

Israel Exonerates its Armed Forces of War Crimes

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Israel's own investigation into last year's murderous assault on Gaza has predictably concluded that the Israel Defence Force (IDF) had not broken Israeli or international law. No criminal charges or disciplinary action will be taken against those who led air strikes targeting civilians that attracted worldwide condemnation.

The 250-page report published by Israel's Foreign Ministry argues that Israel's hands were clean, and that it was Hamas, the Palestinian militant group that rules Gaza, which was responsible for many of the civilian casualties, because its combatants were embedded in Palestinian homes, schools, mosques or United Nations buildings.

The Foreign Office also issued a report, the first by the IDF, showing a breakdown of the number of Palestinians killed during the 50-day war. It claims that 2,125 Palestinians were killed, 761 (36 percent) of whom were civilians, including 369 children and 284 women. This is much lower than estimates by the UN and other credible sources that put the number of civilians killed at 1,483 out of a total of 2,205, including 521 children and 283 women. Last February, Hamas told Associated Press that 400 of its fighters had been killed, a far lower figure than the IDF's.

The reports stem from a number of investigations carried out by Israel in order to exonerate itself and challenge enquiries by the International Criminal Court or UN into possible war crimes, as they will not investigate if Israel carries out its own criminal investigations. The Military Police, under instructions from the Military Advocate General's Office, launched 13 criminal investigations, closing nine after claiming there was no evidence of wrongdoing. The military also opened inquiries into 85 complaints about "exceptional incidents."

The timing of the report, claiming that the IDF had fought a moral, defensive war in accordance with international law and exonerating it of all responsibility for civilian casualties, is not accidental. It comes just days before the UN's Human Rights Council (UNHCR) is due to publish the findings of its inquiry, with which Israel refused to cooperate, that will in turn form the basis of any investigation into possible war crimes by the ICC currently being sought by the Palestinians.

Crucially, insofar as Israel considers the practice of targeting civilian homes, buildings, and infrastructure and the resultant carnage to be entirely legitimate, it signifies that this will become the modus operandi for its wars against the Palestinians and across the region. The tacit consent of US imperialism and its European allies to such barbarism signifies that their wars too will also target civilian infrastructure, leading to the wholesale slaughter of defenceless peoples.

Last week, Israel's Military Advocate General published another report clearing the IDF of blame for one of the most egregious killings of the Gaza war: a missile attack that killed four children and injured a number of others playing on the beach in Gaza. His office said that it was just a "tragic accident" that had targeted a Hamas compound. This was contradicted by eyewitnesses, including international journalists, who described the targeted building as a small and dilapidated fisherman's hut, with no militants present.

The Military Advocate General ordered a criminal investigation some five months after the incident, saying, "There is a reasonable foundation to suspect that the attack was conducted not in accordance with the rules that bind IDF forces."

Evidently, the murder of small children is entirely in accordance with IDF rules.

Israel and its backers are going to great lengths to counter all criticism of its conduct towards the Palestinians. Last week, UN Secretary-General Ban Ki-Moon succumbed to pressure and dropped Israel off a blacklist of state armed forces accused of serious violations of children's rights. According to UN officials, Leila Zerrougui, the UN's special envoy for children in armed conflict, had recommended that both Israel and Hamas be placed on its annual "name and shame" list of state and non-state parties that recruit, use, kill, maim or commit acts of sexual violence against children, citing the Gaza war as particular cause for concern.

Had Israel been included, it would have joined non-state forces such as Islamic State, Boko Haram and the Taliban as serious violators of children's rights.

Another report entitled *Fragmented Lives* by the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) has revealed that Israel killed more Palestinians in 2014 than at any time since the 1967 War: 2,314 Palestinians were killed and 17,125 injured in 2014, up from 39 deaths and 3,964 injuries in 2013. While most occurred during the Gaza War, there was also a sharp increase in fatalities in the West Bank and East Jerusalem, where 58 Palestinians were killed and 6,028 injured. This was the highest number of deaths since 2007 and the highest number of injuries since 2005.

Israel's security forces increasingly resort to the use of live ammunition, which accounted for almost all the fatalities and 18 percent of the injuries. The report noted that the incidents of settler violence causing Palestinian casualties and injuries had also increased. Israeli authorities were holding up to 24 percent more Palestinians in administrative detention in 2014 than in 2013.

The attempts of the ruling establishment to whitewash its crimes are in sharp contrast to reports by some of its own soldiers and human rights groups. In May, *Breaking the Silence*, a group of Israeli soldiers, published a report showing how Israel's lax rules of engagement combined with indiscriminate artillery fire were a major factor in the large number of civilian casualties and the mass destruction in last summer's war on Gaza.

The human rights group B'Tselem had earlier published a report into 70 air strikes by Israel on homes in Gaza that killed 606 people, including 93 children under five. It accused Israel of breaching international humanitarian law, focusing on ministers, including Prime Minister Binyamin Netanyahu, who authorised the policy of attacking homes.

Last April, following a UN investigation led by a retired British general, UN Secretary General

Ban Ki-moon held Israel responsible for the bombing of seven United Nations sites, including five schools, used as civilian shelters during the war in which 44 Palestinians died and 227 others were injured. He condemned the attacks “as a matter of the utmost gravity” and insisted that UN locations were “inviolable.” Acceding to heavy pressure from Tel Aviv and Washington, however, the UN agreed to delay publication until after Israel had completed its own inquiries.

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