IDF reservists complain against Hamas at the International Criminal Court

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IDF reservists have filed a complaint against Hamas and the group’s leader Ismail Haniyeh in the International Criminal Court in the Hague on Thursday, the first time such charges have been laid.

The 70 page complaint compiled by the My Truth organization established following Operation Protective Edge in 2014 by Avihai Shorshan, includes signed testimonies and photographs from reservists describing the use of human shields to carry out terror attacks and other human rights violations in recent years as well as recent months along the Gaza border.

"The time has come to put an end to the fabricated stories that the international community recites against IDF soldiers and against Israel," said Shorashan.  "The world must understand that these are the war criminals - not the IDF soldiers who operate according to the strictest ethical codes in the world."

“This complaint is about systematic violations of human rights, harming innocent civilians - Israelis and Palestinians alike - is a violation that according to any legal criterion constitutes war crimes,” he continued, adding that some of the testimonies describe what could be considered as crimes against humanity.

While the organization has collected some 33 signed testimonies from events from 2004 to present, eight of them have been submitted to the Hague in cooperation with lawyers from the International Legal Forum and the Jerusalem Institute of Justice, all of them relating to incidents which occurred over the past 11 months of Great Return March protests.

Additional testimonies collected by the organization also include cases where ambulances were used to transport weapons and terrorists, rockets being launched from kindergartens, using women and children as human shields, violating humanitarian cease-fires and others.

The main points of the testimonies were presented by Attorney Uri Morad of the Jerusalem Justice Institute to the ICC which is now expected to decide whether or not to initiate criminal proceedings against Hamas and Haniyeh.

"This is a test of truth to the International Court of Justice in The Hague - is it really a serious and objective institution? The International Court of Justice now has a rare opportunity to convey to the world that there is no place for harming any population, and that it is no longer possible to face the daily routine of torture, cruel acts and systematic violence by leaders and commanders against their own people,” Morad said.

“Ismail Haniyeh contributes to perpetuating the conflict between the rival Palestinian political factions and instability in the region, the time has come for the world to punish and take concrete steps,” he added.

In a December interview with The Jerusalem Post, Shorshan said the group’s main goal “is to be a non-political organization which presents the complete picture of what IDF soldiers face to the world, with no political angle. Just the situation on the ground.”

“These soldiers were on the fence Friday after Friday until November,” Shorshan continued. “The main things about the protests along the fence is that they not simple civilian demonstrations, these are terror attacks against our fence and we know exactly what Hamas plans to do when they cross the fence. There is no western country in the world which shares a fence with a terror organization and we have four terror organizations on our borders. And some communities are just hundreds of meters from the fence.”

“When the March of Return protests began in April our soldiers were going in front of Hamas terrorists every Friday and we saw them use women and soldiers to attack our soldiers. When we turn on CNN nobody ever talks about the evil methods that Hamas uses, only our methods,” Shorshan said.

“This is the right time to not only speak about Israel but about what they do as well.”