

Introduction

Hello everyone. Today marks the beginning of Week 13 of *Eyes of Gaza*. We are again gathering to direct a clear gaze at the horrors in Gaza. To bear witness to them., and also to refuse to normalize Israel’s aggression and systematic destruction. As Ayelet Ben-Yishai says, our gathering is a combination of learning and protest. And in fact the very acts of learning, discussion, and creating a record of the present, which we are doing here thanks to those who join us and to everyone who comes to speak, to teach and direct our gaze, these acts are themselves acts of protest that seek to challenge the mechanisms of denial and create a collective space of refusal. Today Professor Shiri Krebs from Deakin Law School from Melbourne, Australia, will direct our gaze. Shiri specializes in the relationship between law and technology. She will speak with us about drone warfare and the way technology shapes not only the combat tactics of the Israeli military but also our cultural and legal perceptions of what is happening in Gaza. Shiri will speak for eight minutes, and then we’ll open up the floor for discussion. As always, you are welcome to write your questions in the chat, and then I’ll read them aloud to Shiri. The talk will be in English, but you can also write your questions in Hebrew. Shiri, thank you very much for joining us today. The floor is yours.

Paper

Thank you so much. Before I begin, I would just like to acknowledge that I’m joining you today from the unceded lands of the Wurundjeri people of the Kulin Nation here in Naarm-Melbourne. And I pay my respects to elders past and present and to all First Nations peoples. Now, by acknowledging country, I also acknowledge and honor thousands of years of Aboriginal knowledge production. And I recognize that struggles for justice and self-determination are not just matters of history, but are ongoing. And in our discussion today, I therefore ask you to review core legal terms such as sovereignty, borders, self-defense, war crimes, civilians, genocide, from a broader lens than what current international law and its flawed institutions offer. So instead of a technical discussion of the correct legal interpretation of genocide or ethnic cleansing, I would like to use the time that I have today to consider how these legal terms are modified and recalibrated through advanced military technologies. And specifically, I point to the roles played by drone swarms in deepening processes of dehumanization that enable and legitimize the destruction of Gaza and the Palestinian people. Due to time constraints, I’ll focus on three elements in the techno-legal architecture of the destruction of Gaza. First, I’ll explain how drone technologies generate an avatarization of Palestinians through digital specifications and digital sensing. Then, I will explore the recalibration of international humanitarian law through drone swarms. And third, I’ll consider the effects of drone mimicry of human capabilities and performance on the destruction of Gaza.

Let’s start with the avatarization. And by avatarization, I refer to the way military knowledge production practices generate and interpret information about individuals during armed conflicts. The transition from human-centered collection and analysis of intelligence to automated AI powered predictive intelligence means that individuals are reduced to variables that can be easily coded. People are seen through technical lens that reproduce them as something similar but not identical to who they are. So, for example, infrared lens allows better vision for nighttime operations, but at the same time, it does so at the expense of color detection, which may be crucial in armed conflict scenarios where some protected symbols, like the Red Cross for example, require color detection capabilities. Another example that is inherent to drone surveillance is the separation of image and audio, which changes how our brain processes and interprets what we see. Of course, the vertical lens in itself changes our view of the world offering more limited capability of detecting someone’s height, for example, which may change our ability to distinguish between children and adults. And finally, some technical specifications generate dehumanization through inhuman data

like using temperature signatures or movement signals to reflect the presence of individuals or through inhuman calculations such as anticipation that 3.7 people may be killed as collateral damage, as 0.7 person is, of course, meaningless.

The second element that I mentioned is the recalibration of international humanitarian law. And by recalibration of IHL, I refer to the way military technologies and drone swarms change core practices concerning the application of IHL and compliance with IHL. And while we are concerned with the technical elements in legal definitions and how courts may interpret them or have already done so in the past, compliance practices with these definitions make these discussions at least to some extent obsolete. So let's look at the precision paradox, for example. The precision paradox is when the use of more precise or sophisticated weapons systems doesn't actually reduce harm and may even intensify the destruction. Now this is because the use of precision weapons, including reliance on drone swarms, generates numerous targets and legitimizes the violence that they cause. This relates also to algorithmic error rates, as even if the error rate is low, the fact that it also enables unparalleled generation of targets means that there are by definition many "legal by design" errors. So we know in advance that there'll be plenty of errors, even if they are a small percentage, we do allow for a much larger scale of operation overall. And so, this of course drives significant escalation of the violence and destruction. And additionally, the use of constant surveillance for threat detection results in practices that generate humans as threats and present their elimination as both urgent and necessary. In the context of targeting decisions, for example, drone swarms and AI powered targeting tools generate a move from few to many targets and from high to low-level targets. And this process legitimates more targeting operations and by definition tolerates more collateral damage as acceptable simply by the rise in number and scale of legitimized operations.

Finally, the third element that I mentioned concerns swarm mimicry of human performance. So drone swarms are designed to mimic human capabilities and performance and to generate human-like practices that are faster, stronger, at larger scale or that analyze more data. These military advantages in response time and in data analytics capabilities come at a price. We lose and even devalue unique human capabilities. Drone swarms are incapable of applying common sense or adapting to new contexts based on cultural nuance and sensitivity. They're also incapable of reflection and reflexivity, or to apply human reasoning for making life and death decisions. Another significant gap concerns the moral integrity and intentionality in decision-making. Machines are incapable of course of acting in good faith as some of the legal practices require. They lack any sort of faith or intention, and any ideas of individual responsibility are lost on them. From a victim's perspective, destruction by drone swarms is always arbitrary and meaningless, with limited avenues for accountability.

I believe these factors help to explain the role of drone swarms and other military technologies in the legitimization of the horrific violence we see in Gaza, at least by the majority of Jewish Israelis who continue to support and actively serve in the military infrastructure. It adds to the growing dehumanization of Palestinians and contributes to the inaction of core international legal institutions. Before opening for questions – and I'm very happy to expand more on how all this applies specifically in Gaza – I just wish to note that while I'm a native Hebrew speaker, but just like the drone lens, I feel that language can be a lens of and tool of dehumanization and control. And I feel that by discussing publicly the destruction of Gaza in Hebrew, I would take part in exercising domination and exclusion instead of partnership and equality. Thank you.