**ICC ruling: What are the real implications for Israel?**

By: Maayan Jaffe-Hoffman

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Despite the International Criminal Court’s ruling that it has jurisdiction to investigate Israelis for actions they carried out in Gaza, the West Bank and east Jerusalem, Israel Democracy Institute vice president of research Prof. Yuval Shany said it does not necessarily mean it will lead to arrests.

“We have a long way to go before the investigations mature into indictments against specific individuals and arrest warrants,” Shany said. “By then the prosecution will also have to formulate a position on whether IDF internal investigations are sufficient to prevent the prosecution of soldiers.”

He explained that in a similar case involving the actions of British soldiers in Iraq, the court recently imposed low standards on formal investigations. As such, “the likelihood [is] that military investigations into Operation Protective Edge will prevent proceedings against IDF soldiers in connection with this operation.”

Moreover, he clarified that the court determined that since the Palestinian Authority joined the Rome Statute it should be treated as a state, and therefore the tribunal is empowered to adjudicate. It did not, on the other hand, rule on or accept any argument that the PA meets the general conditions for state recognition as per international law.

The decision is “only pertinent with regards to the interpretation of the powers of the court itself,” Shany stressed, and it reduces the significance of the decision.

“The majority position accepts the plaintiff’s claim that the ’67 borders delineate the territory for which the court applies its judicial powers,” Shany continued. “This is a blow for Israel, as it allows the plaintiff to proceed with the investigation of the complaint that Israel committed a crime of ‘transfer of population into occupied territory.'”

On the other hand, he concluded, the judges did not decide whether the Oslo Accords are relevant to the Palestinians’ ability to cooperate with the tribunal in connection with the investigation against Israeli citizens. Rather, he said, they held that “the issue would be examined later if and when arrest warrants are issued.