

The Israel-Hamas conflict– Civil-Military Implications

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INTRODUCTION

On 7 October 2023, the Palestinian militant group Hamas¹ launched an unprecedented assault on Israel. According to Israeli Defence Forces (IDF), more than 1200 Israelis were killed, and more than 250 soldiers and civilians, including women and children, were taken from Israeli communities to Gaza as hostages. Little was known about their well-being or whereabouts until Hamas released two elderly women on 24 October 2023.

In reaction to the assault, Israel declared to be at war and started “Operation Iron Swords” to “dismantle the Hamas military and administrative capabilities”.² First, the IDF launched aerial bombings on targets in Gaza, followed three weeks later by a ground offensive in North Gaza. International pressure led to a truce on the 24th of November. Fighting was paused, and humanitarian aid was allowed to enter Gaza, as Hamas released more than 100 hostages in exchange for Israel releasing 240 Palestinian prisoners from Israeli prisons.³ The truce lasted a week. Currently, Israel is making a solid and determined push into the south of the Strip.



Gaza Strip: is a narrow strip of land between Israel, Egypt and the Mediterranean Sea. Just 41km long and 10km wide, it is densely populated with more than two million inhabitants. In the wake of the 1948-49 war, Gaza was occupied by Egypt for 19 years. Israel occupied Gaza in the 1967 war and stayed until 2005, during that time building Jewish settlements Israel withdrew its troops and settlers in 2005, though it retained control over the airspace, border and shoreline. The UN still considers the territory to be occupied by Israel.

¹ Hamas (Harakat al-Muqawama al-Islamiya) is an Islamist militant movement; due to its armed resistance against Israel, it's designated a terrorist organization, known to be supported by Iran.

² IDF website mentions the IDF's goal in the war: <https://www.idf.il/en/mini-sites/hamas-israel-war-23/>

³ Israel released 240 Palestinian minors and women. Most of the 14-to 17-year-olds freed had been detained for investigation and not convicted of a crime, reported the Palestinian Prisoners' Club based on data from the Israeli Prison Service.



THE IMPACT OF THE CONFLICT ON THE CIVILIAN ENVIRONMENT

The Hamas attack, as well as the Israeli reaction, had and still have a significant impact on the civil environment. UN OCHA⁴ estimated that since the beginning of the war up to early December, at least 16,250 Palestinians (70% of which women and children) have been killed in Gaza, and more than 43,600 Palestinians and Israelis have been injured. Israel ordered residents in the North of the Gaza Strip to relocate to the South, resulting in more than one million Internally Displaced Persons (IDPs). They are undoubtedly facing a desperate situation as fighting continues, and clean water, food, medical supplies and fuel are running out. The destruction of critical infrastructure and the blackout of the Gaza Strip, refraining the people from telecommunication and internet, hampers their attempt to get access to basic needs.

The lack of the first necessities of life is seen as the biggest threat to people in the Gaza Strip. Staying alive is a significant challenge. Many hospitals and healthcare centres are out of service. The numbers dropped from 36 to 18 functioning hospitals,⁵ and more healthcare facilities will cease to work due to the continued attacks and fuel depletion. The ICRC has expressed their concern that without electricity, hospitals in Gaza could “turn into morgues”.⁶

HUMAN SECURITY

The Concept of Human Security and its underlying Cross-Cutting Topics (CCTs)⁷ are directed towards identifying and addressing the risks and threats faced by the population in conflict or crisis zones and how to respond to them. Although CCTs are not the military’s primary responsibility, they can be utilised to predict better and prevent and mitigate risks in the operating environment.

PROTECTION OF CIVILIANS

Civilian deaths in Gaza are a result of a technologically sophisticated force confronting a terrorist group that chooses to fight from densely populated civilian areas and compels civilians to stay in anticipated battle zones, possibly exploiting them as human shields. Under international humanitarian law (IHL), IDF has to make significant efforts to avoid, minimize, and mitigate the negative effects on civilians arising from military operations. With the blockage of the borders, the closing of the waterlines into Gaza, and the denial of basic needs and other humanitarian aid to enter the Gaza Strip, the impact on the civilians is dramatic.

4 <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-60>

5 These dates are from the UNOCHA Hostilities in the Gaza Strip and Israel - reported impact- Day 60

6 <https://www.icrc.org/en/document/israel-and-occupied-territories-hospitals-risk-turning-morgues-without-electricity-hospitals-must-be-released>

7 Protection of Civilians, Children And Armed Conflict, Cultural Property Protection, Conflict-Related Sexual Violence and Combating Trafficking in Human Beings



CONFLICT RELATED SEXUAL VIOLENCE

Sexual violence remains prevalent during the current conflicts. Also Hamas is accused of kidnapping, raping, and sexually assaulting Israeli women during the 7 October attack. It has been difficult finding rape survivors, while many victims are killed by their attackers, and also survivors and witnesses not able to come forward due to the impact. Under those conditions, first responders and morgue workers have become a key source of information, also for collecting battlefield evidence.

