

Artificial Intelligence, Cultural Rights, and the Right to Development

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Introduction

Article 28 of the Universal Declaration of Human Rights (UDHR) affirms that “everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized.” Article 3 of UDHR provides that everyone “has the right to life, liberty and security of person”. In conjunction with the Declaration on the Right to Development, which recognises the right of all peoples to participate in, contribute to, and enjoy economic, social, cultural and political development, States are under an obligation to organise their policies, including in the areas of “security” and technology, in a manner conducive to the realisation of these rights. Yet, Israel’s unlawful conduct in the occupied Palestinian territory (OPT), in particular its deployment of artificial intelligence-enabled decision-support systems (AI-DSS) in its military operations in the Gaza Strip and widespread use of facial recognition technology (FRT) in the West Bank, including East Jerusalem, demonstrates that Palestinians are excluded from the supposedly universal, inalienable rights promised by the international order to all peoples.

Rapid technological advancements in the field of AI, surveillance, and spyware, unconstrained by regulations which lag far behind, have allowed Israel to herald in a new era of occupation – an era in which many components of its brutal military rule can be automatised and carried out at a convenient distance. This has been expressly confirmed by Yair Golan, a former army chief and leader of Democrats party in Israel, who stated in 2019: “[w]hy cause any risk to soldiers when most of the battlefield can be managed by robots?”¹

Israel has publicly framed its use of AI-DSS in Gaza as a tool to minimise civilian harm and ensure compliance with international humanitarian law, asserting that its analysts use AI-enabled systems to help identify targets and independently examine them together with high-ranking officers so as to weigh military advantage against expected collateral damage.² This narrative is advanced even despite the widespread, authoritative consensus that Israel is committing genocide against the Palestinian people.

Since 7 October 2023 and throughout Israel’s genocidal assault on Gaza, the deployment of AI-DSS has led to widespread destruction and the systematic undermining of the conditions necessary for life — let alone Palestinian development and self-determination. The principal operational purpose of such AI-DSS is not to vet existing targets but to find and generate new ones: by detecting supposedly “suspicious” behavioural patterns or other markers in vast

¹ Sophia Goodfriend, ‘The start-up spy state’ (+972 Magazine, 6 April 2022) <<https://www.972mag.com/isdef-surveillance-tech-israel-army/>>

² Sam Mednick, Garance Burke and Michael Biesecker, ‘How US tech giants supplied Israel with AI models, raising questions about tech’s role in warfare’ (AP News, 18 February 2025) <<https://apnews.com/article/israel-palestinians-ai-weapons-430f6f15aab420806163558732726ad9>>

datasets, these systems label individuals, homes and neighbourhoods as targetable, with Israel's military lauding AI as a "game changer" for generating targets more swiftly.³

Beneath the visible destruction in Gaza lie servers, networks, and software systems designed, trained and maintained by some of the world's most powerful technology corporations. As has been documented, the increasing militarisation of digital technologies and infrastructures—most visibly in Israel's use of AI-driven systems and data analytics in Gaza—has reshaped debates on accountability and exposed grave gaps in existing governance frameworks that regulate the conduct of States and private actors in armed conflict and situations of unlawful occupation.⁴ Palantir CEO Alex Karp has openly argued that "the power of advanced algorithmic warfare systems is now so great that it equates to having tactical nuclear weapons against an adversary with only conventional ones," highlighting the unprecedented asymmetry that such systems create when deployed against a besieged and unlawfully occupied civilian population living under apartheid.⁵

The documented use of AI-driven targeting and pervasive surveillance across the OPT has produced a cumulative, negative impact that destroys the physical, social and political infrastructure indispensable for the enjoyment of the right to development. By facilitating large-scale destruction of homes, schools, hospitals, public services and economic assets; entrenching a regime of constant digital and physical surveillance; and enabling the rapid, industrial-scale designation of Palestinians and their civilian environments as targets, these systems erode the collective and individual rights that are at the heart of the Declaration on the Right to Development. This, in turn, directly impairs the Palestinian people's inalienable right to self-determination—the right to freely to determine their political status and to pursue their economic, social and cultural development. Al-Haq stresses that Israel's AI-driven military and surveillance architecture, selectively and systematically deployed against Palestinians, constitutes a discriminatory deprivation of the prerequisites for the right to development and is fundamentally incompatible with a genuine, people-centred development process as envisaged under international human rights law.

1. Contextual Background

Since the early 2000s, Israel's surveillance and spyware industry has grown exponentially with Israeli military intelligence units becoming "public-facing innovation labs" focussed on developing highly sophisticated and intrusive technologies that are subsequently deployed and

³ Ibid

⁴ Marwa Fatafta, 'AI for War: Big Tech Empowering Israel's Crimes and Occupation' (Al-Shabaka, 26 October, 2025) <<https://al-shabaka.org/briefs/ai-for-war-big-tech-empowering-israels-crimes-and-occupation/#resource-summary>>

⁵ Business and Human Rights Resource Centre, 'Palantir allegedly enables Israel's AI targeting in Gaza, raising concerns over war crimes' (12 April 2024) <<https://www.business-humanrights.org/en/latest-news/palantir-allegedly-enables-israels-ai-targeting-amid-israels-war-in-gaza-raising-concerns-over-war-crimes/#:~:text=Palantir%20allegedly%20enables%20Israel's%20AI,Business%20&%20Human%20Rights%20Resource%20Centre>>

tested across the Gaza Strip and the West Bank, including East Jerusalem.⁶ In other words, occupied Palestine effectively functions as an open-air laboratory for Israel to perfect spyware and surveillance systems before selling these products to oppressive regimes around the world.⁷ Over the course of 2020 and 2021, several investigations revealed in stark detail Israeli authorities' intensifying use of surveillance and predictive technologies to police and control Palestinians. Even before 2021, Palestinian activists, journalists, scholars, and citizens have long drawn attention to their humiliation at the hands of innovative forms of surveillance that violate their right to development.⁸ Perhaps more insidious is the many ways in which the technologies, purchased and invested in by influential States throughout the world, have been weaponized as a means of subjugating the oppressed and unlawfully occupied Palestinian population dominated under Israel's settler colonial apartheid regime.

Israel's assaults on Gaza over the past five years constitute a leading example of the operationalisation of commercial artificial intelligence systems in active warfare and genocide. The Israeli military first deployed AI systems to generate and prioritise lethal targets at scale during its 11-day bombardment of Gaza in May 2021, which it publicly described as its first "AI war".⁹ Since then, the Israeli Occupation Forces (IOF) have significantly expanded their reliance on AI-enabled tools, using cloud computing and machine-learning systems to ingest and process vast volumes of surveillance data—including satellite imagery, intercepted communications and other intelligence—in order to automate the identification, selection and ranking of targets.

Central to this AI warfare architecture is 'Project Nimbus', a 1.2 billion USD contract under which Google and Amazon provide the Israeli government and military with advanced cloud infrastructure and machine-learning capabilities.¹⁰ In the early days of Israel's genocidal campaign, Israeli forces relied almost entirely on AI-powered target-generating systems such as 'Lavender', 'The Gospel' and 'Where's Daddy?' to accelerate its mass killing and destruction of Palestinians and their civilian infrastructure. It was these AI-driven systems, fed with mass surveillance data on the entire population of Gaza, that algorithmically determined who was to be killed, which buildings were to be bombed, and how much "collateral damage"

⁶ Sophia Goodfriend, 'The start-up spy state' (+972 Magazine, 6 April 2022) <<https://www.972mag.com/israel-surveillance-tech-israel-army/>>

⁷ Al Jazeera, 'India bought Israeli Pegasus spyware as part of weapons deal: NYT' (29 January 2022) <<https://www.aljazeera.com/news/2022/1/29/india-bought-israeli-pegasus-spyware-as-part-of-weapondeal-nyt>>; New York Times, 'F.B.I. Secretly Bought Israeli Spyware and Explored Hacking U.S. Phones' <<https://www.nytimes.com/2022/01/28/world/middleeast/israel-pegasus-spyware.html#:~:text=The%20U.S.%20had%20also%20moved,activists%20in%20a%20dozen%20countries>>

⁸ Mona Shtaya, 'Nowhere to hide: The impact of Israel's digital surveillance regime on the Palestinians' (Middle East Institute, 27 April 2022) <<https://www.mei.edu/publications/nowhere-hide-impact-israels-digital-surveillance-regime-palestinians>>

⁹ The Jerusalem Post, 'Israel's operation against Hamas was the world's first AI war' (27 May 2021) <<https://www.jpost.com/arab-israeli-conflict/gaza-news/guardian-of-the-walls-the-first-ai-war-669371>>

¹⁰ Marwa Fatafta, 'AI for War: Big Tech Empowering Israel's Crimes and Occupation' (Al-Shabaka, 26 October, 2025) <<https://al-shabaka.org/briefs/ai-for-war-big-tech-empowering-israels-crimes-and-occupation/#resource-summary>>

was deemed acceptable. In other words, how many Palestinian civilian men, women and children could be killed and what protected buildings could be flattened. With 69,785 Palestinians killed (20,179 of which are children) and over 81 percent of all structures damaged or destroyed,¹¹ it is clear that “collateral damage” is in fact the intended targeting and mass killing of Palestinians, in acts intended to destroy the Palestinian people.

