Israel said secretly cooperating with Hague court’s examination of 2014 Gaza war

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Israel has reportedly provided the International Criminal Court in The Hague, via a third party, with information about its actions in the Gaza Strip during the 2014 war, despite an official policy that says the court has no jurisdiction in the conflict.

The ICC is examining possible war crimes committed by both the Israelis and Palestinians during the fighting, in what was known in Israel as Operation Protective Edge. ICC Chief Prosecutor Fatou Bensouda has been conducting a preliminary probe since January 2015 to establish whether she should open a full-blown investigation.

According to a report Sunday in the Haaretz daily, the material provided to the unnamed mediator was aimed at shoring up Israel’s defense against claims that it committed war crimes, as well as providing other input for the investigation team, which until now has only heard the Palestinian version of events.

Since the Palestinians joined the court in 2014, they have been pushing for the ICC to investigate the full scope of Israeli activities in the West Bank and the Gaza Strip.

Sources said the information provided only relates to the 2014 clash and not the more recent violence on the Israeli-Gazan border, which broke out several months ago.

Security officials are concerned that the court could take actions that would lead to measures against Israeli figures who involved in the Gaza conflict of four years ago, up to their possible arrest and investigation upon entering certain countries, the report said.

Though Israel is not a member of the ICC, its citizens can be charged by the court if they are suspected of committing crimes on the territory or against a national of a country that is a member. The ICC has recognized Palestine as a member state.

While the ICC can indict suspects, it has no police force and has to rely on cooperation from member states to enforce arrest warrants.

High-level meetings over the past few months, involving political leaders and top security officials — including Prime Minister Benjamin Netanyahu — looked at preparing for the results of the ICC examination, which is believed to be drawing to a conclusion.

The report said that Israel hopes to reach some sort of understanding with the court, and that the delay last month to the controversial demolition of a West Bank Bedouin village, Khan al-Ahmar, was meant in part to prevent a negative influence on chief prosecutor Bensouda.

Last month Bensouda warned that the removal of the village could constitute a war crime.

Israel’s 50-day summer 2014 campaign against Hamas in Gaza originally began as a predominantly aerial campaign in response to repeated rocket attacks from the Strip, similar to the 2012 Operation Pillar of Defense. But after Hamas made use of its cross-border tunnel network to carry out attacks inside Israel, the focus shifted to tackling the subterranean threat.

A total of 74 people — 68 IDF soldiers, 11 of whom were killed in cross-border tunnel attacks, and 6 civilians — died on the Israeli side of the conflict. In Gaza, more than 2,000 people were killed, with Israel putting the number of civilians killed at approximately 50 percent, the rest being combatants. Gaza itself was badly damaged by the fighting.

In May Bensouda said the “preliminary examination has seen important progress and will continue to follow its normal course” guided by provisions in the court’s founding treaty, the Rome Statute.