article outlining this in the *Financial Times*. They detailed their participation in the months-long review and examination of the arrest warrant applications themselves, as well as the aiding evidence. All of this guided them to agree with the ICC prosecutor's assessment that there are reasonable grounds to believe that the aforementioned suspects have committed crimes against humanity within the jurisdiction of the ICC, and that their actions undoubtedly violate international law standards. The experts emphasized that they reached this conclusion impartially, unanimously, and independently, based solely on the evidence. They also drew attention to the noteworthiness of the ICC decision as a milestone in the history of international criminal law, and the hope that it would spur increased protections for civilians.

Among government officials and countries around the world, the reaction to the ICC move was mixed. The decision was backed by several European nations, including France, Belgium, and Slovenia. In a statement regarding the arrest warrant requests, France expressed that it supports the ICC, its independence, and the fight against impunity in all situations, noting that there have been warnings for many months about the unacceptable nature of civilian deaths and insufficient humanitarian access. France's stance represents a contrast from the positions of the United Kingdom, Italy, and the United States, with U.S. President Joe Biden labeling the ICC move as "outrageous." Following the announcement from the ICC, U.S. House Speaker Mike Johnson (R-LA) remarked that the lower chamber of Congress may vote on sanctions against the ICC. Previously, it was reported that some members of Congress spent the recent weeks since news of potential warrants emerged engaging behind the scenes with the ICC to try and forestall the prosecution. It is also anticipated that GOP U.S. Senators are waiting on the House before possibly pushing their own version of an ICC sanctions bill. Meanwhile, there have been some high-profile U.S. lawmakers who have voiced support for the ICC move. U.S. Senator Bernie Sanders (I-VT) released a statement asserting that the ICC is right to take the actions that it has because it is imperative that the global community uphold international law.

Fair-minded observers are optimistic that the applications for the ICC arrest warrants are a substantial step forward in holding officials from Israel and Hamas accountable for their egregious crimes against humanity. They contend that due to the overwhelming evidence in support of the charges, there is no reason to suspect that the applications will not succeed. Human rights groups have applauded the way in which the ICC is seeking to apply the standards of international law to both Israel and Hamas, as ICC prosecutor Khan himself even expressed that “the law cannot be applied selectively...if that happens, we will be creating conditions for its collapse.” It is also hoped that the potential issuing of arrest warrants may serve to further strengthen the growing push for an end to the devastating War on Gaza.