

INTELLIGENCE

Legal Counselor

Agencia Busca 6

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Thank you Mr. Chairman,

Israel welcomes the opportunity to engage in a meaningful and professional exchange of views

The maintenance of and respect for the rule of law is key to the promotion of stability and human

the consensus of all its members has created difficult dilemmas and situations. The careful

consideration of security issues is evident from the volume of security matters that were brought before the Supreme Court. As former Israeli Chief Justice, Aharon Barak said "...even when the cannons speak, the military commander must uphold the law. The power of society to stand up against its enemies is based on its recognition that it is fighting for values that deserve protection. The rule of law is one of these values."

The Israeli justice system is also tasked with ensuring that during and after military operations the rule of law is upheld. In this vein, Israel has, in recent years, undergone a major process to review and to continue to improve its investigation mechanisms. In 2010, Israel set up an independent public Commission of Inquiry, which included highly-respected foreign observers

headed by retired Supreme Court Justice Jacob Turkel, which carefully reviewed Israel's mechanisms for investigating complaints of alleged violations of the Law of Armed Conflict. The Commission concluded that Israel's mechanisms generally comply with its obligations under international law and that Israel's system ranks favorably with those of other democratic

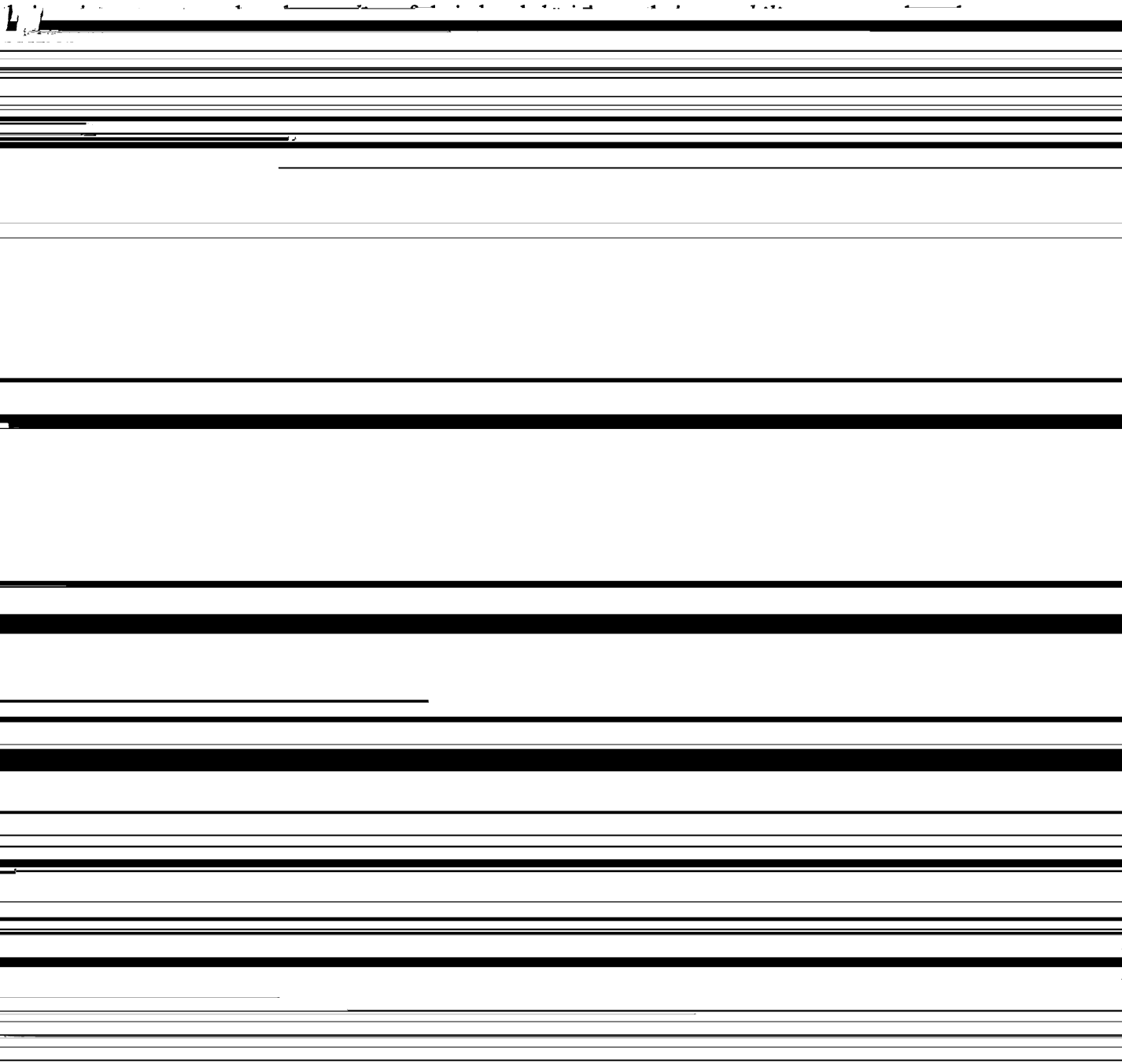
makes, interprets and applies laws is key to ensuring that the unique needs of various groups are kept in mind during these processes. In this vein, Israel has seen significantly more judges, prosecutors and legal advisers who come from Israel's various minority groups.

Israel also appreciates the importance of *access* to justice. We grant broad standing rights before our Supreme Court that allow citizens and non-citizens alike, including civil society organizations to petition the High Court directly, as a court of first instance, when questions of civil, human rights and due process arise.

Real access to justice requires providing support and guidance to those who are involved in both civil and criminal proceedings, and cannot afford to finance proper representation that will allow

With respect to the contribution of international tribunals to the rule of law on the international level, we join other delegations in emphasizing the importance of the principle of complementarity and stress that it is the primary responsibility of States to investigate and prosecute violations of international law.

In this vein, we would wish to stress that the *real* contribution of international tribunals is not



rule of law in the arenas that they operate, and their *ability* to show that they are able to reject attempts to politicize issues and to preserve their reputation as independent and professional bodies, unfazed by politics or the media.

Mr. Chairman,