

**Israel-Hamas war**

## EU split over ICC's Israel and Hamas arrest warrants bid

France voices support for international court and its 'fight against impunity'



ICC prosecutor Karim Khan's request for arrest warrants came amid mounting international condemnation of Israel's seven-month-long offensive in Gaza © AFP via Getty Images

**James Shotter** in Jerusalem and **Henry Foy** in Brussels 5 HOURS AGO

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France has voiced its support for the International Criminal Court and its “fight against impunity”, as the court’s prosecutor’s request for arrest warrants against Israeli and Hamas leaders laid bare deep divisions in the EU over the war in Gaza.

[Karim Khan sought warrants](#) against Israeli Prime Minister Benjamin Netanyahu and defence minister Yoav Gallant, along with three Hamas leaders, saying he had “reasonable grounds to believe” they bore “criminal responsibility” for alleged war crimes during the fighting.

The announcement [triggered unanimous condemnation in Israel](#) — with Netanyahu denouncing it as “absurd and false . . . and a distortion of reality” — as well as fierce criticism from US President Joe Biden, Israel’s staunchest international ally. But in the EU, reactions were mixed.

In a statement late on Monday, the French foreign ministry said it had been warning of the “unacceptable nature of civilian losses in the Gaza Strip for months”. It reiterated France’s condemnation of Hamas’s October 7 attack on Israel, during which militants killed 1,200 people, and took about 250 hostage, according to Israeli officials.

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Belgium echoed France's support for the ICC, with foreign minister Hadja Lahbib posting on the social media platform X: "Crimes committed in Gaza must be prosecuted at the highest level, regardless of the perpetrators."

But in a stark demonstration of the continent's divides, Italy's foreign minister, Antonio Tajani, said it was "truly singular, I would say unacceptable, to equate a government legitimately elected by the people in a democracy with a terrorist organisation that is the cause of everything that is happening in the Middle East".

Czech Prime Minister Petr Fiala described the war crimes allegations against Netanyahu as "appalling and completely unacceptable".

Meanwhile, the German foreign ministry praised the ICC as a "fundamental achievement of the international community", while also condemning what it said was "the inaccurate impression of an equivalence" between Israeli and Hamas leaders.

Khan's request for arrest warrants came amid mounting international condemnation of Israel's seven-month-long [offensive in Gaza](#), which has killed more than 35,000 people, according to Palestinian officials, and fuelled a humanitarian catastrophe in the enclave.

However, within the EU, the war has exposed [long-standing fissures](#) between the bloc's members, pitting strong supporters of Israel such as the Czech Republic and Hungary against traditional advocates for Palestinian statehood such as Spain, Belgium and Ireland.

That has regularly stymied [past efforts](#) to reach consensus on issues such as a ceasefire demand. Almost 24 hours after Khan's announcement, there had been no statement from the EU, nor from either of its two presidents.

EU foreign policy decisions require unanimity, and senior EU officials typically only make public statements when they are confident of the backing of all the bloc's 27 states.

While the [ICC](#) has previously issued arrest warrants against leaders such as Russia's Vladimir Putin and Libya's late leader Muammer Gaddafi, if the court were to issue a warrant against Netanyahu, it would mark the first time that it had done so against a western-backed leader.

The ICC itself has no way of enforcing such warrants. But the 124 states that are members of the court — which include all of the EU — would be obliged to arrest

anyone subject to a warrant who entered their territory.

*Additional reporting by Leila Abboud in Paris and Guy Chazan in Berlin*

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