Within Israel’s military-intelligence apparatus, one of Unit 8200’s most important entities is the Data Science and Artificial Intelligence Center which is responsible for developing many of the AI systems that have “transformed the entire concept of targets” in the IOF.¹² Its work underpins both the 2021 “AI war” and the far more extensive and devastating use of AI-DSS in Israel’s ongoing genocide in Gaza, to which AI-driven targeting and analytics have become integral.¹³

These developments also mark the first instance of the direct use of commercial AI models produced by United States (US) technology companies in live combat. As Heidy Khlaaf, chief AI scientist at the AI Now Institute and former senior safety engineer at OpenAI, has stated, this is “the first confirmation we have gotten that commercial AI models are directly being used in warfare”.¹⁴ This has enormous implications for the role of the technology sector in enabling unethical and unlawful warfare going forward. Among US corporations, Microsoft has maintained an especially close, decades-long relationship with the Israeli military. That relationship, alongside those with other major firms, intensified following Operation Al-Aqsa Flood on 7 October 2023 due to Israel’s military response straining its own computing infrastructure and increasing its reliance on external cloud providers. In a presentation by the military’s chief information technology officer, Col. Racheli Dembinsky, AI was described as delivering “very significant operational effectiveness” in Gaza, against a backdrop displaying the logos of Microsoft Azure, Google Cloud and Amazon Web Services.¹⁵

Evidence compiled from internal company information shows that, following 7 October 2023, the Israeli military’s use of Microsoft and OpenAI technology surged dramatically. AI systems were employed to sift through vast troves of intelligence, intercepted communications and other surveillance data to identify “suspicious” speech or behaviour and to track the movements of Palestinian individuals and communities. By March 2024, the military’s use of Microsoft and OpenAI AI services had risen to nearly 200 times the levels recorded before the week

¹¹ UN OCHA, ‘Reported impact snapshot | Gaza Strip (26 November 2025)’ (26 November 2025)

<<https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-26-november-2025>>

¹² Business and Human Rights Resource Centre, ‘Palantir allegedly enables Israel’s AI targeting in Gaza, raising concerns over war crimes’ (12 April 2024) <<https://www.business-humanrights.org/en/latest-news/palantir-allegedly-enables-israels-ai-targeting-amid-israels-war-in-gaza-raising-concerns-over-war-crimes/#:~:text=Palantir%20allegedly%20enables%20Israel's%20AI,Business%20&%20Human%20Rights%20Resource%20Centre>>

¹³ Ibid

¹⁴ Sam Mednick, Garance Burke and Michael Biesecker, ‘How US tech giants supplied Israel with AI models, raising questions about tech’s role in warfare’ (AP News, 18 February 2025) <<https://apnews.com/article/israel-palestinians-ai-weapons-430f6f15aab420806163558732726ad9>>

¹⁵ Ibid

leading up to Operation Al-Aqsa Flood on 7 October 2023, while the volume of data stored on Microsoft servers had more than doubled to over 13.6 petabytes—roughly 350 times the digital memory required to store every book in the US Library of Congress.¹⁶

This exponential increase in surveillance takes place against the backdrop of a long-standing policy of digital monitoring of the Palestinian people. Palestinians across the occupied West Bank, including East Jerusalem, are under constant scrutiny from security and military apparatuses which limit “their expressive spaces and plunges them into a state of constant anxiety”.¹⁷ Palestinians are subjected to Israeli authorities’ digital monitoring on a daily basis—at checkpoints, on roads, in the streets, during protests and social gatherings, and on social media. FRT allows security forces to store photos and biometric data, recording individuals’ information on a surveillance system even if Palestinians have not knowingly or consensually registered with it. FRT technology is now embedded in Israel’s surveillance ecosystem and is used by Israeli authorities to monitor and restrict the movement of Palestinians, creating coercive environments to force the displacement of Palestinians for settlement expansion.¹⁸ Israel’s systems of mass and discriminatory surveillance violate the Palestinian people’s rights to development, privacy, equality and non-discrimination, and to freedom of movement, association and assembly.

The experimental surveillance tools and the databases they create are used exclusively to record the data of Palestinians and subsequently determine the ability of individual Palestinians to enter or exit their neighbourhoods and other locations, as well as who should be subjected to arbitrary searches and questioning.¹⁹ The desired effect is to make life unbearable for the Palestinian people, eliminate any pursuit of self-determination, displace them from strategic areas, and cement Israel’s genocidal, settler-colonial apartheid regime.

Taken together, this contextual background demonstrates that Israel’s military attacks against the Palestinian people and unlawful presence in the OPT are facilitated through a dense AI-assisted surveillance ecosystem built on commercial, predominantly US-made platforms and cloud infrastructures. This technological architecture materially enables Israel to maintain its apartheid system and unlawful occupation while simultaneously engaging in large-scale, industrialised targeting and destruction in Gaza. This forms a critical backdrop to assessing how such AI-driven practices discriminate against Palestinians and extinguish the material, institutional and societal conditions required for the enjoyment of their right to development.

¹⁶ Ibid

¹⁷ Mona Shtaya, ‘Nowhere to hide: The impact of Israel’s digital surveillance regime on the Palestinians’ (Middle East Institute, 27 April 2022) <<https://www.mei.edu/publications/nowhere-hide-impact-israels-digital-surveillance-regime-palestinians>>

¹⁸ Amnesty International, *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT* (2023) p. 55, https://www.amnesty.ch/de/laender/naher-osten-nordafrika/israel-besetztes-palaestinensisches-gebiet/dok/2023/automated-apartheid-gesichtserkennungstechnologie-schraenkt-rechte-von-palaestinerinnen-ein/ai_report_automated-apartheid.pdf

¹⁹ Amnesty International, *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT* (2023)

2. AI-Assisted Digital Panopticon

For a Palestinian, life in unlawfully occupied Palestine means living under constant suspicion. Each move is watched, recorded or scrutinised — by an Israeli Occupation Forces (IOF) soldier, an illegal settler, or Israel’s comprehensive network of CCTV systems. They are forced to survive in an environment shrouded in multiple layers of surveillance designed to monitor Palestinian voices, restrict freedom of movement, eliminate freedom of expression, association and assembly, or even mere thoughts of resistance. The violation of each of these fundamental rights and freedoms directly obstruct the Palestinian people’s ability to participate in, contribute to, and enjoy economic, social, cultural and political development.

Israel’s intricate AI-assisted surveillance ecosystem helps advance its unlawful occupation and apartheid system by instilling amongst the occupied population a constant feeling of being watched — no matter where they are. This powerful tool of oppression is yet another iteration of the IOF “demonstrating presence” which “promotes Israeli patrols of Palestinian communities for the sole purpose of exhibiting the army’s sprawling reach”.²⁰ As noted by Mona Shtaya, a prominent human rights defender focused on digital rights and technology’s discrimination of oppressed people:

In the short term, minor tweaks to daily routines may suffice to alleviate the anxieties of unceasing surveillance, but Israel’s government hopes that in time its cameras will pressure Palestinians into more drastic changes to their behaviour. This unabating sense of surveillance threatens to bring about a fragmented society wracked with suspicion and cowed by fear.²¹

Hebron and East Jerusalem are subject to particularly intensive surveillance. For the past 25 years, ‘Mabat 2000’ — significantly upgraded since 2017 — has stalked Palestinians in East Jerusalem through its dense web of cameras blanketing the city.²² A 2023 report by Amnesty International mapped the visible Israeli surveillance system and found one or two cameras every five meters in Jerusalem’s Old City and Sheikh Jarrah.²³ Equipped with FRT, Mabat 2000 enables authorities to identify protesters and maintain continuous observation. The system has

²⁰ Mona Shtaya, ‘Nowhere to hide: The impact of Israel’s digital surveillance regime on the Palestinians’ (*Middle East Institute*, 27 April 2022) <<https://www.mei.edu/publications/nowhere-hide-impact-israels-digital-surveillance-regime-palestinians>>

²¹ Ibid

²² Al-Haq, *The Surveillance Industry and Human Rights: Israel’s Marketing of the Occupation of Palestine* Submission to the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression (13 February 2019), <https://www.alhaq.org/cached_uploads/download/alhaq_files/images/stories/PDF/Submission_to_the_UN_Special_Rapporteur_on_the_Promotion_and_Protection_of_the_Right_to_Freedom_of_Opinion_and_Expression.pdf>

²³ Amnesty International, *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT* (2023) 56

expanded alongside illegal Israeli settlements encroaching on Palestinian neighbourhoods in occupied East Jerusalem, including within the Old City.²⁴

Israel's AI-assisted surveillance architecture continually feeds a vast database of Palestinian profiles. The recent scale-up of FRT has coincided with efforts to forcibly displace Palestinians from strategic areas and has imposed a palpable chilling effect on the ability to organise and appear in public.

