

Arresting Netanyahu: The UK Petition on War Crimes

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“And yet, while [David] Cameron continues to impose limits on the number of refugees who can take shelter in the UK, he is willing to welcome Netanyahu to our shores.” Len McCluskey et al, The Guardian, Sep 7, 2015

It has been there, in the background, gurgling away. Israel’s Prime Minister, Benjamin Netanyahu, has been the subject of a busy UK petition which has seen over a hundred thousand signatures demanding his arrest. “Under international law, he should be arrested for war crimes upon arrival in the UK for the massacre of over 2,000 civilians in 2014.”[1]

The hundred thousand threshold, apart from its obvious statement of indignation, also brings into play another feature of the UK political process: it compels parliamentarians to take notice and debate the issue. The government, however, reserves the right not to hold a debate in the Commons “if the issue has already been debated recently or there’s a debate scheduled for the near future.”

When the petition started to gather steam, the Israeli Foreign Ministry gave it short shrift, deeming it “a public relations stunt with no practical significance.” The official position from the British government remains traditional: international law does not, as yet, countenance the prospects of arresting a head of state while holding office.

The moment Netanyahu decides to hang up his sword of battle and leave office, that could be quite another matter. Venues for safe travel have certainly shrunk over the years, and his blood spattered resume is becoming the stuff of legend.

For current purposes, Cameron’s position is that of lamentation and acceptance: pity the dead, but value necessary military action, the sort that inheres within the nasty confines of state sovereignty. “We recognise that the conflict in Gaza last year took a terrible toll. As the prime minister said, we were all deeply saddened by the violence and the UK has been at the forefront of international reconstruction efforts.”

The very statistical discrepancy between 2,100 dead Palestinians, 500 children, as against seventy-three Israelis, almost all combatants, should stand out as a classic of disproportionate military action. During the conflict between July and August last year, 6,000 airstrikes were launched, 50,000 tank and artillery shells fired. But such ruthless muscularity is more likely than not going to be stricken from the agenda.

As with so much on the Netanyahu schedules of late, such a visit will be closely choreographed. Local dissent will have to be managed. A delegation of parliamentarians has been combed to meet the Israeli prime minister. A range of Jewish leaders also make the

list. None of the four candidates of the Labor party's leadership will be amongst them, and certainly not Jeremy Corbyn, whose pro-Palestinian credentials are well noted.

Corbyn's position is reflected in a plethora of organisations who have argued for the squeeze to be applied to Israel. The Palestinian Solidarity Campaign, which is intending to hold a protest later today opposite 10 Downing Street, has called for arms embargos and sanctions to be imposed (*The Jerusalem Post*, Sep 9).

A joint letter published in the *Guardian*, authored by a range of unions (TSSA, RMT, Aslef, Unite), left wing advocates and Labour MPs Jo Stevens and Cat Smith, similarly denounced the visit, claiming that Netanyahu "must bear responsibility for war crimes identified by the UN human rights council in its investigation into Israel's 2014 assault on Gaza." [2]

Those wishing to identify some form of proportionate response on the IDF's part tend to point to the 4,881 rockets fired by Hamas and other militant groups, including 1,753 mortar rounds into Israel. The balance sheet of death is somewhat less impressive than that of the Israeli war machine: six civilians in all, albeit a considerable number of injuries – 1,600.

Netanyahu's own salvo against the UN report was to argue that it stemmed from "a committee that does everything but protect human rights". Case closed. A similar response ensued to the Amnesty International report on the same conflict from the Israeli Ministry of Foreign Affairs. Amnesty International had supposedly ignored "the heinous strategy of these terrorist organisations to embed their military operations within the civilian environment, and to fire at the IDF and Israel's civilian population from behind the civilian population." [3]

Israel's officials have previously featured as subjects of interest on the British legal circuit. Former Israeli Foreign Minister Tzipi Livni was the subject of an arrest warrant from a British court in 2009. It was subsequently withdrawn as Livni took heed and cancelled her trip to Britain.

Earlier this year, there were mutterings that former defence minister Shaul Mofaz could be a potential target. According to the *Jerusalem Post*, "Israeli media reported that Mofaz was at risk of being detained on possible war crimes charges since Israeli authorities had tried and failed to secure diplomatic immunity for him on the trip." [4]

While the wheels of international law on the subject of criminal responsibility tend to move slowly, the International Criminal Court is engaged in preliminary investigations into the 2014 war. Israel remains rather vocal in attempting to undermine it.

As such, much of this legal process remains ritualised and careful – to start going about clapping current leaders in irons for alleged crimes of high order would see an emptying out of the stables. Netanyahu, however, has been put on lingering notice.

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Notes

[1] <https://petition.parliament.uk/petitions/105446>

[2]

<http://www.theguardian.com/world/2015/sep/07/binyamin-netanyahu-uk-visit-denounced-letter-war-crimes>

[3]

<http://www.nationalreview.com/article/422891/british-leftists-want-bibi-netanyahu-arrested-war-crimes-mark-antonio-wright>

[4]

<http://www.jpost.com/Israel-News/Politics-And-Diplomacy/Arrest-Netanyahu-for-war-crimes-British-petitioners-demand-411777>

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