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US Rights Group Urges Genocide Probe of Netanyahu

With an eye on Netanyahu’s Washington visit this week, the Center for Constitutional Rights says Israeli officials’ frequent visits to Washington place them in U.S. jurisdiction.



Israeli Prime Minister Benjamin Netanyahu in April 2021. (DoDt o/Jack Sanders)

With Israeli Prime Minister Benjamin Netanyahu about to arrive in Washington, an American legal group is pressuring the U.S. Department of Justice to open a criminal investigation into Netanyahu and other officials for committing or authorizing genocide, war crimes, and torturing Palestinians in the Gaza Strip.

Since Israel launched its retaliation for a Hamas-led attack on Oct. 7, Israeli forces partly armed by the U.S. government have killed at least 38,848 people and wounded another 89,459 — according to Gaza officials — while destroying civilian infrastructure and restricting the flow of humanitarian aid into the Palestinian enclave.

“We believe ample credible evidence exists to sufficiently establish that serious crimes falling within U.S. criminal jurisdiction are systematically being perpetrated in

Gaza,” says the Center for Constitutional Rights’ (CCR) 23-page letter to Hope Olds, who leads the Human Rights and Special Prosecutions Section (HRSP) of the DOJ’s Criminal Division.

The letter says:

“Given the frequent travel of Israeli officials and citizens to the United States resulting in their presence within U.S. jurisdiction, and recalling that HRSP is part of a coordinated, interagency effort to deny safe haven in the United States to human rights violators, the Department of Justice must urgently investigate and hold accountable those responsible for war crimes and other serious crimes being committed on a wide-scale basis in the occupied Gaza Strip, including potentially U.S. and U.S.-dual citizens.”

The Israeli prime minister is expected to be in the United States from at least Monday to Wednesday for a meeting with U.S. President Joe Biden and to address a joint session of Congress, despite objections from critics of Israel’s war including some lawmakers.

“Netanyahu has killed more than 14,000 precious Palestinian children with U.S. weapons and support and is starving all of Gaza — and now sycophants in the White House and Congress are rolling out the red carpet for him,” Maria LaHood, CCR’s deputy legal director, said on Friday in a statement.

“DOJ’s Human Rights and Special Prosecution Section must exercise its mandate to investigate Netanyahu and hold him to account for his heinous crimes, just as it would an international criminal from any other country.”

The group’s letter says that “in light of Netanyahu’s ... visit, HRSP should prioritize investigating him... There is overwhelming evidence that under Netanyahu, Israeli forces and authorities are committing genocide, war crimes, and torture against Palestinians in Gaza, acts that are proscribed under federal criminal statutes and prosecutable by HRSP.”

The letter says:

“As the most powerful political figure in Israel, Netanyahu also leads the Security Cabinet, as well as the recently dissolved War Cabinet — the two bodies responsible for setting the strategy for and directing the military assault on Gaza since October 7, 2023. He therefore bears criminal responsibility for the serious international crimes committed against the Palestinian population over the past nine months.”

Various developments last week elevated concerns for the people of Gaza. The World Health Organization said Friday that poliovirus has been detected in sewage samples at six locations in the strip, and Amnesty International on Thursday published interviews with 27 former detainees who described being tortured by Israeli forces.

A Wednesday report from Oxfam detailed what the group called Israel’s “water war crimes” in Gaza. That same day, Israeli lawmakers overwhelmingly passed a resolution opposing “the establishment of a Palestinian state” west of the Jordan River — widely seen as an effort to send a message to Netanyahu ahead of his trip to D.C.

International Criminal Court Chief Prosecutor Karim Khan is seeking arrest warrants for Netanyahu, Israeli Defense Minister Yoav Gallant, and three Hamas leaders, and Israel faces a South Africa-led genocide case at the International Court of Justice — which on Friday issued a non-binding advisory opinion that Israel’s occupation of Gaza and the West Bank, including East Jerusalem, is unlawful and must end “as rapidly as possible.”

So far, legal efforts to hold the Biden administration accountable for enabling Israel’s genocidal violence against Palestinians have been unsuccessful. A three-judge panel of the 9th U.S. Circuit Court of Appeals last week affirmed a lower court’s dismissal of a lawsuit against the president, Secretary of State Antony Blinken, and Defense Secretary Lloyd Austin.

CCR attorney Katherine Gallagher, who represented plaintiffs in the case, said that “this stunning abdication of the court’s role to serve as a check on the executive even in the face of its support for genocide should set off alarm bells for all.”

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