In *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT (Automated Apartheid)*, which examined the omnipresent surveillance infrastructure in East Jerusalem, Amnesty International found:

Since the Mabat 2000 programme was first rolled out at the turn of the millennium, Israeli state and settler-controlled surveillance infrastructure has increased in the Old City. Since 2019, Israeli defence investments in AI-driven surveillance technologies, purporting to have extensive computer vision capabilities, have further changed the landscape across occupied East Jerusalem, especially in areas of particular significance to Palestinian social, cultural, economic or religious life, or those that are targeted for home and land takeovers by settlers and settler organizations. (...)

For Palestinians in Jerusalem, the steps of Damascus Gate are their gateway into the Old City and one of the few public spaces where they can spend time together, reclaim a sense of community and start protests.²⁵

The Mabat system in the Old City in Jerusalem, is comprised of approximately 320 closed circuit television cameras (CCTV) – which is one camera for every 125 residents in the Old City. One shopkeeper from the Old City explained to Who Profits in a 2018 report:

The Old City, the streets and alleyways used to be our collective spaces, our living rooms. Now, not only are our living rooms surveilled, but they can even see underneath our clothes. Our privacy and liberty are systematically deprived from us, to make us leave and stop resisting.²⁶

Recognising the role of Damascus Gate in Palestinians ability to participate in and contribute sociopolitical and cultural life – and consequent development — Al-Haq has documented how Israel has steadily militarised the area and increased the number of surveillance cameras.²⁷ In June 2017, Israel's Minister of Strategic Affairs announced that there would be “an

²⁴ Ibid 8

²⁵ Amnesty International, *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT* (2023) 52

²⁶ Who Profits, “Big Brother” in Jerusalem's Old City: Israel's Militarized Visual Surveillance System in Occupied East Jerusalem (November 2018), <https://www.whoprofits.org/writable/uploads/old/uploads/2018/11/surveil-final.pdf>

²⁷ Al-Haq, *Occupying Jerusalem's Old City, Israeli Policies of Isolation, Intimidation, and Transformation* (23 September 2019), p. 10, <https://www.alhaq.org/publications/15212.html>, pp. 8-11.

²⁷ Amnesty International, *Automated Apartheid*, p. 63

unprecedented change in the entire security system at the Damascus Gate — cameras, positions, intelligence, changing the territory — everything is done to significantly reduce attacks on this area”.²⁸ A short time later, Israeli forces set up a watchtower checkpoint on the steps of Damascus Gate to suppress the potential of it being used as a site of public protests and gathering.²⁹ Amnesty International’s fieldwork documented how residents now avoid even social gatherings there. One Palestinian described how anyone there is treated as an activist, “[l]ike just being there, just sitting there, you will be considered an activist”.³⁰ A Palestinian journalist told Amnesty International on 5 February 2023 the same:

With the exception of the 2021 April-May uprising... there is no doubt that the number of protests on the steps [of Damascus Gate] has significantly gone down since the erection of the checkpoint and the watchtower. Those who demonstrate know that, even if they don’t get detained on the spot, their faces will be captured by the cameras and they can be arrested later or banned from entering Al-Aqsa for instance (...) Israel uses technology as a means of controlling us, of deterring us not only from protesting but also from living our normal life.³¹

While Israel’s digital surveillance infrastructure is most visible at Damascus Gate, it is diffused throughout the occupied West Bank, where AI-assisted surveillance technologies compound old patterns of harassment, dispossession, segregation and denial of fundamental rights.³² The scale and granularity of this network have grown with public investments in AI-driven technology and computer vision.

The daily impact of these systems on the Palestinian people goes far beyond physical restrictions at checkpoints or subsequent harassment. It has impacted on every facet of Palestinian life, including the work of Palestinian human rights defenders, whose phones have even been surveilled with Israeli Pegasus spyware.³³ The psychological impact of living under constant surveillance and having your freedom of movement being at the discretion of an opaque, discriminatory algorithm has profound, tangible impacts on behaviour. Furthermore, the mental health impacts on Palestinians living under Israel’s unlawful occupation are twofold:

1. Fear: Palestinians self-censor and refrain from engaging in activities that facilitate the development of the Palestinian people, in particular those that involve exercising their rights to peaceful assembly and association, because participation

²⁸ “Israel Planning ‘Unprecedented Change’ for Jerusalem Security” Jerusalem Post (22 June 2017), <https://www.jpost.com/jerusalem/interior-security-minister-unprecedented-change-planned-for-old-city-security-497603>

²⁹ Al-Haq, Occupying Jerusalem’s Old City, Israeli Policies of Isolation, Intimidation, and Transformation (23 September 2019), p. 10, <https://www.alhaq.org/publications/15212.html>

³⁰ Amnesty International, *Automated Apartheid*, p.63.

³¹ Amnesty International, *Automated Apartheid*, p.65.

³² Al-Haq, Occupying Jerusalem’s Old City, Israeli Policies of Isolation, Intimidation, and Transformation (23 September 2019), p. 10, <https://www.alhaq.org/publications/15212.html>, p. 9.

³³ Al-Haq, Spyware Surveillance of Palestinian Human Rights Defenders (8 November 2021), <https://www.alhaq.org/advocacy/19188.html>

risks being recorded, identified, and punished. As Amnesty International reported in *Automated Apartheid*, “almost all of those interviewed (...) were deeply aware of the existence of the cameras and how they are being used, and adjust their daily routines accordingly”.³⁴

2. Hopelessness: Mentally exhausted from being constantly on guard due to an omnipresent Occupying Power, Palestinians in the West Bank are stripped of their motivation and ability to pursue their right to development knowing that it poses immense risks — making it exist only in theory but never as a lived reality.

This chilling effect manifests in emptied public and political spaces, and now also extends online. Research by 7amleh- the Arab Center for the Advancement of Social Media (7amleh) focusing on Palestinian youth found approximately 70 percent practice self-censorship on social media.³⁵ Political organisation, network-building, and consensus formation — activities that rely on digital communication — are thereby stifled, further isolating activists and practically curtailing any exercise of the right to development, along with related fundamental freedoms.

3. Israel’s Reliance on AI-DSS in its Genocidal Campaign in Gaza

The Declaration on the Right to Development defines the inalienable right as a comprehensive economic, social, cultural, and political process, which aims at the constant improvement of the well-being of the entire population.³⁶ In direct contravention of this right, the documented use of AI in Gaza aims to destroy the entire population.

Israel’s use of AI systems has entered uncharted territory for advanced warfare, raising a host of legal and moral questions, and transforming the relationship between military personnel and machines. Compared to previous Israeli assaults, the ongoing genocide in the Gaza Strip has seen the IOF significantly expand its bombing of targets that are not distinctly military in nature.

The Gospel, Habsora in Hebrew, is an AI target-creation platform that has played a central role in the wholesale devastation wrought by Israel in the Gaza Strip. The Gospel generates targets almost automatically at a rate previously impossible. From the moment the machine was activated in 2021, it generated 100 new targets per day — a staggering figure in comparison to the prior ability to create 50 targets per year.³⁷ A former Israeli intelligence officer described

³⁴ Amnesty International, *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT* (2023) 71

³⁵ 7amleh, *Digital Security Among Palestinian Youth Citizens of Israel: A Study on Threats and Challenges in Light of the War on Gaza* (August 2024) <<https://7amleh.org/storage/august%20papers%2024/English%20version%207amleh%2048.pdf>> 5, 37

³⁶ Declaration on the Right to Development 1986, Preamble

³⁷ Yuval Abraham, “A mass assassination factory’: Inside Israel’s calculated bombing of Gaza’ (+972 Magazine, 30 November 2023) <<https://www.972mag.com/mass-assassination-factory-israel-calculated-bombing-gaza/>>

the system to +972 Magazine and Local Call as a “mass assassination factory”.³⁸ While The Gospel is intended to identify residences where Hamas members (even junior operatives) live, testimonies from Palestinians in Gaza confirm that IOF’s routine attacks on Palestinian homes where there was no known or apparent member of Hamas or any other militant group residing.³⁹

