Netanyahu asks friendly countries to say ICC has no jurisdiction over Israel

January 11, 2020

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The Jerusalem Post

<https://www.jpost.com/Israel-News/Netanyahu-asks-friendly-countries-to-say-ICC-has-no-jurisdiction-over-Israel-613875>

Prime Minister Benjamin Netanyahu sent letters to leaders of friendly states asking for help defending Israel against an International Criminal Court probe of alleged war crimes by saying the court has no jurisdiction in Israel, the Prime Minister’s Office confirmed Saturday night.

The US, Australia and – as of Saturday – Hungary have all expressed opposition to the ICC involving itself in a case about Israel and the Palestinians, which is not party to the Rome Statute that established the court.

“Following the outrageous decision by the ICC prosecutor, Israel has reached out to several countries,” a government source said. “Many of them have said that they do not agree to the ICC’s assault on the principle of national sovereignty, and the ICC has no jurisdiction in the case at hand.”

The Hungarian Foreign Minister Péter Szijjártó responded to Netanyahu’s call in a letter to his Israeli counterpart, Israel Katz.

“We fully understand your concerns, since the Hungarian Government has always highly appreciated the principle and value of national sovereignty,” Szijjártó wrote. “Thus, we believe that your position with regard to the lack of jurisdiction of the International Criminal Court in the given case is justified.”

Szijjártó compared the situation to Hungary’s disputes with the EU and the UN over authority.

Katz thanked Szijjártó and said that he appreciates Hungary’s stance, which he said is “consistent with the values of justice and the excellent relations between the countries.”

Katz also expressed appreciation for Israeli diplomats fighting the ICC’s decision to investigate Israel.

Last month, ICC Chief Prosecutor Fatou Bensouda announced that she believes Israel is committing war crimes in the West Bank, east Jerusalem and Gaza and would investigate the matter. She asked the ICC’s pre-trial chamber to determine whether the court has the jurisdiction to hear the case against Israel, in light of the special circumstances of the territory in question.

The Palestinian Authority is a member of the ICC since 2015.

US Secretary of State Mike Pompeo argued on twitter that “Israel is not a state party to the ICC.”

“We firmly oppose this unjustified inquiry that unfairly targets Israel,” Pompeo wrote. “The path to lasting peace is through direct negotiations.”

Australia’s Department of Foreign Affairs and Trade said it is “concerned” about Bensouda’s proposal, and said that it does not see the Palestinians as party to the Rome Statute because it does not recognize a Palestinian state.

Germany took a more equivocal stance, warning against politicization of the ICC and saying its judges should “address issues of admissibility.”