HAARETZ.com

Who in Israel cares about another dead teen in Gaza?

Israel has a fail-safe, copy-paste system for whitewashing the military's killing of civilians. Who knew there was a family or two nearby?

Hagai El-Ad | Sep. 28, 2018 | 11:22 PM | ■3, https://www.haaretz.com/israel-news/.premium-who-in-israel-cares-about-another-dead-teen-in-gaza-1.6513910

Amir's mother fainted in the hospital. She fainted on her son's dead body, surrounded by family members. When she woke up at home, her cries were heartrending, but they didn't bring her 14-year-old son back to life.

These cries don't echo. Who in Israel cares about another <u>dead Palestinian teenager</u>, and in Gaza yet? Another "uninvolved civilian" joining the statistics, faceless and nameless, without a photo on the front page, without a life story, without a mother who sees the bloody head of her dead son and faints.

"A week after my son Amir was born, he was examined and the doctors discovered a hole in his heart. The doctors told us he would need an operation when he was 18. They didn't prescribe any medication for Amir, and they told us that the hole was between the two chambers of the heart, and that it would shrink as Amir grew."

In Israel, the interest in dead Palestinian teenagers is limited to the quality of paper on which our investigative and legal system types its polished whitewashing documents. It's important that the paper be the kind that can absorb and hide bloodstains, and it's important that what's printed include a sufficient dose of long sentences, the kind that have no meaning but whose purpose is unequivocal: to wrap a life that was cut off in legal absorbent cotton. That will ensure that the killing will gleam with perfection, and that the investigation will bury the body of the blood-spattered Arab.

After that summer in Gaza in which we killed over 500 teenagers and children, the state comptroller examined the quality of the paper. Earlier this year the comptroller published a 120-page report examining "the Israel Defense Forces' activities in terms of international law, mainly regarding the examination and monitoring mechanisms of the civilian and military leadership."

It's a very clean, sterile report, which of course cites from the previous pile of reports on the subject, and anyone who cites from it in future reports will probably allude to it properly in the footnotes – footnotes not mentioning the selfie that Amir and his friend Luray were taking on the rooftop of that Gaza building in July, shortly before they turned into collateral damage in a very successful surgical strike. After that the IDF spokesman bragged that this was one of

many expressions of the IDF's intelligence and operational capabilities, "which will become deeper and stronger as necessary."

In the videos published by the army, you don't see Amir and Luray before the missile strike and don't hear their cries getting deeper and stronger, if they managed to cry out at all. You only see the people who risked their lives and arrived on the rooftop a few minutes later. They didn't know precisely in how many minutes the bomb would be dropped that would redeem the building from its suffering, and still they climbed up and tried to take care of the dying boys. But then they were forced to flee for their lives when the second missile hit the roof.

At that moment, filmed from the air in the army video, they look like a fan of black spots after suddenly scattering, a fan that opens to the sky, and at its heart is a spot where the bodies of Amir and Luray are lying.

Amir's mother says the most important thing to him was for nobody to know that he had a hole in his heart, especially not his friends and relatives.

"He told me that he would live a normal life despite his illness, and he ignored the fatigue and the symptoms."

In the state comptroller's report, the aspect that preoccupies Israel's legal-military-political elite regarding the bodies of Palestinian teenagers appears right at the beginning. This comes even before your fingers become calloused from turning so many pages or are cut, God forbid, by the sharp edges of, say, page 100, where there's something about "examinations to locate unusual incidents that require investigation."

The reader recalls a finding – what was it? – on page 5. Oh, yes, "464 unusual incidents; that is, incidents in which uninvolved citizens were allegedly harmed and damage was caused to civilian property." So that was 464 unusual incidents? Just a minute, exactly how many incidents have to occur for them to stop being "unusual"? When does the unusual become routine?

Well, that's a naive question revealing that the asker doesn't understand the basic principles of the system, because the unusual never becomes routine. In legal terms, it must continue to be considered unusual, be investigated as unusual, and be buried in a legal shroud as unusual. For precisely that purpose the state comptroller immediately explained to us on page 3: "Proper functioning of the investigative and legal systems in the State of Israel will help prevent intervention by external instances in the sovereign affairs of the State of Israel."

Letting the IDF fight, of course

And what is that "proper functioning of the investigative systems?" An investigation of the unusual incidents. Because if God forbid we don't have exceptions, what will we investigate and what reports will we publish and throw in the face of all kinds of hostile international agencies that have the chutzpah to try to interfere in our affairs? After all, without "exceptions" what we have is a blatant situation of routine killing and the bodies of dead teenagers, bloodstains that cannot be absorbed, and scandal. And since when will dead teens from Gaza cause a scandal for us?

"In the family we did everything possible to refrain from things that could make Amir angry. He had a special status with his grandfather, father and brothers. He loved soccer and always bought balls to play with from his pocket money. He was a fan of Real Madrid and would go to cafes to watch the championship games."

And those exceptional Palestinians, whom we're killing in Gaza, are definitely "our sovereign affair." Actually, there's a great deal of logic to that, because to successfully administer Gaza, in a sense the largest prison in the world, we use all kinds of methods to disperse demonstrations and suppress uprisings. Methods that run the spectrum between shooting bullets – precisely of course – and dropping bombs – surgical of course. Do you know of any other country where someone interferes in the administration of its prisons?

So to prevent international agencies from interfering, we have to clean the blood thoroughly while maintaining meticulous international standards. And why is it important that they not interfere? Because "the international repercussions that could stem from harming uninvolved civilians" might affect "the IDF's ability to achieve its goals in combat."

