

Lavender unveiled

Oblivion of human dignity in Israel's war policy on Gaza



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The Israeli military campaign on Gaza continues to defy all expressions of human dignity. A revealing journalistic investigation by +972 Magazine (cited throughout the text) has uncovered the deployment of a sophisticated AI-driven system, known as "Lavender", which has been instrumental in guiding Israel's intensive bombing campaigns in the region. The revelation of the Lavender system's role in these operations marks a significant escalation in the automation of military targeting processes, raising critical ethical and legal questions. This mechanized approach to conflict, while not unprecedented in the arsenal of modern military technologies employed by Israel (take the Gospel or the War Dome systems as examples), has been extensively scrutinized under the lens of international humanitarian law (IHL). My intention here is not to replicate such legal analysis; rather, I aim to argue how the utilization of Lavender demonstrates the continuation of Israel's policy of oblivion towards human dignity in the war on Gaza, manifested through two key aspects: depersonalization and the elimination of human intervention in targeting.



The Palestinian al-Naji family eats an iftar meal, the breaking of fast, amidst the ruins of their family house, on the first day of the Muslim holy fasting month of Ramadan, in Deir al-Balah in the central Gaza Strip in March 2024.

AFP

The principle of human dignity stands as a fundamental pillar in the protection of individuals in modern international law. Echoed in the preamble of the United Nations Charter, there is a declared commitment to "faith in fundamental human rights and in the dignity and worth of the human person". This ethos is further embodied in Article 1 of the Universal Declaration of Human Rights, asserting that "all human beings are born free and equal in dignity and rights". The preamble of the ICCPR also refers to dignity as the source of the rights that it covers and, despite not being listed as a substantive right, it is intertwined with other prerogatives. It is also indisputable that the

protection of human dignity is one of the main aims of international human rights law (IHRL) as well as IHL, and their commonality and synergistic relationship is — at least partially — based on that principle (p. 312). Furthermore, the imperative to uphold human dignity is recognized in several national constitutions (see, for instance, Article 1 of the Basic Law for the Federal Republic of Germany of 1949) and domestic case law (for a review, see McCrudden and Carozza). Human dignity, while subject to various interpretations across religious and philosophical doctrines, fundamentally revolves around the notion of the inherent and immeasurable worth of

each individual, according to Schlink (p. 632). AI target-selection technologies, such as Lavender, bloodless and without morality or mortality, cannot fathom the significance of using force against a human person and cannot do justice to the gravity of the decision. Unlike human decision-makers, these technologies cannot engage in appeals to humanity or exercise discretion based on contextual, emotional, and ethical nuances. Indeed, this is also one of the main concerns referred to similar systems, such as Lethal Autonomous Weapons, as Asaro synthesizes (pp. 693–704). The utilization of Lavender reduces individuals to "objects to be destroyed". The

2.3 million Palestinians in Gaza being subjected to AI surveillance are treated as plagues, as a nuisance that must be gotten rid of, stripping them of their intrinsic dignity. This dehumanization is exacerbated by the statistical nature of the Lavender system's operations. By assigning every individual in Gaza a rating based on their perceived likelihood of being a militant (see paras. 13–48 of the investigation, referring to "Step 1: Generating Targets"), the system categorizes human lives into numerical probabilities. As soon as they enter the system, they are transformed into bits and data. As the investigation recalls, the operators recognize that "everything was

statistical, everything was neat — it was very dry" (para. 33). Despite alleged "internal checks" revealing a 10% margin of error in Lavender's calculations, the system operates with clinical detachment. The disregard for the consequences of inaccuracies underscores a systemic failure to uphold the principle of human dignity in the pursuit of military objectives. This undeniably jeopardizes the historically accepted concept of human dignity, which emphasizes that humans may not be treated as objects or means, a notion that is universally shared — even in war (exemplified, for instance, through the prohibition of human shields).



Palestinians try to rescue survivors and pull bodies from the rubble after Israeli air strikes hit buildings near Al-Aqsa Martyrs Hospital in Deir al-Balah, central Gaza, on October 22, 2023.

MOHAMMED ZAANOUN/ACTIVESTILLS

Bypassing human judgment

The Lavender system not only raises concerns regarding the violation of human dignity by depersonalizing individuals targeted but also by circumventing human involvement in the targeting process. As individuals are targeted based on pre-set rules and abstract hypotheticals determined by algorithms, the nuanced considerations of individualized circumstances are disregarded. This mechanized approach to decision-making fundamentally undermines the principles of human dignity by depriving individuals of the right to have their fate determined through a deliberative process involving human considerations.

Irrespective of the exigency to make quick decisions during armed conflicts against combatants, it does not necessarily follow that such decisions can be made in an abstract or theoretical manner, with no human authorization (as defended by Ulgen, pp. 14–15). The possibility of a deliberative process somewhere down the line, where a change of mind and fate is possible, is almost ruled out in advance by the introduction of the

Lavender system since human control is sacrificed in the process. The research highlights a concerning reality where human personnel serve merely as a "rubber stamp" for the decisions made by AI systems (para. 4), devoting minimal time to verifying targets before authorizing bombings.

In spite of the evident margin of error in Lavender's calculations, the human oversight focuses on superficial checks, like verifying the target's gender, rather than conducting thorough assessments of the target's legitimacy. As detailed in the investigation (paras. 45–47), the supervision protocol before targeting suspected militants involves confirming the AI-selected target's gender, with the assumption that female targets are erroneous and male targets are appropriate, according to an interviewed official.

"I would invest 20 seconds for each target at this stage and do dozens of them every day. I had zero added value as a human, apart from being a stamp of approval. It saved a lot of time. If [the operative] came up in the automated mechanism, and I checked that he was a man, there would be permission to