Beyond the category of “family homes” or “operatives’ homes”, The Gospel also plays a key role in generating “tactical targets”; “underground targets”; and “power targets”. Tactical targets include standard military targets such as armed cells, weapon warehouses, rocket launchers, anti-tank missile launchers, launch pits, mortar bombs, military headquarters, observation posts, etc. Underground targets refer to tunnels, the bombing of which can lead to the collapse of homes above or near the tunnels. Power targets include high-rises and residential towers in the heart of cities and public buildings such as universities, banks, and government offices. The idea behind hitting such targets, as revealed by three intelligence sources who were involved in planning or conducting strikes on power targets in the past, is that a deliberate attack on Palestinian society will exert “civil pressure” on Hamas.⁴⁰ In an April 2024 statement condemning Israel’s unprecedented destruction of civilian infrastructure, in particular homes, UN Experts expressed grave concern about the practice of bombing these so-called “power targets”, highlighting that they are attacked solely with the intent “to shock the population and increase civilian pressure on Hamas.”⁴¹

It is paramount to note that for each target generated, an estimated number of civilians likely to be killed is provided. This constitutes further proof that Israel, which grounds its use of AI on an alleged intent to mitigate civilian losses, carries out its attacks with full knowledge of the likely death toll. In fact, knowing the estimated death toll of an attack has actually assisted Israel in its destruction of Palestinians in Gaza.

Whereas The Gospel marks buildings and structures as targets, Lavender marks people. Within two weeks of beginning its genocidal campaign against Palestinians in Gaza, the Israeli military approved the automatic adoption of “kill lists” developed by Lavender, which had previously been used only as an auxiliary tool. Sources speaking to investigative journalists at +972 Magazine stated that if Lavender decided an individual was a militant in Hamas, they were essentially asked to treat that as an order, with no requirement to independently check why the machine made that choice or to examine the raw intelligence data on which it is based.⁴²

According to six Israeli intelligence officers involved in its use during the ongoing genocide, Lavender has been central to the relentless bombing of Palestinians.⁴³ Lavender is formally

³⁸ Ibid

³⁹ Ibid

⁴⁰ Ibid

⁴¹ UN OHCHR, ‘Gaza: UN experts deplore use of purported AI to commit ‘domicide’ in Gaza, call for reparative approach to rebuilding’ (15 April 2024) <<https://www.ohchr.org/en/press-releases/2024/04/gaza-un-experts-deplore-use-purported-ai-commit-domicide-gaza-call>>

⁴² Yuval Abraham, “Lavender’: The AI machine directing Israel’s bombing spree in Gaza’ (+972 Magazine, 3 April 2024) <<https://www.972mag.com/lavender-ai-israeli-army-gaza/>>

⁴³ Ibid

designed to identify suspected operatives in the armed wings of Hamas (a political organisation in Gaza with a military wing, the Al-Qassam Brigades) and Palestinian Islamic Jihad as potential bombing targets. In the first weeks of the war, the army relied heavily on the system, which flagged around 37,000 Palestinians — along with their homes — as suspected militants for possible airstrikes.⁴⁴

Human involvement in this process is minimal. The officers described their role as largely a “rubber stamp” on Lavender’s output, often spending only about 20 seconds per target before approving a strike, mainly to confirm that the person marked was male. This was done despite knowing the system has an error rate of roughly 10 percent (according to Israeli sources, meaning the actual error rate is likely higher) and flags people with only tenuous or no links to militant groups.⁴⁵ The IOF also systematically chose to strike these individuals while they were at home — typically at night, when their families were present — rather than while they were engaged in any military activity. Additional automated tools, such as Where’s Daddy?, were used to track these individuals and trigger bombings once they returned to their family residences. One intelligence officer said:

We were not interested in killing [Hamas] operatives only when they were in a military building ... the I[O]F bombed them in homes without hesitation, as a first option. It’s much easier to bomb a family’s home. The system is built to look for them in these situations.

For those labelled as lower-level militants by Lavender, the army reportedly preferred using unguided “dumb” bombs instead of precision munitions, because the latter are more expensive and in short supply, despite such bombs levelling entire buildings and causing mass civilian casualties.

The devastating impact of AI-DSS in Israel’s genocide against Palestinians in Gaza is now both well-documented and recognised. The UN Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories reported that it was “extremely concerned about the use by the Israeli military of artificial intelligence and surveillance technologies, which proved to be key contributing factors in the horrifying number of civilian casualties”.⁴⁶ Such is the extent of Israel’s destruction of Palestinian life that Airwars, a watchdog which tracks, assesses, archives and investigates civilian harm claims in conflict-affected nations, has determined that:

⁴⁴ Yuval Abraham, “Lavender’: The AI machine directing Israel’s bombing spree in Gaza’ (+972 Magazine, 3 April 2024) <<https://www.972mag.com/lavender-ai-israeli-army-gaza/>>

⁴⁵ Ibid

⁴⁶ UNGA, *Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories*, A/80/365 (5 September 2025), p. 9, <https://docs.un.org/en/A/80/365>

By almost every metric, the harm to civilians from the first month of the Israeli campaign in Gaza is incomparable with any 21st-century air campaign.⁴⁷

4. The Dangers Posed by AI to the Palestinian People's Right to Development

4.1 Algorithmic Bias

It is crucial to highlight that technology is not neutral. As a product of society built on algorithms made by humans with inherent — and in the case of Israel, overt — biases, AI technology implements discriminatory codes which only further entrench the marginalisation, oppression and subjugation of certain groups. The technologies used by Israeli forces are not exposed to the public, and the algorithms that are used to operate these technologies are hidden from researchers.⁴⁸

When deployed against Palestinians, AI-powered systems absorb and reproduce the genocidal logic of the people who operate them. They are trained to classify civilians as “terrorists”, extending the genocidal intent of Israeli officials who have claimed that there are no innocent civilians in Gaza. In the drive to automate lethal targeting, IOF commanders have instructed soldiers to find and upload as many targets as possible into the system, thereby drastically lowering the threshold for designating individuals as “ Hamas militants” by sweeping up a broad range of people through algorithmic flags.⁴⁹ As noted above, once Lavender flagged an individual as a militant, and despite the system's high error rate, the only factor Israeli soldiers reportedly checked on Lavender's kill list was the target's gender — meaning all Palestinian males, children and adults alike, were treated as legitimate targets.⁵⁰

Through machine learning, Lavender assigns Palestinians in Gaza with a numerical score based on their likelihood of being a member of an armed group. The criteria for identifying someone as a likely Hamas operative are concerningly broad and determined by the Israeli operator, assuming that being a young male, living in specific areas of Gaza, or exhibiting communication behaviours is enough to justify their killing — and that of anyone who happened to be in the vicinity.⁵¹ An investigation by +972 Magazine described how:

[T]he Lavender machine sometimes mistakenly flagged individuals who had communication patterns similar to known Hamas or PIJ operatives — including police and civil defense workers, militants' relatives, residents who happened to have a name

⁴⁷ Airwars, *Patterns of harm analysis - Gaza, October 2023* <<https://gaza-patterns-harm.airwars.org/assets/Airwars%20Patterns%20of%20harm%20analysis%20-%20Gaza%20October%202023.pdf>>

⁴⁸ Sophia Goodfriend, ‘The start-up spy state’ (+972 Magazine, 6 April 2022) <<https://www.972mag.com/isdef-surveillance-tech-israel-army/>>

⁴⁹ Yuval Abraham, ‘Lavender’: The AI machine directing Israel's bombing spree in Gaza’ (+972 Magazine, 3 April 2024) <<https://www.972mag.com/lavender-ai-israeli-army-gaza/>>

⁵⁰ Ibid

⁵¹ Anwar Mahjane, ‘Gaza: Israel's AI Human Laboratory’ (The Cairo Review, 2025) <<https://www.thecaireview.com/essays/gaza-israels-ai-human-laboratory/>>

and nickname identical to that of an operative, and Gazans who used a device that once belonged to a Hamas operative.⁵²

This poses serious risks to the Palestinian population against which the AI-systems are deployed.

