

Lawyers for Gaza victims file case at International Criminal Court

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The civil society initiative could result in the issuing of arrest warrants against top Israeli politicians, including Prime Minister Benjamin Netanyahu [File: Aleks Furtula/AP]

The Hague, November 15 (RHC)-- A group of lawyers representing Palestinian victims of Israeli attacks on Gaza have filed a complaint to the International Criminal Court (ICC), arguing that Israel's actions amount to the crime of genocide.

Gilles Devers, a veteran French lawyer and the victims' representative before the ICC, submitted the complaint to the prosecutor as part of a four-person delegation in the Dutch city of The Hague on Monday.

The civil society initiative could result in arrest warrants being issued against top Israeli politicians, including Prime Minister Benjamin Netanyahu. "It is clear for me that there are all the criteria for the crime of genocide," Devers told Al Jazeera, adding that cases such as ex-Yugoslavia and Rwanda set the precedent against which the complaint had been submitted. "So this is not my opinion, it's the reality of law."

Israel has made no attempt to hide the hallmarks of genocide, the group has argued, by cutting food and electricity to Gaza, attacking civilians and civilian infrastructure and using dehumanising talk that likens people to "animals." The group also collected the witness accounts of Palestinian victims whom they legally represent in court.

With mounting allegations of serious war crimes being committed in Gaza, Devers said governments that did not wish to be found complicit should refrain from backing Israel.

"Governments must choose which camp they are on, if they support human rights or genocide. They cannot give speeches about international law and human rights and then accept Israel's attack without doing nothing," he said.

Israel does not recognise the ICC, but Devers said that did not render the court ineffective. In 2021, the ICC ruled that it has jurisdiction over grave crimes committed in occupied Palestinian territories, including potential war crimes committed by any party on the ground.

The initiative led by Devers is one in a number of lawsuits presented to the ICC in the past weeks.

On November 9, three Palestinian human rights groups urged the body to investigate Israel for "apartheid" as well as "genocide" and issue arrest warrants for Israeli leaders.

society, political leaders and representatives to petition the court. Prominent European politicians who have advocated for Palestinian rights, including Spain's Ione Belarra and Britain's Jeremy Corbyn, are among the more than 80 signatories of that petition.

Devers said the latest bombing of Gaza amounted to the most relevant crimes that the court had seen in decades. "If the ICC does nothing, then it's the end of the ICC," he said. "We have sufficient proof for a mandate of arrest against Mr Netanyahu," Devers said.

The ICC in March issued an arrest warrant for Russian President Vladimir Putin's alleged involvement in war crimes in Ukraine. While Putin rejected the verdict and did not surrender to the court's jurisdiction, the decision was a symbolic moment and limited the Russian leader's ability to travel internationally, including to attend international forums.

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