CHILDREN AND ARMED CONFLICT

During the first attacks of Hamas, Israeli children were indiscriminately victims of violence. The 4th Geneva Convention attaches special importance to the protection of children. The most grave violations against children (UNSCR 1612) mentioned in Gaza include killing, injury, attacks on schools and hospitals and denial of humanitarian access. More than 339 education facilities have been hit since 7 October, equating to 51% of the total number of schools in Gaza.

CULTURAL PROPERTY PROTECTION

The group Heritage for Peace did a report on cultural property destruction. More than 100 Gaza heritage sites have been damaged or destroyed by Israeli attacks. The casualties include the Great Omari Mosque, the Greek Orthodox Church of Saint Porphyrius, a Roman cemetery in northern Gaza excavated only last year, and Gaza's main public library and central archives were ravaged. Also, memorials to prominent Palestinian figures have been bulldozed.

COMBATING TRAFFICKING IN HUMAN BEINGS

During the first days of the conflict, Hamas captured many Israelis as hostages. Hamas is exploiting the situation by demanding the release of 6,000 Palestinians from Israeli prisons in exchange for these hostages. Also, Palestinian women face, due to their position in society, increased risks of trafficking and sexual exploitation as a result of increased violence, mass displacement, and insufficient safeguards following the outbreak of war.

A snapshot of the main CCTs in Gaza shows the impact of hostilities on people where a major humanitarian crisis has unfolded. Churches, mosques, hospitals and UNRWA facilities, including those sheltering displaced people, have not been spared by the war against Hamas, with many people killed and injured whilst seeking safety in places protected by International Humanitarian Law.^{8,9}

8 <https://www.unrwa.org/newsroom/official-statements/un-security-council-emergency-briefing-situation-middle-east>

9 <https://www.npr.org/2023/12/03/1216200754/gaza-heritage-sites-destroyed-israel> ; the article includes the link to the CPP report from Heritage for Peace, 7 November 2023



IDF OPS-RELATED CIMIC CHALLENGES AND TASKS

Media coverage of Israel's war against Hamas has shifted from the brutality of Hamas's onslaught to the question of Israel's right to self-defence¹⁰, proportionality and length of Israel's response. As of 7 October, IDF has called up hundreds of thousands of reservists; it also used the airforce for weeks for airstrikes and then sent two divisions into Gaza, including infantry brigades, combat engineers and naval commandos backed by artillery. Israel's warfighting concept (2020) relies on a rapid war of manoeuvre, blending quick strikes and bringing the highest technological capabilities to the front. IDF embodied the "Dahiya Doctrine"¹¹.

In reaction, IDF's STRATCOM^{12,13} repeatedly underlines in the news the steps they take to minimise civilian harm and claims they are only striking legitimate military targets. From open sources, it is difficult to get a good insight into the IDF's planning and decision-making process and how the effects to achieve (e.g. weakening the enemy) and effects to avoid (e.g. harm to the civilian population) are weighed and balanced.

In a joint investigation, Israeli outlets +972 Magazine¹⁴ and Local Call revealed that the army had lower expectations than previously on limiting civilian targets. Loosened rules¹⁵ were combined with the use of "Habsora" ("The Gospel" in Hebrew), an AI system that can generate targets at faster rates than before, facilitating what one former intelligence officer called a "mass assassination factory". The algorithm does not explain how it reaches its conclusions, making it difficult to check the validity of a strike's outcome.

The more robust the military is determined to the military objectives, the more difficult it is to coordinate between the activities of humanitarian organisations and the army. These challenges relate to the different priorities of humanitarians and the military. Since 21 October, IDF has facilitated via COGAT the entry of humanitarian aid into the Gaza Strip through the Rafah Crossing, and IDF has a mitigate harm cell.

Coordination of Government Activities in the Territories (COGAT) is the Israeli Defence Ministry agency that liaises with Palestinians on civilian affairs. The branch 'Civil Coordination' is responsible for creating and maintaining relationships with its Palestinian counterparts and working directly with the Palestinian population.

10 <https://lieber.westpoint.edu/israels-right-self-defence-against-hamas/>

11 Named after the Dahiya neighbourhood of Beirut, a Hezbollah stronghold destroyed by Israel in the summer of 2006. The Israeli military embrace the doctrine of collective punishment, meaning that inflicting death and destruction on a whole populations is the best way to crush its resistance

12 https://www.timesofisrael.com/liveblog_entry/military-says-israeli-troops-fighting-hamas-near-al-shifa-but-not-striking-hospital/; as online on 11 November 2023.

