Czech Republic Offers ICC to Be 'Friend of the Court' in Israel-Palestine Case

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The Czech Republic filed a petition Thursday with the International Criminal Court, requesting to be "a friend of the court" (amicus curiae) in deliberations that will examine if it has the jurisdiction to rule whether Israel committed war crimes against the Palestinians in the West Bank, the Gaza Strip and East Jerusalem.

Although Israel tends not to formally take part in such deliberations – because its participation would be perceived as legitimizing the ICC and its procedures – it has requested, following ICC Prosecutor Fatou Bensouda's original bequest, that a hearing be held to examine the ICC's jurisdiction to probe Jerusalem's treatment of the Palestinians. The Czech Republic thus requested to join these proceedings in favor of Israel alongside the Israel Bar Association, which made a similar request on Thursday.

Israeli officials told Haaretz they welcomed the Czech Republic's decision to join the deliberations, and that efforts were made on Israel's part to promote the matter.

Haaretz has also learned that Germany may also join the proceedings ahead of the Sunday deadline to publish all pending petitions.

In its petition, the Czech Republic states that it believes the Palestinians have not yet met the requirements for statehood, as required under international law.

According to the petition, "the 'Situation in the State of Palestine', the Czech Republic believes that the issue of the statehood of Palestine should be addressed. This question is closely linked to the question of the Court's jurisdiction and, therefore, relevant."

However, the petition states that "It has been a long-standing position of the Czech Republic that Palestine has not fulfilled yet all the criteria of statehood under international law.

In December, ICC Prosecutor Fatou Bensouda stated that there is reasonable basis to investigate Israel for its actions but has requested the court to decide over the question of its jurisdiction in the Palestinians territories. Israel's attorney general argued that the ICC, to which Israel is not a party, "lacks jurisdiction in relation to Israel and that any Palestinian actions with respect to the court are legally invalid," as the Palestinian Authority is not a sovereign states, although it has joined the ICC's Rome Statute.

The Prosecutor's Office specifically noted allegations that Israel has been involved in demolishing Palestinian property and evicting Palestinians from the West Bank and East Jerusalem. It also referenced 2014's Operation Protective Edge, the war in the Gaza Strip, as well as Israel's plan to evacuate residents of the Bedouin village Khan al-Ahmar, and Israeli construction of settlements in the West Bank.

In January the ICC said it would delay its debate into whether it has the jurisdiction to probe alleged Israeli war crimes in the West Bank, Gaza and East Jerusalem due to a procedural error related to the filing's page limit.

Also in January, Prime Minister Benjamin Netanyahu said in an interview on a Christian television network that the International Criminal Court is in a "full frontal attack" on democracy and the Jewish people's right to live in Israel, and called for sanctions on the world court in light of its prosecutor's intent to probe Israel's alleged war crimes against Palestinians.