Israel Outraged After ICC Judges Urge Revisiting 2010 Flotilla Raid

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In a rare move that sparked a fire storm in Israel, judges at the International Criminal Court in The Hague called on the court's prosecutor Thursday to reconsider her decision not to investigate the 2010 Mavi Marmara flotilla incident.

The flotilla, organized by the Turkish IHH Humanitarian Relief Foundation, which has been found to have links to terrorist groups, attempted to illegally breach the maritime blockade placed on the Gaza Strip, with activists violently resisting the Israeli commandos who boarded one of the vessels. Nine Turkish citizens died and 10 Israeli soldiers were injured in the ensuing clashes.

Last November, ICC Prosecutor Fatou Bensouda declined a request by the Union of the Comoros to launch a probe into the May 31, 2010 boarding of the Mavi Marmara, which was sailing under a Comoros flag.

In the latest ruling, the judges said prosecutors should review the November conclusion that alleged crimes committed during the attack lacked sufficient gravity and scale to be investigated.

The judges determined that Bensouda made "material errors in her determination of the gravity" of the case.

While prosecutors could once again conclude there was no need to launch an investigation, they would have to find new arguments to support that conclusion.

The case, argued by a Turkish law firm with the help of prominent British trial lawyers, is one of several attempts to bring the decades-old Israeli-Palestinian conflict before the court.

Israel, meanwhile, said Thursday that it "harshly condemns" the judges' call to reconsider the decision.

Prime Minister Benjamin Netanyahu said, "The IDF soldiers acted out of self-defense when they stopped the attempt to breach the naval blockade that is in accordance with international law as determined by a committee appointed by the U.N. secretary-general, a committee led by a Supreme Court justice and international observers.

"At a time when in Syria, [President Bashar] Assad is slaughtering hundreds and thousands of his own people, in Iran, hundreds are being executed, and in Gaza, Hamas is using children as human shields, the court is choosing to focus on Israel out of cynical political reasons.

"In the face of this hypocrisy, our soldiers will continue to defend us on the frontline and we will continue to defend them in the international arena," Netanyahu said.

Foreign Ministry spokesman Emmanuel Nahshon echoed Netanyahu, saying, "It's not clear why the court insists on spending its resources needlessly dealing with cynical, politically motivated complaints, instead of dealing with the things for which it was founded to address -- investigating mass atrocities."

The ministry said Israel expects the prosecutor not to change her decision.

"Calling the court in The Hague to open an investigation against the navy commandos who boarded the Marmara is hypocritical and scandalous. The soldiers acted in accordance with international law, and they defended themselves against the violent behavior of terrorist operatives," Defense Minister Moshe Ya'alon said.

"We completely support the soldiers, and we will fight against any attempt to harm them. The attempts to distort the reputation of the only democracy in the Middle East are politically motivated, cynical and intolerable, and yet this march of folly is being validated while acts of slaughter go unstopped in the countries around us. The actions of international officials against Israel and its soldiers in the name of the 'law' or 'human rights' are what is truly damaging the world order."

The ICC effort has also drawn ire from across the Israeli political spectrum. "It doesn't matter how you try to change the story, there is one truth that has already been determined," said Hatnuah Chairwoman Tzipi Livni. "The boarding of the Marmara was in compliance with the law, and IDF soldiers are not war criminals."

Yesh Atid head Yair Lapid said that the ICC "proved today that it is a hypocritical institution that is tainted by anti-Semitism and hatred for Israel."

Science, Technology and Space Minister Danny Danon (Likud) leveled similar criticism at the ICC, saying that it is "two-faced in its inability to distinguish between moral, loyal soldiers and terrorists."