

War Crime: Israeli Army Commander Recorded Ordering Attack on Gaza Clinic

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The destruction caused by Israel in the Shujaiya neighborhood of Gaza during July 2014. ([Anne Paq /ActiveStills](#))

An Israeli military commander has been recorded ordering troops to shell medical facilities during the 2014 attack on Gaza.

Nerya Yeshurun, a lieutenant colonel, instructed that a clinic in the Shujaiya neighborhood be fired upon on 23 July last year to “honor” an Israeli soldier who had been killed a day earlier. His statement amounts to a clear, though perhaps unintended, admission of war crimes.

Targeting civilians as an act of revenge is strictly forbidden by international law. Although Yeshurun’s orders were broadcast by the Israeli media at the time, they have not been translated before now. It is remarkable that they did not elicit comment either within Israel or internationally.

In an address over an internal army communications network, Yeshurun told his troops to “shoot a fusilade to honor and salute” Dima Levitas, a 26-year-old captian allegedly killed by sniper fire the previous day. Yeshurun instructed that the “fusilade” be directed “at the clinic from which the villains shot at him [Levitas] and took his life.”

“Prepare for shooting in memory of Dima,” Yeshurun added. “May his soul be bundled up in the bundle of life, Amen.” The funeral of Levitas was taking place at the military graveyard in Mount Herzl, Jerusalem, that day.

Yeshurun’s address was [uploaded](#) the next day by NRG, a news website owned by the US casino magnate Sheldon Adelson.

According to names and figures collected by the [Palestinian Centre for Human Rights](#) and reported by [the media](#), at least five people were killed, four of whom were civilians, and 45 injured during the afternoon of 23 July in Shujaiya. However, it is unclear if their deaths were a direct result of the army’s ceremonious shelling.

The attack on the clinic took place while medics and civil forces in Shujaiya were still retrieving bodies of Palestinians who had been killed by Israel in an overnight massacre three days earlier. The bodies were mangled and badly charred; some victims’ identities impossible to determine. The number of people killed in that massacre has been [estimated](#) at more than 120.

“No military necessity”

Shawan Jabarin, director of the Palestinian human rights group Al-Haq, told The Electronic Intifada he was not surprised to read the interview with Yeshurun. “But here we see the policy they have and orders they make. We are speaking about a commander shelling a clinic indiscriminately in order to participate in the funeral of his friend,” Jabarin said.

“In my opinion it is a war crime. It is clear, from the intention, the mental element, and the material element: there was no military necessity. They wanted to participate in their friend’s funeral. But they are targeting a civilian and medical object, which has special protection,” Jabarin added.

Yeshurun was the regimental commander of the Gaash unit in the Israeli military’s Seventh Armoured Brigade.

In October 2014, *Bayabasha* (“On Land”), an Israeli military journal, [published](#) an interview with him. In it, Yeshurun confirmed that he had instructed the unit to shell the clinic: “Personally, I loved Dima dearly ... I was sorry that his company and I could not be at [the military graveyard on] Mount Herzl when he was being brought to burial, so we decided to fire a fusilade of shells toward the spot through which he lost his life during the funeral.”

According to the *Bayabasha* report, Palestinian militants fired back after the Israeli unit unleashed their cannons. Israel expert Dena Shunra, who translated the NRG dispatch and *Bayabasha* article for The Electronic Intifada, analyzed the interview and said the soldiers expressed “surprise” that shots were returned after their “funerary fusilade.”

The Electronic Intifada was unable to locate reports corroborating Yeshurun’s claims that the shot that killed Levitas came from the clinic. Even Israeli reports haven’t alleged that sniper fire from a clinic killed a soldier on 22 July.

In its [report](#) about activities by Palestinian resistance fighters in Gaza last summer, the Israeli foreign ministry makes no mention of such an attack.

And in a [report](#) specifically alleging that Hamas and other militant organizations were using medical facilities and ambulances for “terrorist” purposes, Meir Amit Intelligence and Terrorism Information Center (an Israeli think tank) makes no mention of Palestinian fighters shooting from a clinic in Shujaiya.

“Challenging fortress”

The article in which the interview with Yeshurun appeared is a profile of the Gaash unit, a division of the Israeli military that trains soldiers for warfare. According to Shunra, Gaash is generally dedicated to training, but once war breaks out the soldiers are reassigned to combat missions. The article’s narrative presents the shelling of Shujaiya as the ultimate battle “experience” for these cadets, calling the neighborhood “the most challenging fortress of all.”

In the same article, Mordechai Kahane, a colonel in the Gaash unit, said: “We don’t go into the operation to gain experience. The operation is a necessity, forced upon us, but every time it happens, it is necessary to include as many warriors as possible, emphasizing commanders or those who are about to be commanders, so they will have this operational

experience.”

Kahane is the nephew of Meir Kahane, the founder of the extreme right-wing political party Kach, which [advocated for and committed violence](#) against Palestinians. It is listed as a terrorist organization by the United States and Israel.

Using a civilian population for military training purposes is considered a [violation of international humanitarian law](#). “But I don’t think the main point of the act was training,” Jabarin said. “The main purpose of what they did, as I understood when I read this interview, is how to terrorize and teach Palestinians a lesson. How to use civilians to pressure the resistance, without taking care of any legal principles or international laws.”

Deborah Hyams, an Amnesty International researcher on Palestine, commented: “Deliberate attacks on civilians, including medical professionals, are absolutely prohibited under international humanitarian law (IHL) and amount to war crimes. Attacks on hospitals and medical facilities are prohibited under IHL, unless the location is being used to make an effective contribution to hostilities. Even in such cases, attacking a hospital or medical facility without warning is prohibited. Furthermore, attacks conducted to exact revenge are absolutely prohibited under IHL.”

Hyams added that all incidents where there is “credible information” that international humanitarian law has been abused “must be investigated independently, impartially, promptly, thoroughly and effectively.”

This reporter contacted the Israeli military, requesting a comment about the order to attack the Shujaiya clinic. A spokesperson replied: “The incident is known by the IDF [Israeli military] and is currently under investigation.”

According to the [World Health Organization](#), 17 hospitals and 56 primary healthcare centers were either destroyed or damaged during Israel’s 51-day attack on Gaza.

Mor Efrat, a representative of the group Physicians for Human Rights-Israel, told The Electronic Intifada that the organization documented attacks on medical teams in Shujaiya between 20 and 23 July and on 30 July, but did not document a clinic being shelled. However, Efrat said that did not mean the clinic wasn’t struck.

“The number and scale of medical facilities and teams that were attacked during the war — it’s not something that just happens. All the specific coordinates of medical facilities were given to Israelis at the beginning of war, and this information was totally ignored,” Efrat said.

Earlier this month, the organization Breaking the Silence released harrowing [testimonies](#) from Israeli soldiers, detailing atrocities they committed during the Gaza assault. The confessions — made under the protection of anonymity — garnered widespread attention from the international media.

However, as Yeshurun’s statement and the actions of his unit make clear, officers much further up the chain of command had already admitted to, endorsed, and boasted of their war crimes. Israel has enjoyed utter impunity for its actions against Palestinians, so much so that a high-ranking commander is willing to publicly revel in the crimes he directed.

Noam Rotem contributed translation and research.

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