



# ***ISRAEL MATTERS!***

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## **Netanyahu Denounces War Crime Probe of Israel**

### **Head of UN Gaza War Inquiry Resigns Over Bias Allegations**

The head of a UN inquiry into last summer's conflict between Israel and Gaza said he would resign after Israeli allegations of bias due to consulting work he did for the Palestine Liberation Organization. Canadian academic William Schabas was appointed by the United Nations Human Rights Council to lead a three-member group looking into alleged war crimes during Israel's military offensive in Gaza.

Schabas informed the Commission he would step down immediately to prevent the issue from overshadowing the preparation of the report and its findings, which are due to be published in March. Schabas' departure highlights the sensitivity of the UN investigation just weeks after prosecutors at the International Criminal Court in The Hague said they had started a preliminary inquiry into alleged atrocities in Gaza. [See lead article.]

Israel has long criticized Schabas' appointment, citing his record as a strong critic of Israel and its political leadership. Prime Minister Benjamin Netanyahu said that the UN Human Rights committee has long become the "Terrorists' rights committee" and the results of its "investigations" are known in advance. "If any other evidence of this was needed, appointing the committee's chairman, whose biased opinions and positions against Israel are well known, proves beyond all doubt that Israel cannot expect justice and that the committee's report has already been written," the Foreign Ministry said at the time. [Haaretz]

Israeli Prime Minister Benjamin Netanyahu has again denounced the move by the International Criminal Court to launch an inquiry into possible war crimes committed against the Palestinians. In a recent televised speech, he called the move "absurd."

Netanyahu said the "ultimate folly" of the decision was that the democracy of Israel, a world leader in fighting terrorism, was being investigated by the ICC. At the same time, he said, "the terrorist criminals of Hamas" will be pressing the charges.

He said he would not be surprised if the Islamic State, al-Qaida and Hezbollah followed suit.

Hamas, meanwhile, welcomed the court decision, saying Israel had committed "horrible crimes" against the Palestinian people. Palestinian legislator Hanan Ashrawi called the ICC decision "a very encouraging sign, because it means that for the first time in its history, Israel is beginning to see some sort of accountability and some sort of global moves, particularly within the global legal system, to investigate its current actions and its war crimes."

The recently announced probe is not an investigation, but weighs information about possible crimes and jurisdiction issues to establish whether a full investigation is merited. ICC prosecutor Fatou Bensouda said her office would conduct an "analysis in full independence and impartiality."

The United States has also condemned the International Criminal Court's decision to launch the inquiry. "Our position on this is clear," State Department spokesman Jeff Rathke said. "We don't think that the Palestinians have established a state, and we don't think they're eligible to join the International Criminal Court."

If a full probe does go forward, it would open the door for charges against both Israeli and Palestinian officials.

The Palestinian Authority recently submitted documents to the United Nations to join the ICC. The Palestinian ambassador to the U.N., Riyad Mansour, called that move a "very significant step" that is necessary to seek justice for alleged crimes against the Palestinian people. The ambassador said the Palestinians were seeking retroactive jurisdiction from the ICC regarding crimes allegedly committed during last year's war in Gaza, which left nearly 2,200 Palestinians dead, including many children, while 73 Israelis were killed, mostly soldiers.

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Netanyahu said Hamas had fired thousands of rockets at Israeli civilians while using Palestinian civilians as human shields. The document handover was the last formal step for the Palestinians to join the ICC, a process that takes at least 60 days.

Palestinian President Mahmoud Abbas signed the documents after the U.N. Security Council rejected a draft resolution setting a three-year deadline for the establishment of a Palestinian state on lands occupied by Israel after the 1967 war.

Israel responded by freezing \$125 million in Palestinian tax revenues. The Palestinians rely on that monthly money transfer from Israel to run their government and pay the salaries of civil servants. Both the European Union and the U.S. criticized Israel's decision.

By becoming members of the ICC, the Palestinians also open themselves up to countercharges of war crimes.