Israel's documented practice of widespread and systematic arbitrary arrests and detention of Palestinians — without charge, based on no evidence or alternatively alleged “secret evidence” — further attests to the prominent role played by biased surveillance equipment in facilitating this criminal policy. For instance, in 2020, IOF soldiers in Hebron were instructed by their commanders to use the Blue Wolf system installed on their smartphones to register as many Palestinians as possible. The use of Blue Wolf was incentivised via a gamified system of competition with leaderboards and generates rankings based on the number of Palestinians faces captured per unit (of which the high score appears to be above 1000 per week). Prizes and rewards, including extra time off, were then provided by commanders in the Israeli army for the battalion with the highest rankings.⁵³

All facial images captured and uploaded through the Blue Wolf system render the individuals rapidly identifiable in the future by registering their biometric data in the Wolf Pack database, regardless of whether there is any indication that they have been involved in any wrongdoing. Palestinians have been misidentified as dangerous by the Blue Wolf system or have been flagged red (arrest) for being caught on CCTV attending demonstrations, speaking out publicly against Israel's unlawful occupation or even being in the company of other people labelled as dangerous. All these acts by Palestinians are legal under international law, but in the occupied Palestinian territory, it leads to arrests at checkpoints, smear campaigns, and targeting by the IOF and illegal settlers.

4.2. AI's Erosion of the Conditions Necessary for Development

4.2.1 *The Further Dehumanisation, Subjugation and Destruction of the Palestinian People*

The principle of human dignity is a cornerstone of contemporary international law and a necessary precondition for the realization of the right to development. The United Nations Charter's preamble proclaims a commitment to “faith in fundamental human rights and in the dignity and worth of the human person”. Article 1 of the Universal Declaration of Human

⁵² Yuval Abraham, “Lavender”: The AI machine directing Israel's bombing spree in Gaza' (+972 Magazine, 3 April 2024) <<https://www.972mag.com/lavender-ai-israeli-army-gaza/>>

⁵³ Breaking the Silence, ‘The point was to take photos’ <<https://www.breakingthesilence.org.il/testimonies/database/280983>>; Ethan Rooney, ‘Automated Apartheid: How Palestinians Became the World's Most Surveilled People’ (Untold Mag, 10 October 2025) <<https://untoldmag.org/automated-apartheid-palestinians-surveillance/>>; Amnesty International, *Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT* (May 2023)

Rights affirms that “all human beings are born free and equal in dignity and rights”. This shared premise underlies both international human rights law and international humanitarian law, whose mutual reinforcement rests, at least in part, on the protection of human dignity. The Declaration on the Right to Development builds directly on this foundation: by conceiving development as a comprehensive process aimed at the constant improvement of the well-being of “every human person and all peoples”, it presupposes that all persons are treated as rights-holders endowed with equal, inalienable dignity. Systematic attacks on dignity therefore do not simply violate a single abstract principle; they structurally obstruct people’s capacity to participate in, contribute to and benefit from development.

Although understandings of human dignity differ across religious, philosophical, and cultural traditions, they converge on the idea that each human being possesses an inherent, incalculable worth.⁵⁴ AI target-selection tools such as Lavender, devoid of consciousness, ethics or morality are incapable of apprehending the meaning of using lethal force against a person, including children and vulnerable members of society, or of weighing the gravity of such an act. Unlike human decision-makers, they cannot respond to appeals to humanity, nor can they engage with the contextual, emotional or moral subtleties that ought to shape life-and-death decisions. When such technology is deployed against a civilian population, they do not merely risk individual rights violations; they embed dehumanisation into the very architecture of decision-making, undermining the possibility of treating that population as a collective subject of the right to development.

Lavender’s operation exemplifies this dehumanisation. The 2.3 million Palestinians in Gaza subjected to AI-powered surveillance and designation are recast not as holders of rights and agents of their own social, economic and cultural development, but as potential targets to be eliminated. Their lives are reframed as security variables rather than as lives with trajectories, communities, aspirations and entitlements. This reduction is intensified by the system’s statistical logic: by rating every person in Gaza according to an algorithmic assessment of their supposed likelihood of being a militant, the system converts human beings into numerical probabilities. Entering the database, they become data points and risk scores. Such treatment erodes the recognition of Palestinians as a people entitled to development, effectively excluding them from the collective process of shaping their political, economic and social future as envisaged by the Declaration on the Right to Development. The same can be said for Israel’s use of Blue Wolf in the occupied West Bank. As Matt Mahmoudi, adviser on AI and human rights at Amnesty and lead researcher on *Automated Apartheid* explained to The Guardian, this incentivised mass data collection means IOF soldiers are:

⁵⁴ See Adrián Ajenjo, ‘Lavender Unveiled: The Oblivion of Human Dignity in Israel’s War Policy on Gaza’ (Opinio Juris, 12 April 2024) <<https://opiniojuris.org/2024/04/12/lavender-unveiled-the-oblivion-of-human-dignity-in-israels-war-policy-on-gaza/>>

[C]onstantly put into the terrain of no longer treating Palestinians as individual human beings with human dignity. You're operating by a gamified logic in which you will do everything in your power to map as many Palestinian faces as possible.⁵⁵

This logic dehumanises Palestinians to the point that they are reduced to coloured indicators of green, yellow and red on a screen by a system that only logs their identities, and not those of illegal settlers which continue to commit crimes in plain sight of Israel's dense CCTV network.

The historically entrenched concept of human dignity forbids treating individuals as mere objects, a prohibition that ought to retain greater force in armed conflict. When a population is persistently framed as expendable within statistical tolerances, their equal worth is denied in practice.

4.2.2 Physical Restrictions

Across the unlawfully occupied West Bank, IOF soldiers use smartphone applications interfacing with Wolf Pack. Whenever an Israeli soldier encounters a Palestinian, whether at a checkpoint, during a raid, or randomly in the street, they can take a picture of them. Within seconds the Blue Wolf app matches the face up against an extensive database which has been collected through the dense network of thousands of CCTV cameras. The app signals green, yellow or red, determining whether an individual may pass, must be interrogated, or should be detained.

In Hebron, an FRT system known as Red Wolf is deployed at checkpoints — which only Palestinians must pass through — to scan faces that are subsequently logged in the database without the consent of the person. The results generated by the database automatically determine whether they are eligible to pass. The majority of the Palestinian population in Hebron, some 33,000 people, is now restricted to specific areas due to the presence of some 850 illegally transferred in Israeli settlers whose presence is supported by Israel's integration of discriminatory AI software in checkpoints and surveillance systems.

The Red Wolf system — together with Blue Wolf and the broader Wolf Pack database — automates severe limitations on movement throughout the OPT, fragmenting communities and preventing Palestinians from meeting, organising, and forming the social and political networks essential to the “active, free and meaningful participation” required for their socioeconomic, cultural and political development.⁵⁶

FRT cameras were reportedly set up at makeshift checkpoints in the Gaza Strip to scan people forcibly transferred from north to south during Israel's ongoing genocide, with some being

⁵⁵ Nick Robins-Early, 'How Israel uses facial-recognition systems in Gaza and beyond' (The Guardian, 19 April 2024) <https://www.theguardian.com/technology/2024/apr/19/idf-facial-recognition-surveillance-palestinians?utm_source=chatgpt.com>

⁵⁶ Declaration on the Right to Development 1986, Article 2(3)

detained or beaten based on algorithmic matches — many of which turned out to be false.⁵⁷ Palestinians in Gaza are constantly on guard as surveillance drones fly continuously overhead, logging every movement that may later be flagged as a threat. Soldiers have even admitted to deferring to the system over their own judgment, treating people as digital profiles rather than human beings.⁵⁸ This kind of monitoring not only limits the ability to pursue one's right to development but also increases the risk of wrongful targeting, reinforcing a system of mass surveillance that strips Palestinians of all freedom and autonomy.

4.2.3 Destructive AI Systems Fed through Mass Surveillance

When discussing the risks of AI systems, the focus tends to lie on harmful algorithmic biases emanating from input datasets. Little attention is paid to the principle of data minimisation, or in other words to the question of restricting the underlying surveillance practices themselves. Israel's intricate AI-assisted surveillance ecosystem in the unlawfully occupied West Bank, including East Jerusalem, and the physical and mental barriers this poses to Palestinians exercising their right to development, has been discussed in detail above and therefore need not be repeated here. However, Israel's mass surveillance network also extends to the besieged, and unlawfully occupied Gaza Strip and the vast troves of information it obtains have and continue to be used to develop AI systems designed to further subjugate and ultimately erase the Palestinian people.

