Justice Ministry Official: Legal establishment is legal iron dome of IDF

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<https://www.jpost.com/Israel-News/Justice-Ministry-Official-Legal-establishment-is-legal-iron-dome-of-IDF-556605>

“The legal establishment is the legal Iron Dome of the IDF” against war crimes allegations in foreign forums, a Justice Ministry official said on Wednesday.

The comments, made at an Knesset subcommittee hearing hosted by MK Tzipi Livni, came as there have been multiple statements from the International Criminal Court prosecution hinting it may move on war crimes allegations against the IDF’s handling of the Gaza border crisis, coinciding with domestic political attacks on the power and conduct of Israel’s Supreme Court.

The IDF, according to Hamas, has killed more than 100 Palestinians and wounded thousands during confrontations at the Gaza border over the last six weeks.

[The IDF has blamed Hamas](https://www.jpost.com/Arab-Israeli-Conflict/Defense-Minister-Hamas-is-a-group-of-cannibals-that-uses-kids-as-weapons-556598) for organizing attacks and riots, while the Palestinians and much of the world have said Israel has used “disproportionate force” to put down nonviolent protests.
Against this backdrop, Livni criticized those political officials who have attacked the Supreme Court and the legal establishment, saying that statements from Justice Ministry and IDF legal officials showed that reducing their independence would undermine Israel’s fight in the international legal arena.

Marlene Mazel, a senior international affairs official at the Justice Ministry, said Israel’s legal establishment is “the central point of strength in defending our soldiers and commanders and is the reason that Israel has succeeded in intercepting legal complaints against IDF soldiers before” foreign courts.

Another senior Justice Ministry international affairs official, Gilad Noam, said that as long as Israeli prosecutors and courts are independent and are not blocked from probing alleged IDF violations, the ICC under its own statute should be prevented from intervening, on the grounds that it only steps in where nations do not self-investigate.

Lt.-Col. Ron Katzir, head of the IDF International Law Department, told the MKs “there are probes into incidents in which our fighters are involved all of the time, including during this period.”

Katzir added, “In the IDF legal division, we view these internal probes [of the legality of soldiers’ conduct] with great importance. The IDF military advocate-general gets full support from the command echelon, but acts independently.”

According to Livni, the bottom line is that international legal forums to date have not indicted IDF soldiers out of respect for Israel’s Supreme Court and its apparatus for probing soldiers for alleged war crimes.

In contrast, she said reducing the Supreme Court’s power – there are  [initiatives to allow the Knesset to override the court](https://www.jpost.com/Israel-News/The-Supreme-Court-override-bill-a-constitutional-crisis-553653) on issues which are controversial globally – will lead to greater vulnerability for IDF soldiers globally.

The Jerusalem Post has learned that the Knesset panel was given examples where Israel’s investigations against its own soldiers, its legal efforts internationally, and the Supreme Court’s reputation, were mentioned by foreign courts as a basis to dismiss foreign cases against Israelis.