Separately, Canada's top diplomat denounced the International Criminal Court for opening the preliminary probe into possible war crimes by Israel, which counts on his country as one of its staunchest allies. In a brief statement to reporters, Canadian Foreign Minister John Baird said the ICC's decision was "deeply regrettable" and would feature in his meetings with Israeli officials. "We look forward to discussing a range of issues, from trade to security, to the deeply regrettable decision at the ICC," he said before meeting his Israeli counterpart Avigdor Lieberman. "If we don't see a real dramatic change in (the Palestinians') position, we will ask all our friends to stop any funding for the ICC," Baird said. Canada contributed \$6.5 million to the court's annual budget. Japan, whose Prime Minister Shinzo Abe was visiting Israel at the time, is the biggest financial backer of the ICC, contributing \$23.6 million in 2014.

Canada played a central role in establishing the ICC and is a key supporter of the court -- a fact that was not lost on Israel. "We think it is completely unacceptable that a terrorist organization like Hamas will be able to file a lawsuit against Israel," Lieberman said, standing at Baird's side. "It's making a mockery of international law and the opposition of one of the founders of the ICC is very important, maybe crucial," he said.

Israeli Prime Minister Benjamin Netanyahu slammed the ICC move as "scandalous" and Washington said it was a "tragic irony" that the Jewish state, which had been hit by "thousands of terrorist rockets... is now being scrutinized by the ICC."

The U.N. formed the ICC in 1998. It prosecutes suspects accused of genocide, war crimes and other crimes against humanity. [VOA.com and YahooNews]

## Austrian prosecutor: Call to Kill Jews is Legal Criticism of Israel

Facebook postings from a Turkish man showing Adolf Hitler, with a statement praising the death of Jews, are a legitimate expression of criticizing the Jewish state, the spokesman for the prosecutor's office in the city of Linz, Philip Christl, said recently. "I could have annihilated all the Jews in the world, but I left some of them alive so you will know why I was killing them..." Ibrahim B. wrote on his Facebook page in December.

Ibrahim, the 29-year-old owner of a hair salon in the city of Wels near Linz, attributed the quote to Hitler and posted a picture of the German dictator on his Facebook site. Ibrahim launched his pro-Nazi tirade in the context of criticizing Israel's Operation Protective Edge war against Hamas last summer. Ibrahim, whose last name was not disclosed in the Austrian press, also called on Allah to annihilate the Jewish state, the newspaper wrote. The Austrian media said the quote attributed to Hitler was not an actual statement from the Nazi leader.

Christl described Ibrahim's statements as merely expressing "displeasure toward Israel," and not a glorification of Hitler, according to the Oberösterreichische Nachrichten paper. A Facebook user noticed Ibrahim's postings and notified the authorities who opened an investigation into a violation of a law that outlaws the glorification of the National Socialists.

Stefan Schaden, a member of the advisory board of the Austria-Israel Society, told The Jerusalem Post, "This position [of the prosecutor] is, unfortunately, becoming more popular. Everything passes as so-called criticism of Israel. Anti-Semitism seems to have been officially abolished. In view of the climate in Europe, it is a dramatic development."

The Austria-Israel Society protested the prosecutor's decision, saying it "legitimizes anti-Semitic agitation through Austria's judiciary." "It is troubling when the most disgusting agitation against Jews, as well as against the State of Israel, takes place without consequences," the president of the Austria-Israel Society, Richard Schmitz, said. He called on Austrian politicians and authorities to do more to stop the playing down of anti-Semitism.

Samuel Laster, the editor-in-chief of the Vienna-based news website Die Juedische, told the Jerusalem Post the prosecutor's decision is "shocking," adding that he has observed demonstrations against Israel using such slogans as "Zionists are fascists" and comparing the swastika with the Star of David. "Police did not see any reason to intervene," he said.

The uproar over the decision to dismiss the criminal complaint has prompted a senior prosecutor to reevaluate the case, Der Standard recently reported. [JPost]