

US threatens to sanction International Criminal Court over war crimes charges against Netanyahu

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On Thursday, the International Criminal Court (ICC) formally charged Israeli Prime Minister Benjamin Netanyahu and Defense Secretary Yoav Gallant with war crimes and crimes against humanity in the Israeli genocide in Gaza.

The court charged Netanyahu and Gallant with “the war crime of starvation as a method of warfare; and the crimes against humanity of murder, persecution, and other inhumane acts.”

In May, ICC prosecutor Karim Khan accused the Israeli leaders of presiding over the “murder” and “extermination” of Palestinians, as part of a “common plan to use starvation as a method of war and other acts of violence against the Gazan civilian population as a means to ... collectively punish the civilian population of Gaza.”

In its document charging Netanyahu and Gallant, the ICC accepted the allegations by Khan that Israel is using starvation as a weapon of war and declared that the “alleged crimes against humanity were part of a widespread and systematic attack against the civilian population of Gaza.”

The charges against Netanyahu and Gallant are fully justified. But Israel is acting at the behest of US imperialism, together with the other imperial powers, in its genocidal war against the people of Gaza, which is part of the drive by the imperialist powers to reorganize the Middle East under their own domination. The response of US officials expresses the acknowledgement that they are guilty of aiding and supporting all the crimes with which Netanyahu is charged.

Republican Senator Tom Cotton responded to the ruling by making a veiled threat to attack the

Netherlands or any country that cooperates with the warrants. “Woe to him and anyone who tries to enforce these outlaw warrants. Let me give them all a friendly reminder: The American law on the ICC is known as The Hague Invasion Act for a reason. Think about it.”

Senator Lindsay Graham wrote in a statement on X:

The Court’s actions against Israel sets the foundation for the ICC to come after the United States one day. We must respond forcefully to the Court for our own good.

In another tweet, he added, “If you aid and abet the ICC after their action against the State of Israel, you can expect consequences from the United States.”

A joint statement by senators from both parties, including Graham and Democrat John Fetterman, stated, “Acquiescing to the Court’s jurisdiction over Israel is to agree, in theory, they have jurisdiction over the United States.”

US President Joe Biden responded to the ICC’s arrest warrants by declaring, “The ICC issuance of arrest warrants against Israeli leaders is outrageous. Let me be clear once again: Whatever the ICC might imply, there is no equivalence—none—between Israel and Hamas. We will always stand with Israel against threats to its security.”

Asked to comment on Graham’s calls to sanction the ICC, White House spokesperson Karine Jean-Pierre said that the US expressed openness to the proposal. “We are discussing ... with partners, including Israel” the possibility of sanctioning the ICC, she said.

The United States, the world's leading perpetrator of war crimes, is not a signatory to the Rome Statute that established the International Criminal Court and does not recognize its authority to prosecute US war crimes or those of Israel, its proxy in the Middle East.

On September 2, 2020, the United States government imposed sanctions on ICC prosecutor Fatou Bensouda, in response to an investigation by the court into US war crimes in Afghanistan. Despite this, the Biden administration publicly welcomed a war crimes investigation by the ICC against Russian President Vladimir Putin over the war in Ukraine.

Early last month, Israel initiated the so-called "Generals' Plan" in northern Gaza, and Israeli officials directly stated their intention to stop all food and water from entering into northern Gaza in an effort to force the population out through starvation. As part of the plan, anyone who remains would be treated as an enemy combatant and subject to being killed.

Later in October, US Secretary of State Antony Blinken traveled to Israel to meet with Netanyahu. During their meeting, the two sides explicitly discussed the so-called "Generals' Plan." After the discussion, Blinken issued a blanket endorsement of Israel's war aims, in an effective approval of the plan.

Since then, the amount of food entering northern Gaza has fallen to the lowest level since the start of the invasion, with a UN panel warning that famine is imminent in northern Gaza. Earlier this month, the State Department explicitly declared that Israel was not committing human rights abuses in Gaza by withholding food, despite the fact that just a tenth of the food the State Department said was adequate is getting into Gaza.

The ruling by the International Criminal Court has demonstrated, once again, the complete criminality of US imperialism. Having funded, armed and politically supported a genocide, the US government is threatening to sanction, and even attack, the institutions of international law.

It likewise vindicates the mass demonstrations all over the world against the Gaza genocide, which governments around the world have claimed are "antisemitic," as a pretext for carrying out arrests and banning demonstrations.

No one should be under any illusion, however, that this ruling will stop the genocide or even hold

Netanyahu and Gallant to account. The imperialist powers backing the genocide will abide no legal control over their acts of mass murder.

Stopping the genocide, alongside the broader eruption of world war, requires the building of a mass movement of the working class armed with a socialist perspective.



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