

Israel: Whistleblower faces espionage charges for exposing IDF assassinations

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Anat Kamm, a 23-year-old former soldier and journalist, is accused of passing secret documents to a fellow journalist that expose assassinations of Palestinians carried out by the Israeli army.

Earlier this month, Israel's state prosecutor lifted some of the restrictions on reporting the case of the whistleblower. The lifting of the gagging order has allowed the Israeli media to report the case for the first time, even though it was covered by the international media for at least two weeks before. Normally, the Israeli press gets around gagging orders after the case is cited in the international media by writing their report based on the international coverage. It is well known that the journalists themselves leak sensitive stories to the international media. The Kamm case is considered so sensitive, however, that the media behaved in a cowardly fashion and there was no such coverage.

Kamm has been kept under house arrest since December last year, unknown to the public and despite an application to the courts to allow her to keep working as a reporter. The military censors refused to allow journalists to report the charges and circumstances surrounding the case, or the fact that she was being held.

The Supreme Court has tightened the terms of her house arrest, despite protests about the conditions in which she is being held, resulting in a police raid on her apartment after a relative not "approved by the court" visited her.

Following the lifting of the gagging order, the Israeli authorities have thrown the full weight of the state against Kamm. She faces prosecution for espionage and passing on classified information with the intention to harm state security, charges which carry sentences of a maximum of life imprisonment and 15 years imprisonment.

The charges relate to when she was a clerk in the bureau of the Israel Defence Force's (IDF) Central Command during her military service. Shin Bet, Israel's secret service, alleges that she copied 2,000 documents between 2005 and 2007, 700 of which were classified as "top secret" or "secret" and came from the General Staff and Chief of Staff's Office where she worked. Kamm scanned and copied the

documents onto two compact disks, one holding the documents and the other the "visual presentations." She later handed them to Uri Blau, a journalist with the daily *Ha'aretz*.

Kamm, described in the media as a typical young Zionist, said in an earlier court appearance that she had copied the material to expose "certain aspects of the IDF's conduct in the West Bank that I thought were of interest to the public".

"If and when the war crimes the IDF was and is committing in the West Bank would be investigated, then I would have evidence to present... When I copied the materials I thought that as far as history is concerned, people who have warned of war crimes were forgiven," she continued. She added that she felt that she hadn't "changed enough of the things that were important to me at the time of my army service and I thought exposing them would bring about change."

In November 2008, Blau used the material to write a major exposé, headlined *Licensed To Kill*. The article showed how the IDF had planned and then assassinated two leaders of Islamic Jihad in June 2007 in the West Bank, in breach of international law and its own procedures which had been revised after a High Court ruling in 2006 requiring security forces to arrest not kill suspected Palestinian militants.

He described in detail the planning that took place in meetings between top leaders of Israel military and security forces that took place over several days. He quoted incidents and conversations by senior IDF staff, including the present Chief of Staff Gabi Ashkenazi, the head of GOC Central Command Yair Naveh, Head of the Operations Unit Brigadier General Sami Turjeman and Head of Operations Directorate Tal Russo. At the time, the IDF had claimed that the militants had fired on security forces before they were shot.

Blau wrote other articles, apparently based on Kamm's material, including revelations that senior commanders approved extra-judicial assassinations in the occupied territories that were also bound to kill innocent Palestinian

civilians. He revealed corrupt deals between the tops in the military and Israeli society. Blau also reported that the Defence Ministry had compiled a secret report stating that 75 percent of settlement construction had been carried out without permits and that more than 30 settlements were built on private Palestinian land.

Although the articles came out in 2008, no senior commanders have been charged.

The day after the gagging order was lifted, the nature of “press freedom” in Israel and of the relations between the security forces and the so-called liberal paper were highlighted. *Ha’aretz* stitched up a rotten deal with Shin Bet, breaking the paper’s duty to protect and its right in law to protect its sources, revealing that the documents came from Anat Kamm.

On April 8, the day the gagging order was lifted, *Ha’aretz* Editor in Chief Dov Alfron revealed, “All of the [Blau’s] articles which were published in *Ha’aretz* were sent to the censor and received its full permission for publication”.

In September 2009, Blau was summoned to attend a meeting with Shin Bet and told to hand over the documents on which his reports were based. He then agreed to a deal whereby, “Uri Blau transferred to the Shin Bet dozens of documents that were in his possession, and in exchange the Shin Bet committed to refrain from investigating the reporter regarding his journalistic sources, refrain from investigating the reporter as a suspect, and refrain from using the documents as evidence in legal proceedings against the person responsible for leaking the information.”

Shin Bet also took Blau’s hard drive and destroyed his computer.

Under conditions where international criticisms were mounting over Israel’s blockade and invasion of Gaza and continued settlement expansion, Shin Bet used the documents to track down and arrest Anat Kamm shortly afterwards.

Blau, whose name appears several times on Kamm’s charge sheet, heard of Anat Kamm’s house arrest three months ago while on a trip to China with his wife and found that he too was wanted for questioning. Alfron said, “From that point on the Shin Bet refused to fulfil the conditions of the agreement it signed” and Shin Bet rejected the offer of a further deal that held to the commitments agreed earlier.

Blau went into hiding in London to avoid arrest in Israel. Shin Bet is now treating him as a “fugitive felon” and has issued a warrant for his arrest, alleging he holds hundreds of classified documents including some relating to the 2008-09 invasion of Gaza. Shin Bet head Yuval Diskin has threatened to “remove the gloves” to track him down. No mean threat, given Israel’s security services’ record.

For their part, the military authorities issued a statement

saying that Blau’s reports were “outrageous and misleading”. But the Israeli human rights group B’Tselem confirmed Blau’s article, saying that their research showed that “in many cases soldiers have been conducting themselves in the territories as if they were on a hit and run mission, as opposed to arrest operations”.

Later, on April 11 a *Ha’aretz* editorial admitted that Blau had used material from Kam in his corruption investigations and gave more details, naming names and citing the nature of deals.

Lawyers for Kamm are now involved in plea bargain negotiations to avoid a lengthy jail term. In the past, the Israeli state has dealt with such cases as military insubordination, which carries a lighter penalty, not state espionage. Kamm has now relinquished her journalistic immunity as the source used by Uri Blau and issued a plea for him to return.

However, the journalist Tall Lieblich said that Shin Bet had demanded that Blau submit his entire archive of documents, including everything he had collected in his career for a review. This could expose other whistleblowers to the same espionage charges as Anat Kamm.

Journalists have organised a press petition calling for charges against Blau to be dropped, fearing that many more journalists will face trial as most Israeli journalists are in possession of secret files.

As well as upsetting the financial elite who fear being charged over their corrupt dealings, the affair demonstrates the extraordinary difficulties the Israeli military and political establishment confront in preventing the overwhelming evidence of their crimes against the Palestinian people from emerging. What is more, the whistleblowers are not Palestinians but their own citizens. The affair presages ever-increasing attacks on the democratic rights of working people within Israel itself.



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