In March 2025, reports emerged of Unit 8200's creation of a ChatGPT-like artificial intelligence tool “using millions of intercepted conversations between Palestinians, which could accelerate the process of incrimination and arrest”.⁵⁹ The large language model (LLM), a machine-learning program capable of analysing information and generating, translating, predicting and summarizing text, has been trained on spoken Arabic discussing highly personal information intercepted from an entire population living under siege and unlawful occupation. These immense privacy breaches against Palestinians not suspected of any crime are perversely being used to develop an AI tool designed to establish suspicion. As explained by Nadim Nashif, director and founder of 7amleh:

Palestinians have become subjects in Israel's laboratory to develop these techniques and weaponize AI, all for the purpose of maintaining [an] apartheid and occupation regime where these technologies are being used to dominate a people, to control their lives.⁶⁰

⁵⁷ Sibel Duz & Muhammed Sefa Kocaoglu, *Algorithms | Destructive Role of Artificial Intelligence in Gaza War* (SETA, 2025) <<https://media.setav.org/en/file/2025/02/deadly-algorithms-destructive-role-of-artificial-intelligence-in-gaza-war.pdf>>

⁵⁸ Ibid

⁵⁹ Yuval Abraham, ‘Israel developing ChatGPT-like tool that weaponizes surveillance of Palestinians’ (+972 Magazine, 6 March 2025) <<https://www.972mag.com/israeli-intelligence-chatgpt-8200-surveillance-ai/>>

⁶⁰ Ibid

Israel's discriminatory use of AI to stunt Palestinians' ability to engage in the developmental processes necessary to realise their right to self-determination has been publicly acknowledged by Chaked Roger Joseph Sayedoff, an intelligence officer who presented himself as the project's lead, in a lecture in 2024:

We sought to create the largest dataset possible, collecting all the data the State of Israel has ever had in Arabic... We said, 'Wow, now we'll replace all intelligence officers with [AI] agents. Every five minutes, they'll read all Israeli intelligence and predict who the next terrorist will be'.⁶¹

He further noted that the program is being trained on "psychotic amounts" of intelligence information, which has served to deepen Israel's control over the Palestinian population and significantly increased the frequency of arbitrary arrests – which have risen exponentially since Operation Al-Aqsa Flood.

Lavender, The Gospel, and Where's Daddy equally ingest mass surveillance data about the entire population of Gaza to algorithmically determine—at scale—who is to be killed, which buildings are to be bombed, and how much "collateral damage" is deemed acceptable.⁶² Lavender's predictions are generated through an analysis of data synthesised and aggregated from various sources such as a person's family tree, their mobile phone information, and their behaviour as tracked both online and in the physical world. Unlike simpler classification algorithms that are merely supposed to facilitate the targeting process by distinguishing objects located on the battlefield, Lavender's way of finding targets cannot be built just by occasionally collecting and labelling some training data, or even by using artificially generated data during training. By design, systems like this depend on large-scale, continuous surveillance of the entire population they monitor. Only by constantly watching people's behaviour can they spot unusual patterns that might be interpreted as signs of hostile activity.⁶³

These AI systems, in particular The Gospel, have decimated Gaza. The Palestinian territory is unrecognisable, with 81 percent of all structures damaged or destroyed. Nearly 90 percent of Gaza's cropland has been damaged, along with 77 percent of the total road network.⁶⁴ By April 2025, a staggering 92 percent of residential buildings have also been damaged or destroyed.⁶⁵ A year prior, UN Experts deplored the alleged role of AI in Gaza, referring to the mass

⁶¹ Ibid

⁶² See Marwa Fatafta, 'AI for War: Big Tech Empowering Israel's Crimes and Occupation' (Al-Shabaka, 26 October, 2025) <<https://al-shabaka.org/briefs/ai-for-war-big-tech-empowering-israels-crimes-and-occupation/#resource-summary>>

⁶³ Henning Lahmann, 'Gaza and the Collective Political Costs of Algorithmic Warfare' (EJIL:Talk!, 25 March 2025) <<https://www.ejiltalk.org/gaza-and-the-collective-political-costs-of-algorithmic-warfare/#:~:text=In%20particular%2C%20the%20piece%20attends,within%20their%20area%20of%20deployment>>

⁶⁴ UN OCHA, 'Reported impact snapshot | Gaza Strip (26 November 2025)' (26 November 2025) <<https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-26-november-2025>>

⁶⁵ UN News, 'Gaza: Destruction of vital lifting gear halts search for thousands buried under rubble' (22 April 2025) <<https://news.un.org/en/story/2025/04/1162491>>

destruction of homes and civilian infrastructure.⁶⁶ The experts stressed that the destruction of homes removes the:

[M]emories, hopes and aspirations of Palestinians and their ability to realise other rights, including their rights to land, food, water, sanitation, health, security and privacy (especially of women and girls), education, development, a healthy environment and self-determination.

An assessment by the UN Development Programme (UNDP) and the UN Economic and Social Commission for Western Asia (UNESCWA) published in October 2024 titled 'Gaza War: Expected socioeconomic impacts on the State of Palestine', building off of earlier assessments conducted in November 2023 and May 2024, found that poverty in the State of Palestine will rise to 74.3 percent in 2024, affecting 4.1 million people, including 2.61 million people who are newly impoverished. UNDP Administrator Achim Steiner stated at the time:

Projections in this new assessment confirm that amidst the immediate suffering and horrific loss of life, a serious development crisis is also unfolding – one that jeopardizes the future of Palestinians for generations to come.⁶⁷

Despite this stark warning, Israel was permitted to continue its AI-assisted genocide in the Gaza Strip. Now, a full year later, the latest report issued by the UN Trade and Development (UNCTAD) confirm UNDP and UNESCWA's findings that Gaza has been set back 69 years of human development and stands as the most severe economic crisis ever recorded.⁶⁸ As this submission has sought to show, Israel's fatal blow to the Palestinian people's development is powered by AI. Moreover, it is not just felt in Gaza. Decades of development have been erased across the OPT. The West Bank is undergoing its most severe economic downturn on record, driven by heightened insecurity, movement and access restrictions — imposed by Blue Wolf, Red Wolf, and the Wolf Pack Database — and the loss of productive opportunities in all sectors of the economy. The OPT is now experiencing the steepest economic contraction on record that has wiped out decades of progress.⁶⁹

⁶⁶ UN News, 'Gaza: rights experts condemn AI role in destruction by Israeli military' (15 April 2024) <<https://news.un.org/en/story/2024/04/1148561#:~:text=%E2%80%9C6Six%20months%20into%20the%20current,in%20the%20Palestinian%20Territory%20occupied%20>>

⁶⁷ UNDP, 'New UN report: Impacts of war have set back development in Gaza by as much as 69 years' (22 October 2024) <<https://www.undp.org/press-releases/new-un-report-impacts-war-have-set-back-development-gaza-much-69-years>>

⁶⁸ UNCTAD, 'Gaza's economy collapsed 83% in 2024, pushing all 2.3 million people into poverty' (24 November 2025) <<https://unctad.org/news/gazas-economy-collapsed-83-2024-pushing-all-23-million-people-poverty#:~:text=Gaza's%20economy%20collapsed%20in%202024,%24161%20%E2%80%93%20among%20the%20world's%20lowest.>>>

⁶⁹ UNCTAD, 'Gaza's economy collapsed 83% in 2024, pushing all 2.3 million people into poverty' (24 November 2025) <<https://unctad.org/news/gazas-economy-collapsed-83-2024-pushing-all-23-million-people-poverty#:~:text=Gaza's%20economy%20collapsed%20in%202024,%24161%20%E2%80%93%20among%20the%20world's%20lowest.>>>

4.3. The Long-Term Effects of AI on Self-Determination

On 19 July 2024, the International Court of Justice recognised in clear, unequivocal terms that “Israel’s policies and practices obstruct the right of the Palestinian people to freely determine its political status and to pursue its economic, social and cultural development”.⁷⁰ Israel’s breach of this *jus cogens* norm was found to have “a direct impact on the legality of Israel’s presence, as an occupying Power, in the Occupied Palestinian Territory”.⁷¹

As outlined above, Israel’s AI-assisted surveillance network plays a crucial role in both maintaining and expanding Israel’s illegal presence in the OPT. Its use of AI systems in its genocidal assault on the Gaza Strip have set development back nearly 70 years and created an environment in which every single component of the right to development has been obliterated. On this basis alone, Israel’s AI-assisted surveillance network and methods of warfare contribute to the ongoing denial of the Palestinian people’s inalienable right to self-determination by entrenching its genocidal, settler-colonial apartheid regime.

