

Challenges of Warfare in Densely Populated Areas

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Fighting in densely populated areas is partly the result of the fact that the world's population has grown, building is much more congested, and there are hardly any empty areas that are strategically ideal for fighting. Yet in Israel's case, the necessity to fight in densely populated areas stems mostly from our enemies' a priori decision to change the rules of the game. By relocating their fire capabilities to within populated areas, they have changed the erstwhile approach that characterized the early stages of their attempt to contest the existence of the State of Israel. Hizbollah, for example, has intentionally deployed weapons and launch sites in some 160 villages throughout southern Lebanon in order to improve its ability to fire at Israel from those places, and at the same time increase its survivability chances precisely because it is hard for us to fight in populated areas. The flip side of the coin is that Hizbollah has also placed Israeli civilians in the line of fire because the rockets and missiles that it launches target precisely Israel's civilian population. This means that besides the fact that the world is becoming a more crowded place, our enemy has opted for a method that exploits this situation.

In terms of the challenges Israel faces, a doctrine that defines three main stages of action has been formulated over the past decade. The first stage involves attacking targets of high value, even if they are located in close proximity to civilians. In other words, if according to international law, Israel stands to benefit substantively from attacking these targets, and conversely, might suffer great damage if it fails to attack these targets, we will go ahead and target them. Such targets will be attacked without any early warning or prior notice despite the civilian presence. The second

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stage involves issuing an effective pre-strike warning to the civilians in the relevant sector with its high value targets. The warning can be disseminated via the entire gamut of options available to the IDF – from flyers, text messages, and phone calls, to internet websites or any others means with which the IDF can reach the residents and advise them to evacuate the site and seek shelter and protection. The purpose of the evacuation is specifically to avoid harm befalling those civilians. In the third stage, after confirming that the critical mass of the local residents has indeed left, the army transitions to an extensive attack on the targets, including the destruction of the target's environs and maneuvering operations in close proximity to it. It is critical to understand that the IDF resorts to this stage only in the wake of extensive fire or a sequence of shooting incidents or other intolerable situations that make it impossible to show further restraint. We went through such a series of incidents just before the 2006 Second Lebanon War, Operation Cast Lead in the end of 2008 and the beginning of 2009, and Operation Pillar of Defense in 2012. In all those instances, the IDF embarked on this sequence of actions only after the threat had crossed the threshold of what Israel could reasonably endure.

This approach aims to minimize as much as possible the scope of civilian casualties. Like putting an end to the threat to Israel, this, too, is the goal. Ultimately, the defense establishment and the IDF want to end the threat to Israel and prevent its recurrence. This must therefore happen quickly and forcefully so that Israel's population, which was forced to sit in bomb shelters and whose daily routine was disrupted, does not encounter this again.

The Institute for National Security Studies staged a simulation of the third stage, after the enemy's civilian population has been evacuated, thereby clearing our way to attacking the military targets. Here is the situation: Aerial photographs showed that missiles had been fired from a certain village and verified that additional launchers were deployed there. Forty-eight hours before the attack, we dropped flyers on the village, advising the locals to leave. Notwithstanding our warnings, not all the residents left. Some came under pressure from the terrorist organizations to stay put in order to serve as human shields in sensitive sites. We assume that children, the elderly, and the incapacitated were left behind, and that others may have opted not to leave because they wanted to protect their property. Some of them are relatives of the organization's members. We

could not accurately assess how many people are left or determine their precise location. The village is full of missiles and anti-aircraft and anti-tank weapons. Civilians can be found in the village, which is booby-trapped and strewn with landmines. There are between 20 and 25 combatants in well-camouflaged ambushes, set on abducting Israeli soldiers if they enter the village. They wear civilian clothing, and as such do not stand out from among the civilian population. Iron Dome batteries, famous for their 85-percent interception rate, are deployed in defensive positions. We could then envision two possible operational scenarios. According to the first scenario, we knew which building was used to conceal the launchers and we were also familiar with these missiles' capabilities. In the other scenario, we lacked that information. A missile was then fired at an Israeli community, causing civilian casualties and damaging property. The time factor was critical and it was necessary to make an operational decision right away.

