**Israel must fight the ICC diplomatically, not legally**

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When speculations first arose that the Biden administration would catalyze the International Criminal Court at The Hague's decision to investigate Israel for war crimes, there were some officials in Washington who indeed believed this to be plausible. The decision was postponed for a year, and then the ICC announced its decision right around the time the new president entered the White House.

The ICC is a political body, and as long as it and its high-ranking officials are subject to political pressure and threats of sanctions, the legal proceedings against Israel come to a standstill.

Israel can only fight this destructive body through diplomatic means. One of the mistakes Israel makes and needs to wean itself from is that it tackles this issue on a legal level. In other words: The attorney general to the government and the legal adviser to the Foreign Ministry have treated the problem facing Israel as if it were a legal issue. They prepare legal answers. It's time to stop with this. If legal officials do have a role, from this point forward it should be preparing the legal tools to buttress the political fight on the international stage.

This means that within the framework of an orchestrated propaganda campaign, the relevant legal experts must prepare cases exhibiting the despicable record of senior Palestinian Authority officials who had a hand in terror. These cases need to be exposed in the international arena and the media. Beyond this, Israel must not cooperate with the ICC, whose authority it doesn't recognize and of which it isn't a member.

ICC Chief Prosecutor Fatou Bensouda is still on duty and apparently decided not to wait for her replacement, who is a Pakistani national. The identity of the prosecutor, however, isn't important. The process at hand is an automatic political bureaucratic one, which will ultimately lead to indictments. The Israeli government, for its part, must declare that Israelis who cooperate with the ICC's investigation will face criminal prosecution.

This step can be implemented, first and foremost, to deter government or military officials. Can such a measure be applied against individuals who head anti-Israel non-governmental organizations engaged in political and legal warfare? This is another question.

We mustn't repeat the mistake from a few years ago when Israel allowed ICC officials into the country to explain Israel's position on the matter. The ICC, however, apparently won't require any investigations on the ground, which Israel should certainly prohibit. Palestinian and Israeli or international organizations, or the Palestinian Authority itself, can submit material to the ICC. The process isn't comprehensively against Israel, rather needs to specifically target certain individuals. It will take them time to translate the material into specific indictments.

We need to take into account, however, that the process, as stated, will inevitably lead to indictments. Israeli officials such as Zeev Elkin, who organized the government's handling of the ICC problem, incredulously think Israel's response to the legal proceedings against us should be drastic steps regarding the settlements in Judea and Samaria. Prof. Avi Bell, however, who has been active on this front for years now, says he doesn't see a connection between the two issues.

No settlement-related action will deter the Palestinians from pursuing their goals in the international legal arena. Prime Minister Benjamin Netanyahu also believes this track is irrelevant and views this position as demagoguery. What is needed, on the other hand, is an all-out diplomatic effort against the ICC, which was proven effective under former US President Donald Trump.

Ultimately, when the indictments do arrive, they will be baseless because the accused individuals will never appear before the court, and it won't be possible to try them in abstention. The movement of Israeli officials in certain countries will become a permanent hassle, but a tolerable one. What will happen is that the process will open the gates of endless persecution by the international Left, the Palestinians and their helpers in Israel. Anti-Semitism will rise, and along with it Israelis' sense of being under siege.