# A-G vows to defend IDF soldiers from ICC war crimes probe

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Attorney-General Avichai Mandelblit promised Thursday night a strong defense of IDF soldiers and other citizens should the [International Criminal Court](https://www.jpost.com/international/icc-prosecutor-went-after-israeli-settlements-but-not-cyprus-671165) seek to try them for alleged war crimes.

Speaking at a conference at Bar-Ilan honoring retired district court judge Menachem Finklestein upon the publication of his new book on laws of war, Mandelblit threw down the gauntlet before [Karim Khan](https://www.jpost.com/israel-news/icc-prosecutor-to-step-down-tomorrow-new-chief-to-decide-israels-fate-671116), who was sworn in a day earlier as the new ICC chief prosecutor.

Khan has not yet commented on the dispute between Israel and the Palestinians, but outgoing prosecutor Fatou Bensouda opened up a full criminal probe against the IDF and the settlement enterprise in March.

The attorney-general, who formerly served as the IDF’s top lawyer, said Israel is closely following international legal developments and that it will “ensure comprehensive representation and assistance… against any legal threat to the state’s citizens and soldiers.”

“The ICC lacks jurisdiction. This position was supported by key nation-states and top legal experts,” he stated.

In addition, he said that, “The State of Israel is a strong democracy with an independent and professional legal system which is loyal to the values of international law. At its head is the Supreme Court which has received praise and admiration from many countries across the globe.”

“Israel has effective mechanisms to review allegations of violations of international law and knows how to independently probe such claimed violations. Also, due to this, there is no basis for intervention [by the ICC] regarding issues which reside within the jurisdiction and sovereignty of the State of Israel,” added Mandelblit.

Also speaking at the conference was IDF Military Advocate General Maj.-Gen. Sharon Afek who reviewed a variety of tough issues confronting soldiers’ rights in the current era.

Afek noted that the coronavirus created new challenges in balancing running an army with individual rights, and remarked that at a certain point it was decided that no unvaccinated soldiers would be allowed to serve on submarines and certain other units.

Former defense minister Moshe Ya'alon and Mandelblit both recounted how Finklestein, while serving in various IDF legal capacities, had helped shift the paradigm for how the IDF handled organized attacks by plainclothes terrorist groups.

Prior to Finklestein’s era, such persons would have gotten more lenient treatment from the military because they were not soldiers in an army.

However, Finklestein helped advance the idea that organized terrorist groups were fighting armed conflicts no less than full-fledged armies.

Ya'alon also slammed portions of the political class for trying to reduce the influence of IDF lawyers on the rules of engagement, saying that ethics and international law was a crucial pillar of the IDF.