Israel ‘Exceeded Legal Standards’ in Gaza Conflict, Military Group Tells UN

June 13, 2015

By Times of Israel Staff

Times of Israel

<http://www.timesofisrael.com/israel-did-not-commit-war-crimes-in-gaza-says-multi-national-military-group/>

A multinational military group comprised of former chiefs of staff, generals and politicians submitted a report to the United Nations on Friday indicating that Israel went to great lengths to adhere to the laws of war and to protect Palestinian civilians during last summer’s 50-day war with Hamas in and around the Gaza Strip.

[The report](http://blog.unwatch.org/index.php/2015/06/12/key-findings-of-the-high-level-international-military-group-on-the-gaza-conflict/) was submitted to the official UN probe into Operation Protective Edge, the UN Human Rights Council’s Commission of Inquiry*,*which is expected to issue its own report in the coming days. The findings are set to be discussed at the end of the month before the council.

The High-Level International Military Group on the Gaza Conflict in 2014 held a fact-finding mission to Israel between May 18-22. It was sponsored by a pro-Israel group, was reportedly given unprecedented access to senior officials, and investigated allegations of war crimes and disproportionality.

The group found that “during Operation Protective Edge last summer… Israel not only met a reasonable international standard of observance of the laws of armed conflict, but in many cases significantly exceeded that standard.”

They wrote that “in some cases Israel’s scrupulous adherence to the laws of war cost Israeli soldiers’ and civilians’ lives.”

The mission specified that, according to its findings, the summer conflict was “not a war Israel wanted,” and it exercised great restraint in the months preceding the war when its civilian centers, especially in the south, were targeted by sporadic rocket attacks from Gaza.

“The war that Israel was eventually compelled to fight against Hamas and other Gaza extremists was a legitimate war, necessary to defend its citizens and its territory against sustained attack from beyond its borders,” the group wrote, adding that even in that time of war, Israel took extraordinary measures to protect the lives of innocent Palestinian civilians.

 “Each of our own armies is of course committed to protecting civilian life during combat. But none of us is aware of any army that takes such extensive measures as did the IDF last summer to protect the lives of the civilian population in such circumstances,” the report read.

The 50-day war is said to have killed more than 2,100 Palestinians, many of them civilians, according to Palestinian sources in the Hamas-run Gaza Strip; and 73 Israelis, including 66 soldiers.

While acknowledging that some Palestinian deaths were caused by some errors and misjudgments during the war, the panel said Hamas and other Gaza-based terror groups “as the aggressors and the users of human shields” were responsible for “the overwhelming majority of deaths in Gaza this summer.”

Israel said about half of those killed in Gaza were combatants and blamed Hamas for all civilian casualties, since it placed military infrastructure in residential areas.

That finding was echoed in the mission’s report, which also said that Hamas’s deliberate rocket attacks on Israeli civilians, its tunnel-building activities meant for the abduction and killing of Israelis, its operations in the heart of civilian life in Gazan cities including near schools, mosques and hospitals, its use of UN facilities to store arms and launch rockets and its use of human shields all constituted war crimes.

The mission, sponsored by the Friends of Israel Initiative, was headed by the former chief of staff of the Bundeswehr and chairman of the NATO Military Committee, General Klaus Naumann, and included 10 other generals, chiefs of staff, politicians and officials from Holland, Spain, Italy, Australia, Colombia, the US and the UK.

On Thursday, the Israel Defense Forces announced that the Israeli military’s chief legal official opened three new criminal investigations into actions during last summer’s war in the Gaza Strip and that it was [closing a number of investigations](http://www.timesofisrael.com/idf-to-open-investigation-into-gaza-cafe-bombing), including a probe into a shelling of a Gaza beach that left four children dead on July 16, 2014.

At the end of the month, a team of [investigators from the International Criminal Court is set to arrive in Israel](http://www.timesofisrael.com/international-court-team-to-probe-war-crimes-allegations-in-israel) to examine Palestinian allegations of Israeli war crimes and crimes against humanity in the West Bank and Gaza Strip.

As part of a preliminary examination of the Palestinians’ claims, the investigators are scheduled to arrive on June 27 and will try to determine if there is sufficient evidence that crimes covered by the court have been committed, [Haaretz reported](http://www.haaretz.com/news/diplomacy-defense/.premium-1.660633%22%20%5Ct%20%22_blank) on Thursday, citing Palestinian sources.

The Office of the Prosecutor at the International Criminal Court said in a statement that such trips by prosecutors are not an unusual occurrence.

Should the review lead to an investigation, the court may also look into crimes allegedly committed by the Palestinians as well.