# IDF legal chief: We don't take advice from law-breaking states

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The IDF should be wary of taking advice about international law from the many law-breaking nations which routinely hijack the UN Human Rights Council to turn it against Israel, IDF legal chief Brig.-Gen. Sharon Afek said on Monday.

His statement at the Israel Bar Association Conference in Eilat amounted to an unusually undiplomatic verbal assault from the normally understated IDF legal chief in response to the UNHRC condemnation of Israel in mid-May.

Recounting the UNHRC’s condemnation of the IDF’s conduct during the Gaza border crisis, Afek said that the UNHRC had also “characterized our legal establishment as defective and established a commission of inquiry into the incidents” in which IDF soldiers killed Palestinians under disputed circumstances.

He said that the UNHRC inquiry would likely “almost automatically” join past UNHRC commissions to one-sidedly condemn Israeli actions on the Gaza border.

“Woe to us if we take advice in the areas of justice and law from the majority of the nations which initiated and supported this decision,” said Afek, sounding an unusual rebuke.

“What can we expect from a council” whose debate over the Gaza border issue was held under the title “violations of international law in the context of civilian protests in the Palestinian occupied territories?” he asked.

“The IDF does not need any encouragement or outside pressure in order to investigate its actions,” he said.

Much of the world’s democracies’ militaries aspire to have investigatory apparatuses as serious as the IDF’s, he said.

Interestingly, Afek said nothing negative about the International Criminal Court prosecution, which is preliminarily reviewing war crimes allegations against the IDF, but which has not decided yet whether it will open a full criminal probe.

Discussing the IDF’s current review of incidents in Gaza, he said that the fact-finding mechanisms led by a senior commander were moving at full speed and that he himself would “not hesitate” to order full criminal probes where necessary.

In addition, he noted the High Court of Justice’s decision last week declaring the IDF’s open fire rules on the Gaza border as legal.

He cited statements from the High Court’s justices, relating their recognition that mixed in with the protesters were Hamas and other terrorist agents.

Afek quoted Justice Neal Hendel, who used a reference to biblical trickery used by Jacob to fool Isaac, saying: “The voice was a voice of protest, but the hands were the hands of terror.”

Earlier at the conference, Justice Minister Ayelet Shaked and State Attorney Shai Nitzan traded barbs over whether the police and the prosecution play their hands too roughly.

Shaked pitched the audience with an initiative to root out false convictions and the abuse of power by police and prosecution.