MK Zoabi Offers to Help ICC Indict Netanyahu Over Settlements Law

February 9, 2017

By [Ben Lynfield](http://www.jpost.com/Author/Ben-Lynfield)

The Jerusalem Post

<http://www.jpost.com/Arab-Israeli-Conflict/Zoabi-offers-to-help-ICC-indict-Netanyahu-over-settlement-law-481020>

Arab legislators and any citizen with democratic sensibilities should do what they can to encourage the International Criminal Court to indict Prime Minister Benjamin Netanyahu and other leaders for violating international law with the settlement regulation law, MK Haneen Zoabi (Joint List) said this week.

“We will take any action that can encourage the ICC to act against Netanyahu and other politicians,” Zoabi told *The Jerusalem Post*. “We can’t apply to the ICC as individuals or as a parliamentary movement; only states can apply officially. But we can help with any information. We will do our best to obtain and push for this. Any democratic person should do that.”

Asked for what crime she would like to see Netanyahu prosecuted, Zoabi said: “Stealing others’ land, stealing Palestinian land.” Transferring citizens of the occupied power into the occupied territory is a war crime, according to the Rome Statute that established the International Criminal Court.

The settlement regulation law entails multiple violations of international law, Zoabi said.

“It applies Israeli law in the occupied territories, which is a violation of international law. The law allows the expropriation of private Palestinian lands in the West Bank for the purposes of settlement legalization and further construction, which also violates international law as pointed out by Attorney-General [Avichai] Mandelblit.

"The law violates both international law and the UN Security Council resolution of December 23, which reconfirmed the illegal status of the settlements.”

Meanwhile, MK Yousef Jabareen (Joint List) said the list’s legislators have decided not to petition the Supreme Court against the law because they do not recognize the authority of the court to deliberate on matters related to the West Bank.

“The Knesset shouldn’t legislate about the West Bank and the Supreme Court shouldn’t have authority over the West Bank,” he said.

“We see all Israeli settlements in the West Bank as illegal and immoral and we prefer not to get into the Israeli legal framework that classifies settlements as legal or illegal. However, we are in touch with human rights organizations who petitioned the courts and we support their petitions.”

Zoabi said: “We cannot just address the Israeli court to ask if this law is legal or not. We know it is not. We know it is not according to international law and international law is the only law that applies to this occupied territory.”

She said the time has come for the ICC to act against Israel, “because it is so obvious that the Israeli policy is to decide facts on the ground and we can’t trust the internal Israeli dynamics, the Knesset or any change in the Israeli political scene. Unless you address the international court and other institutions to pressure Israel, it won’t reach the conclusion that what it is doing is a violation of international rights. We need some kind of sanctions and some kind of punishment.

Our message is the ICC must intervene in this. I support Boycott, Divestment and Sanctions for Israel. As long as the benefits of the occupation and stealing land are more than the losses, Israel will continue oppressing, stealing and expanding settlements. Israel must lose in its interests.”

“The matter of legitimacy is so sensitive to Israel that any steps that can send Israeli public opinion a message delegitimizing its policies can create pressure for change, and for this you need real punishment through sanctions and BDS,” Zoabi said.

MK Basel Ghattas (Joint List) also called for sanctions against Israel in the wake of passage of the law.

“Israel, which doesn’t pay any price for its occupation and oppression of the Palestinian people and preventing its right of self-determination, won’t change without being faced internationally with punishment measures and economic boycott,” he told the Arab48 website.