The dilemma acted out in the simulation was real, not theoretical, representing one of the routine quandaries that we face. In that particular case, the military commander had a wide range of available alternatives: from directing various types of precision fire at various intensity levels with artillery fire, which is less accurate, to introducing ground troops in order to halt the fire from that area. In the simulation, we tried to examine the various problems while establishing a link between three elements: the operational commander as the leader who is charged with making the decision; legal experts, who can give the commander the necessary legal basis; and professors of ethics, who can provide the moral basis for such a discussion.

The main points that emerged during this simulation were that, to begin with, we had to realize that we would be operating without intelligence about how many civilians remained in the battle zone. We could ascertain that a large segment has left, but in most cases we would be hard pressed to know for certain how many still remained behind or in what condition we would find them. Were they civilians who chose to stay behind of their own free will, or were they threatened by the organization that controls the village? Here we also had to check whether the entire village was a legitimate target or whether it would become a legitimate target only if we knew exactly where the launchers were located, even though we knew that the village had a military record and was fortified. We also discussed the

principle of discriminating between combatants and noncombatants as well as the proportionality in the attacks. The use of the full range of means at the IDF's disposal was likewise raised. Are precision weapons the best solution? After all, even if they are, one must always bear in mind that we do not always have the ability to use them. They are not always available to the operational commander, who is sometimes de facto left with fewer options. He can theoretically bring into the arena supplementary forces or use remotely controlled weapons from the surface, deploy tanks, or order the ground forces to fire missiles or direct artillery fire into that specific area while taking into account the artillery's limited accuracy, dispersion, and targeting capabilities.

We viewed the advantages and disadvantages of every method. We did not try to reach any "magic formula" or find the one right solution to this problem, because none exists. We tried to understand the problems and bring them to the fore so that the jurists among us – such as the representatives of the International Red Cross, for example – would also be exposed to these relevant quandaries and so that, by the same token, the operational staff would similarly be exposed to the other side.

The discussion dealt with the need to protect Israel's civilians – which is, after all, our supreme goal – but it also focused on the need to prevent disproportionate injuries among the other side's civilians. Dilemmas that concern protecting the soldiers also came up, for example: What happens when a maneuvering force enters the arena? What indices should we use to gauge our ethical conduct? What considerations and dilemmas should we weigh with respect to protecting the other side's civilians and dispatching our forces into an arena that is fortified, as described above? Although we all believe that civilians are civilians wherever they are, the main dilemma that arose – and which I believe everyone can respect – is that it is problematic to ask the commanding officer to address the other side's civilians as though they were his own kinsmen by arguing that his family is on a par with the relatives of the enemy's terrorist. We respect the law and understand the legal demands, but this is a serious dilemma and it is very hard to make such a demand. The commander's attitude toward the other side will most probably not be identical to his attitude toward his own family.

To me, the position of international organizations and the international community's stance on this problem is bizarre, if not incomprehensible.

We are aware of the problem and have been dealing with it, but we have not heard them direct any demand – whether legal or moral-ethical – toward the party that directs its fire from amid civilian surroundings and uses civilians as human shields, which in itself constitutes a war crime. Nothing has been done in this respect, and this reality seems to have made no impression whatsoever on these organizations. Thus if such a demand has been made at all, it was raised very quietly and behind the scenes.

We have not seen anyone sue Hamas leaders in the international courts; no one has issued arrest warrants against them for their war crimes. What is even more absurd is that the Human Rights Watch report published after Operation Pillar of Defense demanded that Hamas severely penalize all those who directed fire at civilian communities. This is a big joke. Yet the Goldstone Report on Operation Cast Lead nevertheless outdid even that joke by asking Hamas itself to investigate the matter. In other words, something in the international community's perception of the problem and the way in which it perceives the two sides is skewed, abnormal, and warped.

Since our enemy's explicit strategy involves firing at civilian areas from inside civilian areas, it is difficult to take those international bodies' statements seriously, as this mode of conducting war is inherently a war crime. I therefore believe that we cannot continue to take this attitude lying down. We must insist that the international community stand behind its words. If this is indeed a war crime, then this should be proclaimed as such out loud and in the open. The international community must issue arrest warrants. Let there also be lawsuits against the terror groups in Lebanon and the Gaza Strip.