



Written by [D. Michael DeRidder](#) on May 20, 2024

ICC Requests Arrest Warrants for Netanyahu, Gallant, and Three Hamas Leaders

International Criminal Court (ICC) prosecutor [Karim Khan requested arrest warrants](#) for Israeli Prime Minister Benjamin Netanyahu, Israeli Defence Minister Yoav Gallant, Hamas political Leader Ismail Haniyeh, Hamas chief Yahya Sinwar, and Hamas military leader Mohammed Diab Ibrahim Al-Masri. Khan alleges the five men “bear criminal responsibility” for crimes committed throughout the ongoing Israel-Hamas war.

The ICC alleges Netanyahu and Gallant are responsible for the starvation and willful killing of Palestinian civilians, stating:



AP Images
Benjamin Netanyahu

On the basis of evidence collected and examined by my Office, I have reasonable grounds to believe that Benjamin NETANYAHU, the Prime Minister of Israel, and Yoav GALLANT, the Minister of Defence of Israel, bear criminal responsibility for the following war crimes and crimes against humanity committed on the territory of the State of Palestine (in the Gaza strip) from at least 8 October 2023:

- Starvation of civilians as a method of warfare as a war crime contrary to article 8(2)(b)(xxv) of the Statute;
- Wilfully causing great suffering, or serious injury to body or health contrary to article 8(2)(a)(iii), or cruel treatment as a war crime contrary to article 8(2)(c)(i);
- Wilful killing contrary to article 8(2)(a)(i), or Murder as a war crime contrary to article 8(2)(c)(i);
- Intentionally directing attacks against a civilian population as a war crime contrary to articles 8(2)(b)(i), or 8(2)(e)(i);
- Extermination and/or murder contrary to articles 7(1)(b) and 7(1)(a), including in the context of deaths caused by starvation, as a crime against humanity;
- Persecution as a crime against humanity contrary to article 7(1)(h);
- Other inhumane acts as crimes against humanity contrary to article 7(1)(k).

Khan also alleges Hamas leaders Haniyeh, Sinwar, and Al-Masri are responsible for the killing of Israeli civilians, stating:

On the basis of evidence collected and examined by my Office, I have reasonable grounds to believe that Yahya SINWAR (Head of the Islamic Resistance Movement (“Hamas”) in the Gaza Strip), Mohammed Diab Ibrahim AL-MASRI, more commonly known as DEIF (Commander-in-Chief of the military wing of Hamas, known as the Al-Qassam Brigades), and



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Ismail HANIYEH (Head of Hamas Political Bureau) bear criminal responsibility for the following war crimes and crimes against humanity committed on the territory of Israel and the State of Palestine (in the Gaza strip) from at least 7 October 2023:

- Extermination as a crime against humanity, contrary to article 7(1)(b) of the Rome Statute;
- Murder as a crime against humanity, contrary to article 7(1)(a), and as a war crime, contrary to article 8(2)(c)(i);
- Taking hostages as a war crime, contrary to article 8(2)(c)(iii);
- Rape and other acts of sexual violence as crimes against humanity, contrary to article 7(1)(g), and also as war crimes pursuant to article 8(2)(e)(vi) in the context of captivity;
- Torture as a crime against humanity, contrary to article 7(1)(f), and also as a war crime, contrary to article 8(2)(c)(i), in the context of captivity;
- Other inhumane acts as a crime against humanity, contrary to article 7(1)(k), in the context of captivity;
- Cruel treatment as a war crime contrary to article 8(2)(c)(i), in the context of captivity; and
- Outrages upon personal dignity as a war crime, contrary to article 8(2)(c)(ii), in the context of captivity.

In response to Khan's request for Netanyahu's and Gallant's arrest, U.S. Army veteran and Israel Defense Forces volunteer Representative Brian Mast (R-Fla.) said the United States [does not recognize the ICC](#), and implied the court would face retaliation for its actions, [stating on X](#):

Earlier today, Representative Elise Stefanik (R-N.Y.) met with Netanyahu and expressed support for Israel, [stating on X](#):

Hungarian Prime Minister Viktor Orbán called Khan's actions counterproductive, [stating on X](#):



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