**Open-fire policy**

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At the outset, the Israeli military decision to revise its open-fire policies in the occupied West Bank seems puzzling. What would be the logic of giving Israeli soldiers the space to shoot more Palestinians when existing army manuals had already granted them near-total immunity and little legal accountability?

The military’s new rules now allow Israeli soldiers to shoot, even kill, fleeing Palestinian youngsters with live ammunition for allegedly throwing rocks at Israeli ‘civilian’ cars. This also applies to situations where the alleged Palestinian ‘attackers’ are not holding rocks at the time of the shooting.

The reference to ‘civilians’ in the revised army manual applies to armed Israeli Jewish settlers who have colonized the occupied West Bank and East Jerusalem in defiance of international law and Palestinian sovereignty. These settlers, who often operate as paramilitary forces in direct coordination with the Israeli army, endanger the lives of their own families by residing on occupied Palestinian land. Per Israel’s twisted standards, these violent Israelis, who have killed and wounded numerous Palestinians throughout the years, are ‘civilians’ in need of protection from rock-throwing Palestinian ‘assailants’.

In Israel, throwing rocks is a ‘serious crime’ and Palestinians who throw rocks are ‘criminals’, according to Liron Libman, Israel’s former chief military prosecutor, commenting on the new rules. For Israelis, there is little disagreement on these assertions, even by those who are questioning the legality of the new rules. The point of contention, according to Libman and others, is that “a person who is fleeing does not present a threat,” though, according to Libman himself, “the new policy could potentially be justified,” The Times of Israel reported.

The ‘debate’ on the new open-fire policy in Israeli media, gives one the false impression that something fundamental has changed in the Israeli army’s relationship with occupied Palestinians. This is not the case at all. There are numerous, daily examples in which Palestinians, including children, are shot and killed with impunity, whether throwing rocks or not, going to school or merely protesting the illegal confiscation of their land by the Israeli military or armed settlers.

In the Palestinian village of Beita, in the northern occupied West Bank, eight unarmed Palestinians have been killedsince May. This small village has been the scene of regular demonstrations against Jewish settlement expansion and against the illegal settlement outpost of Eviatar, in the Palestinian rural area of Mount Sabih. The victims include Muhammad Ali Khabisa, the 28-year-old father of an eight-month-old child, who was shot dead last September.

Though the new rules have placed much emphasis on the status of the supposed Israeli victims, labeling them ‘civilians’, in practice, the Israeli military has used the exact same standard to shoot, maim and kill Palestinian alleged rock-throwers, even when armed settlers are not present.

A famous case, in 2015, involved the killing of a 17-year-old Palestinian teenager, Mohammad Kosba, at the hands of an Israeli army colonel, Yisrael Shomer. The latter alleged that Kosba had thrown a rock at his car. Subsequently, Shomer chased down the Palestinian teenager and shot him in the back, killing him.

The Israeli officer was ‘censored’ for his conduct, not for killing the boy, but for not stopping ‘in order to aim properly,’ according to The Times of Israel. The Israeli military chief prosecutor at the time concluded that “Shomer’s use of deadly force under the framework of the arrest protocol was justified from the circumstances of the incident.”

Israel’s disregard of international law in its targeting of Palestinians is not a secret. Israeli and international human rights groups have repeatedly condemned the Israeli army’s inhumane and barbaric behavior in the occupied territories. In an extensive report as early as 2014, Amnesty International condemned Israel’s “callous disregard for human life by killing dozens of Palestinian civilians, including children, in the occupied West Bank” over the years. AI said that such killings had taken place ‘with near total impunity.’

“The frequency and persistence of arbitrary and abusive force against peaceful protesters in the West Bank by Israeli soldiers and police officers – and the impunity enjoyed by perpetrators – suggests that it is carried out as a matter of policy,” the Amnesty report read. Even Israel’s own rights group, B’tselem, concurs. The organization decried the Israeli army’s ‘shoot-to-kill policy’, which is also applied to “people who have already been ‘neutralized’”. Indeed, in the case of Abdel Fattah al-Sharif, a Palestinian man who was shot point-blank in Al-Khalil (Hebron), by an Israeli military medic, Elor Azaria, in 2016, was not only ‘neutralized’ but also unconscious.

According to B’tselem, Israeli “soldiers and police officers have become judge, jury and executioner”. With this tragic and sinister trajectory in mind, one is left to wonder why the Israeli army would amend its open-fire policy at this particular moment. There are three possible answers: One, the Israeli government and army are anticipating a surge in Palestinian popular resistance in the coming months, possibly as a result of the massive expansion of illegal settlements and forced evictions in occupied East Jerusalem.

Two, by perfectly aligning the existing open-fire policy with the aggressive shoot-to-kill military practice already in place, Israeli courts would no longer have to contend with any legal repercussions for killing Palestinians, including children, regardless of the circumstances of their murders.

Finally, the revised rules would allow Israel to make a case for itself in response to the open investigation by the International Criminal Court (ICC), concerning human rights violations and war crimes in occupied Palestine. Israel’s Attorney General will now argue that no war crimes are taking place in Palestine since the killing of Palestinians is consistent with Israel’s own military conduct and judicial system. Since the ICC is investigating alleged war criminals, not the government itself, Israel hopes that it can spare its own murderers from having to contend with the legal expectations of the Court.

Though the timing of the Israeli military decision to amend its open-fire policy may appear sudden and without much context, the decision is still ominous, nonetheless. When a country’s military decides that shooting a child in the back without any proof that the alleged ‘criminal’ posed any danger whatsoever is a legal act, the international community must take notice.

Excerpted: ‘Why is Israel Amending Its Open-Fire Policy: Three Possible Answers’

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