Traditional legal doctrine has largely focussed on the material outcomes of the right to self-determination. As Lahmann explains:

According to this framing, self-determination is achieved once a certain legal status has been realised, be it autonomy within the structures of an existing state as an expression of ‘internal’ self-determination, on the one hand, or independence — through the termination of a colonial relationship to a metropolitan state or secession from a larger state — as the quintessential form of ‘external’ self-determination, on the other.⁷²

In Enlightenment thought, self-determination was originally devised as meaning that “the form of government in a state should be determined by the collective will of the people who are subject to it”.⁷³ This necessarily implies that the very process of forming authority and the political will that enables the people to express their choice freely forms an integral part of the right itself. The right to self-determination would be incomplete, and indeed contradictory, without a corresponding procedural component that provides the right to form the political will which preconditions achieving the desired outcome.⁷⁴

The Palestinian people as a whole — including Palestinians in the Occupied Palestinian Territory, Palestinian citizens of Israel and Palestinian refugees and exiles in the diaspora —

⁷⁰ *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion (ICJ, 19 July 2024) para. 242

⁷¹ *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion (ICJ, 19 July 2024) para. 257

⁷² Henning Lahmann, ‘Self-Determination in the Age of Algorithmic Warfare’ (2025) *European Journal of Legal Studies*, LT Special 167, 191

⁷³ Tom Sparks, *Self-Determination in the International Legal System: Whose Claim, to What Right?* (Hart Publishing 2023)

⁷⁴ Henning Lahmann, ‘Self-Determination in the Age of Algorithmic Warfare’ (2025) *European Journal of Legal Studies*, LT Special 167, 194

have been collectively denied their right of self-determination since the Palestine Mandate, when the League of Nations promised the Palestinian people their full impendence as a Class A Mandate.⁷⁵

Article 43 of the 1907 Hague Regulations bestows on the Occupying Power the authority to maintain public order and safety while respecting the sovereignty that remains vested in the occupied population. This entails a correlative duty to tolerate — even facilitate — the formation of Palestinian political will. That process necessarily requires the ability to exercise one’s individual freedoms of peaceful assembly and association, as reflected in Articles 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), along with the exercise of the collective right to self-determination under Article 1.

As expressly stated in Article 1.2 of the Declaration on the Right to Development, the “human right to development also implies the full realization of the right of peoples to self-determination”. Just as the right to development constitutes a precursor to self-determination, so too is spontaneity to the exercise of this inalienable right to development. Scholarly work, particularly that of Arendt, has emphasised the role of spontaneity in emancipatory collective action that develops the political will necessary to pursue self-determination by all available means.⁷⁶

Israel’s ability to generate potential military targets by analysing vast surveillance data and predicting affiliation inherently undermines the ability for spontaneous political action. Identifying targets by flagging suitable individuals through detecting “anomalous” behaviour or otherwise suspicious patterns means AI systems can only generate predictions based on an analysis of past data. As explained by Lahmann:

Inherently, such a system “freezes the past” in the way that the latter is represented within the dataset that was fed to the system for the purpose of building its internal model, a dataset that was produced through constant surveillance of the target population. It follows that these AI-DSS proceed from the baseline assumption that human behaviour remains essentially constant, that is consistent with whatever patterns and frequencies have been detected in the input dataset.⁷⁷

As the spontaneous political action integral to political development happens randomly and against laws of probability, disrupting the preconceived course of events, the action will not find representation in the dataset of the system and thus will be registered as an anomaly by

⁷⁵ Al-Haq, ‘On Centenary of Palestine Mandate, Al-Haq Calls for British Reparations Owed to the Palestinian People in New Position Paper’ (30 September 2023) <<https://www.alhaq.org/publications/21783.html>>

⁷⁶ Sidonia Blättler and Irene M Marti, ‘Rosa Luxemburg and Hannah Arendt: Against the Destruction of Political Spheres of Freedom’ (2005) 20 Hypatia 88, 94; Henning Lahmann, ‘Self-Determination in the Age of Algorithmic Warfare’ (2025) European Journal of Legal Studies, LT Special 167, 200

⁷⁷ Henning Lahmann, ‘Gaza and the Collective Political Costs of Algorithmic Warfare’ (EJIL:Talk!, 25 March 2025) <<https://www.ejiltalk.org/gaza-and-the-collective-political-costs-of-algorithmic-warfare/#:~:text=In%20particular%2C%20the%20piece%20attends,within%20their%20area%20of%20deployment>>

the AI-DSS, raising suspicion. Israel targets Palestinians even without suspicion. Thus, being even identified by the algorithm has lethal consequences. This renders any political act too costly. As previously outlined, Israel's comprehensive AI-assisted surveillance system in the West Bank has detrimentally impacted the ways in which politics is performed and actualised in the public sphere and purposefully undermined the conditions for spontaneous political activity by making public life perpetually observable, recordable, and punishable. In practice, this suppresses the potential for "acting in concert," the basis for political power.⁷⁸

When participation in a political faction, a peaceful march, or the organisation of public events is all being logged in a database that will directly ensure that one's freedom of movement or physical liberty is restricted, self-censorship is inevitable. At this juncture, it is worth recalling the immense sense of hopelessness felt by Palestinians as a result of Israel's digital panopticon, since it similarly arises when spontaneous political action is fraught with risks. As Arendt has made clear, the primary mode for any totalitarian regime to establish and exert control is the elimination of spontaneous action.⁷⁹ In this instance, the potential to even imagine political futures that may arise from spontaneously acting in concert is repressed — as is their capacity for resistance against Israel's genocidal, settler-colonial apartheid regime and ultimate attainment of self-determination.⁸⁰

5. The Extensive Role of Corporations in the Palestinian People's Denial of the Right to Development

The functionality of Israel's AI-DSS in Gaza depends on cloud infrastructure and machine-learning capabilities developed and maintained by major technology companies.⁸¹ Although the involvement of big-tech in Israel's ongoing genocide and denial of the right to development and self-determination was briefly explained above,⁸² the extent of corporate involvement in Israel's egregious violations of international law demands further attention.

In recent years, the military AI market has attracted many non-traditional defence actors who have begun to shape the sector in ways that favours the logics of Silicon Valley industries and its products. Since 2021, approximately 130 billion USD has been invested in the defence

⁷⁸ See Henning Lahmann, 'Self-Determination in the Age of Algorithmic Warfare' (2025) European Journal of Legal Studies, LT Special 167

⁷⁹ Hannah Arendt, *The Origins of Totalitarianism* (OT) (Penguin Classics 1951) 598

⁸⁰ Henning Lahmann, 'Self-Determination in the Age of Algorithmic Warfare' (2025) European Journal of Legal Studies, LT Special 167, 212-214

⁸¹ Business and Human Rights Resource Centre, 'AP exposes Big Tech AI systems' direct role in warfare amid Israel's war in Gaza' (18 February 2025) <<https://www.business-humanrights.org/en/latest-news/ap-exposes-big-tech-ai-systems-direct-role-in-warfare-amid-israels-war-in-gaza/>>

⁸² See Contextual Background

sector, in particular military technology startups, by venture capital (VC) investors who view the market as an area of high growth and potential.⁸³

As highlighted prior, AI systems deployed in Gaza are fed with surveillance data. This comes in the form of intelligence reports on Palestinians in the OPT,⁸⁴ subsequently used to dominate and destroy the very same population. In a September 2025 report, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories noted that in August 2024 “an official of the Israel [Occupation] Forces publicly confirmed that the Israeli army was using cloud storage and artificial intelligence services provided by companies to assist with military operations”.⁸⁵

Usage of Microsoft’s cloud infrastructure by the Israeli military increased by almost two-thirds in the first two months of Israel’s genocide against Palestinians in Gaza. As revealed by AP, the Israeli military uses Microsoft Azure to compile information gathered through mass surveillance, which it transcribes and translates, including phone calls, texts, and audio messages. That data can then be cross-checked with Israel’s in-house targeting systems and vice versa. The Microsoft data AP reviewed shows that since October 2023, the Israeli military has made heavy use of transcription and translation tools and OpenAI models, although it does not detail which.⁸⁶

Over roughly the same period, OpenAI revised its terms of use, moving from a blanket prohibition on military use to permitting “national security use cases that align with our mission”.⁸⁷ Google amended its public AI ethics policy to remove language stating it would not use its AI for weapons and surveillance, instead emphasising AI that supports national security.⁸⁸ Shortly thereafter, in March 2024, Google deepened its ties with the Israeli Ministry of Defense (IMOD) by signing a new contract to build a specialized “landing zone” into its cloud infrastructure.⁸⁹ This grants multiple military units access to its automation technologies. Amazon Web Services (AWS), Google’s partner in Project Nimbus, reportedly supplied Israel’s Military Intelligence Directorate with a dedicated server farm capable of endless storage for surveillance data collected on almost everyone in Gaza.⁹⁰

⁸³ Elke Schwarz, ‘The (im)possibility of responsible military AI governance’ (ICRC Humanitarian Law & Policy, 12 December 2024) <<https://blogs.icrc.org/law-and-policy/2024/12/12/the-im-possibility-of-responsible-military-ai-governance/>>

⁸⁴ Ibid

⁸⁵ UNGA, *Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories*, A/80/365 (5 September 2025) 9 <<https://docs.un.org/en/A/80/365>>

⁸⁶ Sam Mednick, Garance Burke and Michael Biesecker, ‘How US tech giants supplied Israel with AI models, raising questions about tech’s role in warfare’ (AP News, 18 February 2025) <<https://apnews.com/article/israel-palestinians-ai-weapons-430f6f15aab420806163558732726ad9>>