Well, it's a fact that there are large numbers of "uninvolved civilians" in Gaza. We've killed them and will continue to do so. But if they don't die in an "exceptional" manner, we won't be able to continue with "combat" and to kill, in an exceptional manner, additional "uninvolved civilians." And then the administration of the prison would be removed from our sovereign control. You there, Amir and Luay, sitting at the edge of the roof and taking a selfie on a hot summer evening, did you understand that?

The state comptroller apparently didn't check whether the uninvolved citizens understand their function of dying as exceptions. But the military advocate general definitely continues to "examine and investigate" the hundreds of "complaints regarding exceptional incidents during Operation Protective Edge" in Gaza in 2014. Here is our diligent miliary advocate general, examining and classifying one complaint at a time: Whose case will be whitewashed and buried based on the work of the "General Staff inquiry mechanism," and whose will be entitled to a Military Police investigation and whitewashed during the prosecution.

Four years have passed since that summer in Gaza, and the job of whitewashing continues gradually, slowly sailing to safe harbor. It's a harbor where, near the "independent and effective" platform, all the bodies are tossed into the sea and the slight chance of being held to account drowns in the depths.

The feet of this chance, as it were, get attached to the concrete weights of the military advocate general's updates on the dozens of exceptional incidents in which – copy-paste, copy-paste – "the actual harm to citizens who were not involved in combat" was "a harsh and regrettable outcome" but "has no implications, in retrospect, for the legality of the assault."

"When he was 13, Amir was referred for medical tests at Beilinson Hospital in Israel. He went with my father. The tests showed that the hole in his heart had shrunk from 8 millimeters to 6 millimeters. The doctors told us that they preferred to postpone the operation until he was 19. Amir was supposed to undergo additional tests in Beilinson at the end of August."

It turns out that Gaza is a strange place where strange, surprising and totally unexpected things happen. In Gaza, people who are at first identified as fighters in Hamas' naval force turn out to be – "in retrospect" of course – children (four dead). In Gaza there are

4

"coincidences," and civilians insist for some reason on being on the roof just when a shell hits it (seven dead, members of a single family). Get down off the roof already, exceptions!

In Gaza "as opposed to what was planned" the "upper stories of the building" rebel and collapse on their own half an hour after we attack the place (14 civilians killed). In Gaza, when you fire at Hamas men on a motorcycle, somehow the strike takes place, as if deliberately to make us angry, "near a school." In Gaza, when a bomb is dropped on a target, it turns out "in retrospect" – surprise! – that "the building was also used as a café" (nine dead).

Four-step process

And in Gaza – and this sure is an exception – people insist, time after time, on being inside buildings and dying by the dozens despite "the professional assessment of the operational bodies regarding the number of civilians liable to be harmed by the attack."

That's how it is with amateurs in Gaza who don't listen to the professional's assessments.

"Amir lived all his life in Gaza and never traveled anywhere. He liked shawarma and always preferred white clothes."

To the military advocate general, this is a fail-safe system that can be endlessly recycled and whitewashes any "exceptional incident." All you need is for the decision on the attack to be made by "the authorized bodies," that it be "against a patently military target," that "the extent of anticipated collateral damage won't be disproportionate relative to the military advantage," and for dessert, "cautionary measures, whose purpose is to limit the harm to civilians," will be adopted.

And that's it: one, two three, four on high-quality absorbent paper, and so on. Dozens of civilians are killed that way, children, entire families. Time after time, without any problem. You simply have to take the retrospect option when it turns out that there was a school, a café, another story, a nearby building or a family or two on the roof or inside the building.

"A regrettable outcome" and another "regrettable outcome" – so what? When we decided to drop the bomb on the building we didn't know that all those civilians would die, it wasn't on purpose. Can we get on already with the next surgical strike? It's also based on "precise intelligence" showing that the expected collateral damage will be proportionate to the military advantage.

And if in retrospect it turns out once again that it wasn't intelligence and it wasn't precise and it wasn't surgical, that we didn't know and didn't assess and didn't count, and another 14 "uninvolved civilians" joined the statistics, even then, the thousandth time that this has happened, we'll simply click our tongues and say something about "a harsh and regrettable outcome." Then it's on to incident 1,001.

Late last month, an article in Haaretz <u>expressed concern for the snipers</u> at the Gaza border fence "who shot at dozens of people at close range, for hours at a time, saw them falling and heard their cries." But the snipers, according to the story, "have not received any specific handling by their units," referring to psychological counseling.

Does anyone in the military prosecutor's office recommend treatment for the lawyers exposed to trauma? After all, these are young lawyers tasked with, in their own sense, burying hundreds of dead. Despite the broad use of copy-paste from one file to the next, whitewashing the killing must last "for hours at a time." Do they receive any counseling in their unit, at the prosecutor's office, for closing files?

"My life after the death of my son Amir has become hell. I cry day and night for my innocent son. I still hear his voice and his charming laughter, and see the smile that's always on his face. I waited a long time so that he would grow up before my eyes. But the fighter planes of the Israeli army bombed him. That's how Amir died. That's how his dreams died.

"Although Amir lived with a hole in his heart he loved to play soccer. He wanted to grow up and be a driving instructor. His dream was cut off and ended. He liked school and was one of the outstanding students. His younger sister, Malak, who's 5, always asks about him. Every day she asks me where he is, and I answer that he's now in heaven.

"I pray for Amir's soul. The parting from him is unbearable. I pray to God to help me keep going and contain this pain from the parting from my son, my beloved Amir."

Amir al-Nimra and Luay Kahil, both 14, were killed in an Israeli airstrike in Gaza on July 14. The testimony of Amir's mother, Maysoon al-Nimra, was given to two researchers of the B'Tselem rights group, Olfat al-Kurd and Khaled al-Azayzeh.

Hagai El-Ad is the executive director of B'Tselem.