

Netanyahu says Israel to appeal against ICC arrest warrants over Gaza war



Tel Aviv, November 28 (RHC)-- Israel has told the International Criminal Court that it will appeal against arrest warrants for Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant over their actions in the war on Gaza, Netanyahu's office said, as France said it believes the Israeli officials have "immunity" from the warrants.

Netanyahu's office said on Wednesday that Israel also urged the ICC to suspend the warrants against him and Gallant for alleged "war crimes" and "crimes against humanity" pending the appeal.

The court said last week there were reasonable grounds to believe the officials were responsible for using "starvation as a method of warfare" in Gaza by restricting supplies of humanitarian aid to the besieged Palestinian territory.

"The State of Israel denies the authority of the International Criminal Court (ICC) in The Hague and the legitimacy of the arrest warrants," a statement from Netanyahu's office read.

"Israel today submitted a notice to the International Criminal Court of its intention to appeal to the court, along with a demand to delay the execution of the arrest warrants," it added.

The move has come after France's Ministry for Europe and Foreign Affairs said it believed the officials benefit from immunity because Israel is not a member of the court.

France's view, issued a day after the announcement of a ceasefire between Israel and Lebanese armed group Hezbollah brokered by the US and France, was criticised by rights groups. Other countries, including Italy, have also questioned the legality of the mandate.

France's stance

Paris has taken almost a week to come up with a clear position, after the court in The Hague issued arrest warrants on November 21st for the Israeli officials.

After initially saying it would adhere to the ICC statutes, France's Foreign Ministry fine-tuned that in a second statement on November 22 amid concerns that Israel could scupper efforts for a ceasefire in Lebanon, saying it noted that the court's decision merely formalised an accusation.

On Wednesday, the ministry pointed out that the Rome Statute that established the ICC provided that a country cannot be required to act in a manner incompatible with its obligations "with respect to the immunities of States not party to the ICC".

"Such immunities apply to Prime Minister Netanyahu and other relevant ministers and will have to be taken into consideration should the ICC request their arrest and surrender."

It said France intended to continue to work closely with Netanyahu and other Israeli authorities "to achieve peace and security for all in the Middle East".

Rights groups suggested France had tempered its response to maintain a working relationship with Netanyahu and his government. "Some shocking nonsense from France here. No one gets immunity from an ICC arrest warrant because they're in office – not Netanyahu, not Putin, no one," Andrew Stroehlein, European media director at Human Rights Watch wrote on X.

Rights group Amnesty International said France's position was "deeply problematic".

"Rather than inferring that ICC indictees may enjoy immunity, France should expressly confirm its acceptance of the unequivocal legal duty under the Rome Statute to carry out arrest warrants."

Italian Foreign Minister Antonio Tajani said on Tuesday that Rome had many doubts about the legality of the ICC mandates and clarity was needed on whether high state officials had immunity from the arrest.

"Netanyahu would never go to a country where he can be arrested ... The arrest of Netanyahu is unfeasible, at least as long as he is prime minister," he said.

France has been involved in efforts to end fighting in the Middle East and, with the United States, helped broker the Israel-Hezbollah ceasefire that came into effect on Wednesday.

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