⁸⁷ Ibid

⁸⁸ Ibid

⁸⁹ Billy Perrigo, ‘Exclusive: Google Contract Shows Deal With Israel Defense Ministry’ (Time, 12 April 2024) <<https://time.com/6966102/google-contract-israel-defense-ministry-gaza-war/>>

⁹⁰ Yuval Abraham, ‘“Order from Amazon”: How tech giants are storing mass data for Israel’s war’ (+972 Magazine, 4 August 2024) <<https://www.972mag.com/cloud-israeli-army-gaza-amazon-google-microsoft/>>; See

Concurrently, Israel has deepened its collaboration with Palantir, one of the world's most advanced data-mining companies, with longstanding ties to the US Central Intelligence Agency. Palantir has supplied the Israeli military and intelligence agencies with sophisticated targeting and analytics capabilities, and both sides have publicly affirmed their shared commitment to harnessing Palantir's technology in support of war-related missions.⁹¹

5.1 The Rapid Militarisation of AI in the Absence of Binding Regulatory Frameworks

Despite AI militarisation advancing at pace, this rapid growth is taking place in a legal vacuum. While States continue to negotiate standards on autonomous weapons systems within UN forums, there remains no binding international instrument that specifically regulates their development or operational use. Regulatory oversight is even weaker in respect of dual-use technologies—such as large language models and cloud computing infrastructure—which are increasingly being integrated into military decision-making and targeting processes.

Recent national and international initiatives on AI governance, frequently framed around the protection of privacy and human rights, largely fail to address the grave consequences of AI deployment in armed conflict and their detrimental impact on the right to development of vulnerable populations. A stark illustration of this disconnect is Israel's signature of the Council of Europe's AI Treaty — concerned with safeguarding human rights, democracy and the rule of law — at the very time credible reports were emerging of its use of AI-enabled targeting systems in Gaza.⁹² Although the treaty itself contains extensive exceptions that significantly constrain its practical effect, Israel's adherence to it, while conducting an ongoing genocidal campaign, highlights the profound gap between the legal norms being drafted and the real-world battlefield use of the technologies those norms purport to regulate.⁹³

Concurrently, non-binding standards and soft-law instruments are routinely disregarded. The UN Guiding Principles on Business and Human Rights (UNGPs), which articulate both State duties and corporate responsibilities to identify, prevent and mitigate human rights harms, are habitually ignored by technology companies. This is so even though the UNGPs make clear that companies operating in conflict-affected areas must treat the risk of contributing to gross

Marwa Fatafta, 'AI for War: Big Tech Empowering Israel's Crimes and Occupation' (Al-Shabaka, 26 October, 2025) <<https://al-shabaka.org/briefs/ai-for-war-big-tech-empowering-israels-crimes-and-occupation/#resource-summary>>

⁹¹ Business and Human Rights Resource Centre, 'Palantir allegedly enables Israel's AI targeting in Gaza, raising concerns over war crimes' (12 April 2024) <<https://www.business-humanrights.org/en/latest-news/palantir-allegedly-enables-israels-ai-targeting-amid-israels-war-in-gaza-raising-concerns-over-war-crimes/#:~:text=Palantir%20allegedly%20enables%20Israel's%20AI,Business%20&%20Human%20Rights%20Resource%20Centre>>

⁹² Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law <<https://rm.coe.int/1680afae3c>>

⁹³ See Marwa Fatafta, 'AI for War: Big Tech Empowering Israel's Crimes and Occupation' (Al-Shabaka, 26 October, 2025) <<https://al-shabaka.org/briefs/ai-for-war-big-tech-empowering-israels-crimes-and-occupation/#resource-summary>>

human rights violations and breaches of international humanitarian law as a matter of legal compliance. In practice, technology firms continue to apply these obligations selectively, if at all.

Conclusion

Through the present submission, Al-Haq seeks to shed a much-needed spotlight on the devastating impact of Israel's deployment of AI-DSS and pervasive AI-assisted surveillance technologies in the OPT. It does not simply result in discrete human rights violations; it leads to a structural, discriminatory negation of the Palestinian people's right to development and, with it, their inalienable right to self-determination. AI systems such as Lavender, The Gospel, Where's Daddy?, Blue Wolf, Red Wolf and the Wolf Pack database are not neutral tools. They form the digital bedrock of Israel's genocidal, settler-colonial apartheid regime — a regime that systematically destroys the material, institutional and societal conditions required for Palestinians to "participate in, contribute to and enjoy economic, social, cultural and political development" as guaranteed by the Declaration on the Right to Development.

As documented above, these systems simultaneously obliterate the substantive and procedural dimensions of the right to development. In Gaza, AI-driven targeting has facilitated the large-scale destruction of homes, schools, hospitals, universities, public administration and economic assets, producing an economic collapse and developmental regression unprecedented in modern times. In the West Bank, including East Jerusalem, AI-assisted mass surveillance, facial recognition, and data-driven movement controls fragment communities, empty public and political spaces, and suppress collective organisation and spontaneous political action. Together, these practices extinguish Palestinians' ability to shape their own economic, social and cultural future, thereby rendering illusory the international community's commitments under Article 28 of the UDHR and the Declaration on the Right to Development.

Crucially, this technologically enabled deprivation is *inherently discriminatory*. The AI-assisted surveillance and targeting apparatus is designed and deployed exclusively against Palestinians. It converts them into scores, colour codes and risk profiles; renders their very presence in public space suspect; and treats their social relations, communications and movements as the basis on which to kill, torture, and detain. At the same time, it leaves illegal settlers, rapidly advancing Israel's annexation of Palestine and erasure of the indigenous Palestinian population, outside the field of vision of these systems. Such a regime is irreconcilable with the principles of equality and non-discrimination that underpin both the right to development and the *jus cogens* norm of self-determination, as affirmed by the International Court of Justice in its Advisory Opinion, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* of 19 July 2024.

Until Israel's AI-assisted machinery of surveillance and destruction is dismantled, and the unlawful occupation and apartheid regime it sustains is brought to an end, Palestinians will

remain excluded from the “social and international order” in which human rights and the right to development can be realised. Any discourse of “responsible” or “ethical” AI that ignores this reality serves only to legitimise conduct that encodes and accelerates their dispossession. International law does not permit such an outcome. It demands that States and corporations alike immediately act to ensure that AI is not a vehicle for the erasure of a people’s future, but that its development and deployment are firmly subordinated to the universal, inalienable right of the Palestinian people to development and self-determination.

Recommendations

- Call on Israel to immediately cease all AI-enabled targeting and mass-surveillance in the OPT, including a moratorium on systems such as Lavender, The Gospel, Where’s Daddy?, Mabat 2000, Blue Wolf, Red Wolf and other facial-recognition/biometric tools and databases.
- Require Israel to dismantle its discriminatory digital infrastructure, including through an independent audit and verifiable destruction of the Wolf Pack database, and to end arrests, movement restrictions and other sanctions based on AI-driven profiling or online/social media activity.
- Oblige Israel to restore and protect the material and procedural conditions necessary for Palestinian development and to provide full reparations, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, for harms caused by AI-assisted operations.
- Affirm that Israel’s AI-enabled military and surveillance practices constitute a discriminatory deprivation of the Palestinian people’s right to development and an ongoing obstruction of their right to self-determination, in line with the ICJ Advisory Opinion on *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*.
- Adopt and implement an immediate global moratorium on the development, transfer, provision and use of AI-assisted targeting and mass surveillance systems in situations of genocide, occupation, apartheid or serious, systematic human-rights violations, including in the OPT.
- Require all States, consistent with their *erga omnes* obligations and the ICJ Advisory Opinion, to refrain from recognising, supporting or assisting Israel’s unlawful occupation, including by prohibiting the export, licensing, provision or facilitation of AI, cloud and surveillance technologies that enable its targeting of Palestinian civilians and related infrastructure.

- Demand a ban on all financial, trade, research and cloud-computing partnerships connected to Israel's military and surveillance sectors, and enforce compliance with the UN Guiding Principles on Business and Human Rights.
- Pursue accountability for corporate and financial actors through criminal prosecution, sanctions, divestment and strategic litigation where they develop, fund, supply or maintain AI systems used to facilitate genocide, apartheid or other grave violations of international human rights and humanitarian law.
- Provide sustained support to community-led initiatives, Palestinian civil society and impartial humanitarian organisations that work to rebuild social fabric, address the psychological harms of Israel's digital panopticon, dehumanisation and enable meaningful participation in political, economic, social and cultural life.
- Integrate the right to development and related right to self-determination into all emerging international, regional and national AI governance frameworks and binding regulation of military AI.