

Report says Israeli spy chief threatened ICC prosecutor over war crimes case

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Yossi Cohen, former head of Israel's Mossad [File: Amir Cohen/Reuters]

Tel Aviv, May 29 (RHC)-- The former chief of Mossad threatened the International Criminal Court's (ICC) chief prosecutor to try to get a 2021 war crimes probe dropped, a report has claimed.

Yossi Cohen, ex-chief of Israel's Mossad foreign intelligence agency, threatened the ICC's former prosecutor Fatou Bensouda in a series of secret meetings, an investigation by The Guardian newspaper reported on Tuesday. The report tallies with others suggesting Israel and its main Western allies have sought to pressure international justice bodies.

Cohen's covert contact to pressure Bensouda took place in the years leading up to her decision to open a formal probe into alleged war crimes and crimes against humanity in occupied Palestinian territories, the report said, citing numerous anonymous sources.

Last week, Bensouda's successor, Karim Khan, applied for an arrest warrant for Israel's Prime Minister Benjamin Netanyahu based on that probe launched in 2021. Khan announced his office had "reasonable grounds" to believe that Israeli Prime Minister Benjamin Netanyahu and Defense Minister Yoav Gallant bear "criminal responsibility" for "war crimes and crimes against humanity."

One individual briefed on Cohen's activities said he had used "despicable tactics" against Bensouda as part of an ultimately unsuccessful effort to intimidate and influence her.

According to accounts shared with ICC officials, he is alleged to have told her: "You should help us and let us take care of you. You don't want to be getting into things that could compromise your security or that of your family."

Khan also applied for arrest warrants for three Hamas leaders – Yahya Sinwar, Mohammed Diab Ibrahim al-Masri (also known as Deif) and Ismail Haniyeh – for war crimes and crimes against humanity.

Israel is not a member of the ICC and does not recognise its jurisdiction. Israel has also faced accusations of genocide at the International Court of Justice (ICJ), the highest United Nations court, which, like the ICC, is based in The Hague.

Experts believe ICC indictments further undermine the legitimacy of Israel's war on Gaza and complicate its exceptional relationship with European allies who are members of the Rome Statute. But the United States, the key ally of Israel, is clearly shielding the Israeli government from the consequences of its international law violations.

U.S. President Joe Biden called Khan's move against the Israeli officials "outrageous." And U.S. Secretary of State Antony Blinken suggested that the White House would be willing to work with members of Congress on legislation to penalize the international tribunal -- such as refusing to grant visas for them to enter the United States.

Several U.S. lawmakers have also urged Washington to impose sanctions against the ICC after the court's request for the arrest warrants.

Palestinians fear that Israel and the U.S. will pressure ICC judges into rejecting Khan's requests.

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