

150 + International Legal Experts: Israel Has Committed War Crimes

Should be Referred to the International Criminal Court

By [Washington's Blog](#)

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Region: [Middle East & North Africa](#)

Theme: [Crimes against Humanity](#), [Law and Justice](#)

In-depth Report: [PALESTINE](#)

Legal Experts Say Israel Is Targeting Civilians and Inflicting Collective Punishment

The United Nations, Amnesty International and Human Rights Watch [all say](#) that Israel has committed war crimes by targeting civilians.

Israel's collective punishment of Palestinians is [also a war crime](#).

Over 150 international legal experts – including two Former UN Special Rapporteurs on human rights situation in Palestine – have also signed a declaration [stating](#):

- Israel has targeted civilians
- Israel has inflicted collective punishment on the Palestinians
- These are war crimes
- The matter should be referred to the International Criminal Court (ICC)

Indeed, a French lawyer [filed](#) a complaint with the ICC on July 25, 2014 on behalf of the Palestinian justice minister. The complaint alleges that Israel committed war crimes – citing Israel's military occupation of Palestinian territories, Israel's blockade of the Gaza Strip and the ongoing military operations there.

Numerous prominent British legal experts have also [requested](#) that the ICC investigate Israeli war crimes in Gaza, stating:

Reports produced by non-governmental organisations following preliminary investigations strongly suggest that crimes within the jurisdiction of the International Criminal Court have been and are being committed. Supporting information is appended to this letter. Additional information, including from “States, organs of the United Nations, intergovernmental or non- governmental organizations [and] other reliable sources” (article 15(2)) is readily and widely available. Eye witness accounts have been documented, and “written or oral testimony” can be provided by victims and others (article 15(2)). There can be no doubt as to the “seriousness of the information” available (article 15(2)).

The United Nations Secretary General, Ban Ki Moon, has called for “accountability and justice”. That call has been echoed by the United Nations High Commissioner for Human Rights, Navi Pillay, who has underscored the need for “real accountability considering the increasing evidence of war crimes”.

All the requirements for the initiation of an investigation pursuant to article 15 are clearly made out. The “information available to the prosecutor provides”, at the very least, “a reasonable basis to believe that... crime[s] within the jurisdiction of the Court ha[ve] been or [are] being committed” (article 53(1)(a)).

Israeli prime minister Benjamin Netanyahu is worried ... as shown by the fact that he has [asked the U.S. for help](#) in avoiding war crime charges.

Postscript: The ICC has said that it does not have jurisdiction over Israeli war crimes in Gaza, because the Palestinians have not yet accepted the ICC’s jurisdiction (perhaps because they are worried that Hamas has also committed war crimes). However, Palestinian leaders now [appear ready to submit to ICC jurisdiction](#).

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