13 IDF International Spokesperson Lt. Col. Richard Hecht showed a map of Al-Shati on which all areas had colours based on intel (HUMINT, SIGINT etc) to understand the human landscape in the zone. IDF stated it used several forms of communication to ask the people to move out of the area and stated that 75% of the population had left the area at the time the troops moved in Al-Shati.; video as posted on YouTube on 5 December 2023 https://www.youtube.com/watch?v=CBVa39j_kZM

14 <https://www.972mag.com/mass-assassination-factory-israel-calculated-bombing-gaza/>

15 Tishler, the Air Force Chief of Staff, confirmed a shift in policy, telling reporters that the army's "roof knocking" policy is no longer in use; see e.g. <https://www.972mag.com/mass-assassination-factory-israel-calculated-bombing-gaza/>



However, a dozen UN agencies have reiterated urgent appeals for an immediate humanitarian ceasefire to allow more lifesaving aid into Gaza, as it is not enough.

Ceasefires and humanitarian pauses must be planned carefully as they can lead to the loss of operational momentum, but there are also possibilities to mitigate harm to civilians. IDF says it opened a humanitarian corridor for Palestinians to evacuate from northern Gaza¹⁶. However, the extent and scale of the devastation to civilian infrastructure in Gaza makes it difficult for people to relocate. For that, the IDF has identified “safe areas” by classifying Gaza into boxes. Israel’s warnings to people to leave have not created the desired effect to mitigate the harm to civilians from the employment of force because there are too many people to evacuate in too little time and nowhere near sufficient safe areas for them to go to.

Civilians remaining within the urban environment (by choice or not) will further challenge the military, especially processes of planning and targeting. The dual use of locations that are protected under IHL, e.g. hospitals that still function as medical care facilities¹⁷, deliberately puts civilians and aid workers at risk and doesn’t comply with the protection of wounded and sick people (Geneva Conventions). A current understanding of the civil environment is required to mitigate these risks. This includes assessments on population density and movements, critical infrastructure and provision of basic needs (e.g. along the seven baseline requirements), and context-specific threats and risks to civilians and objects, like the CCTs.

SO WHAT?

The Gaza conflict shows that civilian populations can be targeted and/or misused in various ways, including attacks on their critical infrastructure, basic provisions and services, or covering military activities amongst them.

The military forces face the challenge of defeating threats posed from outside the civil environment, while at the same time minimising harm to civilians. Like Hamas, adversaries may try to keep populations in place to cover and protect their own activities, and exploit any negative public and media opinion on military actions harming those. Protecting civilians in urban areas requires a comprehensive approach to anticipate and mitigate civilian risks and ensure compliance with International Humanitarian Law. Preserving objects and buildings (CPP) might not be as crucial as protecting innocent lives, but preserving culture and history is part of protecting people and keeping up their spirits. Palestinians in Gaza not only suffer significant humanitarian distress but also the loss of their heritage, history and cultural identity. Current Israeli military actions could create a new generation of Hamas sympathisers or recruits, and result in an even more significant threat emerging from the rubble.

¹⁶ https://www.timesofisrael.com/liveblog_entry/idf-says-it-opened-humanitarian-corridor-for-palestinians-to-evacuate-northern-gaza/

¹⁷ <https://www.reuters.com/world/middle-east/biden-says-gaza-hospitals-must-be-protected-2023-11-14/> ; <https://www.bbc.com/news/world-middle-east-67414091>



Effective civil-military cooperation plays an essential role in safeguarding civilian lives in Gaza. By integrating the civil factor in the military operation, a better understanding of the human environment of the conflict is created. Mitigating war's cruelty by balancing military necessity with humanitarian aims stresses the importance of having an entity like COGAT helping to coordinate the activities of civilian and military authorities. Military decision-makers must comprehensively understand the operating environment not only from a legal ("Are we allowed to?") or physical ("Can we?") but also from a human security perspective ("Should we?").

The unfolding of the conflict in Gaza shows the need for a tool to integrate civil-military coordination in predominant combat operations too. To operate effectively, apart from ensuring military dominance on the battlefield, it is crucial to outmanoeuvre the opponents in the civil environment. A need for a capacity that can interlink, evaluate and assess the impact of these challenges on military missions is essential. In NATO doctrine CIMIC provides the Commander with an integrated understanding of the civil factors in the operating environment and enables, facilitates and conducts civil-military interaction (CMI) to support the accomplishment of the mission. CMI activities contribute e.g. to force acceptance, freedom of movement and the means and capacities to create the conditions for a safe and secure environment for the civilian population present in the operating environment.

To meet the demand of operating in a high intensity, high civil-military dependent environment, NATO aims to develop CIMIC as a joint function capable of coordinating staff action to gain an understanding of the civil environment, support comprehensive planning, contribute to the joint targeting process, direct civil-military operations with Analysis and Assessment in compliance with Multi Domain Operations during warfighting. This is all to maintain credibility and legitimacy as a Force.

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