

Israel's military police dismiss allegations of misconduct in Gaza

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8 April 2009

Israel's military advocate, General Brigadier Avichai Mendelblit, has closed down the military police's criminal inquiry set up to investigate allegations by Israeli soldiers of misconduct by the Israeli Defence Forces and serious violations of the IDF's rules of engagement during Israel's assault on Gaza earlier this year.

Just nine working days after the investigation, Mendelblit dismissed the soldiers' allegations as nothing more than hearsay and rumour. He said that as the soldiers had not themselves witnessed the events, there were no grounds to proceed any further.

Israel's 22-day offensive against a largely unarmed and defenceless population killed 1,400 people, the majority of them civilians, including 400 women and children, injured at least 5,000 people, and destroyed 21,000 homes. Israel suffered only 13 deaths, and several of these were by "friendly fire."

Israel has faced widespread international criticism of its conduct. The Red Cross broached the possibility of the IDF facing charges of war crimes for denying medical aid to the wounded and preventing ambulances from reaching their destinations. United Nations Secretary General Ban Ki Moon suggested there was prima facie evidence of Israeli war crimes. The International Criminal Court prosecutor reported that he had received 150 separate communications over allegations of war crimes, including the use of deadly white phosphorous in densely populated civilian areas and a new weapon known as DIME, which explodes with such force that it tears bodies apart.

Israeli military authorities never had any intention of establishing the truth about the IDF's conduct in Gaza. The Israeli government has already made official commitments at the highest levels to shield soldiers from charges of war crimes.

The inquiry was launched after dozens of soldiers told a military academy on February 13 that Israeli soldiers had fired at unarmed Palestinian civilians and intentionally destroyed their property. They said that the IDF's rules of

engagement allowed soldiers to storm into Palestinian homes and shoot the residents inside without giving any warning.

The allegations, by pilots and infantry soldiers who had fought in the offensive, were made in the course of a discussion at the Yitzhak Rabin military preparatory course for the kibbutz movement at Oranim Academic College, in Tivon. The transcript of the discussion was published three weeks later.

One infantry squadron leader spoke of an incident where a sniper mistakenly shot a Palestinian mother and her two children. He said: "There was a house with a family inside... We put them in a room. Later we left the house and another platoon entered it, and a few days after that there was an order to release the family. [Israeli soldiers] had set up positions upstairs. There was a sniper position on the roof.

"The platoon commander let the family go and told them to go to the right. One mother and her two children didn't understand and went to the left, but they forgot to tell the sharpshooter on the roof they had let them go and it was okay, and he should hold his fire, and he did what he was supposed to, like he was following his orders.

"The sharpshooter saw a woman and children approaching him, closer than the lines he was told no one should pass. He shot them straight away. In any case, what happened is that in the end he killed them.

"I don't think he felt too bad about it, because, after all, as far as he was concerned, he did his job according to the orders he was given. The atmosphere in general, from what I understood from most of my men whom I talked to... I don't know how to describe it... The lives of Palestinians, let's say, is something very, very less important than the lives of our soldiers. So as far as they are concerned they can justify it that way."

Another squadron leader from the same brigade said that the company commander had ordered an elderly Palestinian woman to be shot and killed. She had been walking along a road about 100 metres from a house the company had commandeered.

The squadron leader said he had remonstrated with his

commander over the permissive rules of engagement that allowed the clearing out of houses by shooting without warning the residents beforehand. After the orders were changed, he said, his soldiers complained, “We should kill everyone there [in the center of Gaza]. Everyone there is a terrorist.”

He added, “You do not get the impression from the officers that there is any logic to it, but they won’t say anything—to write ‘death to the Arabs’ on the walls, to take family pictures and spit on them, just because you can. I think this is the main thing—to understand how much the IDF has fallen in the realm of ethics, really. It’s what I’ll remember the most.”

Soldiers reported two other occasions when civilians were mistakenly killed in shooting incidents. Other allegations of improper conduct included pulling up orchards.

Another officer expressed surprise that anyone would have expected less than outright carnage given the IDF’s massive weaponry and firepower. He was quoted in the newspaper *Ha’aretz* as saying, “What do you think would happen? We sent 10,000 troops into Gaza, more than 200 tanks and armoured personnel carriers, 100 bulldozers. What were 100 bulldozers going to do there?”

Danny Zamir, the head of the preparatory course at which the discussion took place, gave the transcript of the discussion to *Ha’aretz* only after he had tried, without success, to get his senior officers to investigate. In 1990, Zamir was sentenced to 28 days imprisonment for refusing to serve as a reservist in Nablus in the occupied West Bank in protest at Israel’s denial of democratic rights to its Arab citizens and the Palestinians under occupation.

The soldiers themselves were not allowed to speak to journalists. Commanders have warned their troops not to speak to anyone outside the Army about what they had seen in Gaza, and Israel refused to allow international journalists access to the soldiers.

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These incidents are bound up with the establishment of a Jewish state based upon the expulsion of two thirds of the Palestinian population and Israel’s determination to expand its borders to encompass Palestinian land illegally occupied after the 1967 war. Such a project can be carried out only by military means and with an Army that is prepared to accept the blockade, starvation and bombardment of a whole people as legitimate. For this reason, the growing influence within the Army of religious nationalists and settlers from the West Bank is of particular significance.

According to Moshe Halbertal, a Jewish philosophy professor who co-wrote the military code of ethics, “The officer corps of the elite Golani Brigade is now populated by

religious right-wing graduates of the preparatory academies.” The religious right is “trying to have an impact on Israeli society through the army,” he added.

Whereas at one time orthodox Jews would cite religious observance to avoid military service, there are now entire units of religious soldiers, often based in West Bank settlements, who are allied with ultra-nationalist rabbis committed to a Greater Israel built on the Palestinian territories. More than one third of Israel’s soldiers and more than 40 percent of its officer class are religious. The military authorities and Ehud Barak, the Labour Party defence minister, have encouraged this by establishing seminaries, often based in the West Bank, where young men can combine military service with religious studies.

Yesh Din, an Israeli human rights group, reported that the Army rabbinate had handed out a booklet to soldiers, approved by the Army’s chief rabbi, Brigadier General Avichai Ronsky, in preparation for the Gaza offensive, the aim of which was to develop the Army’s “combat values” after the failure to eliminate Hezbollah in the 2006 war in Lebanon.

The booklet, the group says, contains passages “bordering on racist incitement against the Palestinian people” that would tend to encourage soldiers to ignore international law. The pamphlet quotes extensively from Shlomo Aviner, a hard-line rabbi who compares the Palestinians to the Philistines, the Biblical enemy of the Jews. In one passage, he says, “When you show mercy to a cruel enemy, you are being cruel to pure and honest soldiers... This is a war on murderers.” He also cites a biblical ban on “surrendering a single millimetre” of Israel.

Last October, *Ha’aretz* quoted an unnamed senior officer who accused the rabbinate of carrying out the religious and political “brainwashing” of troops.

Criticism of Israel’s conduct continues to grow. This month, the UN Human Rights Council appointed Richard Goldstone, the South African judge and former war crimes prosecutor, to lead a fact-finding mission to the Gaza Strip to investigate allegations that Israel violated international law during the Gaza offensive.



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