Defense Minister Slams UN Criticism of Azaria Sentence

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Defense Minister Avigdor Liberman on Friday dismissed criticism by the UN’s human rights agency over the sentence handed to Israeli soldier Elor Azaria, who killed an incapacitated Palestinian stabber in the West Bank last year in March.

Azaria was given an 18-month prison term after a trial which took almost a year to complete.

Liberman said the Human Rights’ Council was “a council not on human rights but on hatred of Israel.”

“Again it has been proven that in the distorted moral compass of the human rights’ council, one bullet fired by Azaria at a terrorist is worse than the millions of bullets killing innocents in Syria, in Libya, in Iraq and in Yemen,” Liberman wrote on his Facebook page.

Education Minister Naftali Bennett, leader of the Jewish Home party, wrote sarcastically on his Facebook page: “Among the 500 thousand people murdered by Assad, the people decapitated by Islamic State and the people hanged by Iran, this must be the central problem in the Middle East.”

Likud’s Minister of Transportation and Intelligence Affairs Yisrael Katz called the condemnation by the UNHRC “simply ugly.”

Israel’s Ambassador to the United Nations Danny Danon said the UN body was “completely divorced from reality” for criticizing “the only true democracy in the Middle East” while sitting “silently by as human rights are crushed in Syria and Iran.”

Yesh Atid leader Yair Lapid wrote that “The UN’s Human Rights Council did not announce this morning that it was troubled that half a million people were killed in Syria. There is only one country in the entire Middle East where a soldier can go to prison for having killed a wounded enemy. Only one country with the rule of law, but the council of terrorist rights is concerned about us.”

In its statement on Friday morning, the UNHRC criticized Azaria’s verdict as “excessively lenient” and “unacceptable.”

Azaria, 21, was sentenced on Tuesday to 18 months in prison for manslaughter and handed an additional two suspended sentences — one for 12 months and the other for six — by the military court at the IDF headquarters in the Kirya base in Tel Aviv. He was also demoted in rank to private.

Azaria had been filmed shooting and killing Abdel Fattah al-Sharif, who was lying on the ground wounded and disarmed minutes after stabbing a soldier in the West Bank city of Hebron in March 2016. The case has deeply divided the country.

“We are deeply disturbed at the lenient sentence given by the Tel Aviv Military Court earlier this week to an Israeli soldier convicted of unlawfully killing a wounded Palestinian in an apparent extrajudicial execution of an unarmed man who clearly posed no imminent threat,” said Ravina Shamdasani, spokesperson for the UN Office of the High Commissioner for Human Rights, in a statement.

“While the prosecution and conviction are very welcome steps towards accountability, the punishment — which is excessively lenient — is difficult to reconcile with the intentional killing of an unarmed and prone individual,” she added.

The UN spokesperson also contrasted Azaria’s sentence to “sentences handed down by other Israeli courts for other less serious offenses, notably the sentencing of Palestinian children to more than three years’ imprisonment for throwing stones at cars.”

 “This case risks undermining confidence in the [Israeli] justice system and reinforcing the culture of impunity,” she added.

The Azaria case came against the backdrop of a wave of Palestinian knife, gun and car-ramming attacks that erupted in fall 2015.

The UN spokesperson noted the violent uptick, but only referred to Palestinian deaths, underlining that no other Israeli soldiers were prosecuted in these cases. Israel maintains most of the Palestinians killed during this period were assailants carrying out stabbing, shooting, and car-ramming attacks against Israelis. Over 30 Israelis were killed in terror attacks during this period.

“More than 200 Palestinians have been killed by the Israeli security forces since the most recent upsurge in violence began in the West Bank in September 2015. Sergeant Azaria is the only member of the Israeli security forces to have been brought to trial for such a killing,” she said.

On Wednesday, the Arab League condemned Azaria’s prison sentence, saying it reflected “racism.”

“The Israeli military court ruling exposes the level of Israeli disregard for Palestinian blood… and the extent of racism in the occupation’s institutions,” the 22-member bloc said in a statement.

Some on the Israeli right have defended the soldier, a French-Israeli national, but military officials said the trial was important to maintain the institution’s reputation.

On Tuesday, Azaria’s family has decried his punishment as too severe, while relatives of the attacker he killed slammed the ruling for being overly lenient.

Following the military court’s ruling, Prime Minister Benjamin Netanyahu reiterated his call that the soldier be pardoned.

“Soldiers in dangerous situations could be deterred [from acting out of fear that they could be prosecuted], and therefore there must be understanding and progress toward a pardon,” he said in Australia on Thursday.

While many right-wing politicians have called for a pardon for Azaria, others, including from Netayahu’s own Likud party, have criticized such calls as an effort to politicize the case.

Azaria’s defense team is weighing an appeal.