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If Machines Could Speak: What can the AI-Powered Technologies Used in Gaza Tell us About Israel's Genocidal Intent?

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Abstract: Gaza has been marked as the first AI-powered genocide due to the fact that the mass-scale annihilation of Palestinian people in Gaza is conducted with the help of AI algorithmic tools – namely *Gospel, Lavender* and *Where is Daddy?*. It is, therefore, the first time that we must examine the functioning of AI tools in light of a genocide claim. While it has already been established that there exists at least a plausible risk of a genocide being perpetrated in Gaza, most of the attempts to prove genocidal intent focus on the countless examples of dehumanizing rhetoric and other forms of genocidal language deployed by Israeli officials. In this short article, I, therefore, purposefully focus on the other (that is, the technological) aspect of this issue and explore the role of aforementioned AI tools in the context of the asserted perpetration of genocide. I examine whether the design, as well as the reported use of such AI tools in Gaza, can offer additional proof for establishing genocidal intent. This is extremely relevant not only to examine this particular genocide claim in its entirety but to prevent normalization and further uncritical use of these potentially genocidal technologies.

Due to the high involvement of AI tools in the ongoing destruction and annihilation of Gaza, Israel's conduct has been described as "the first AI-powered genocide" (Fazi, 2024). Besides the numerous warnings of scholars and experts that Israel is conducting genocide in Gaza (*Public Statement: Scholars Warn of Potential Genocide in Gaza – TWAILR,* 2024; Segal, 2024; *Gaza: UN Experts Call on International Community to Prevent Genocide against the Palestinian People*, 2024; Albanese, 2024), this claim is currently disputed before the International Court of Justice (ICJ). ICJ already found violations of rights protected by the 1948 Genocide Convention plausible and, on that basis, issued several sets of provisional measures to protect the asserted rights (*Application of the Convention on the Prevention And Punishment of The Crime of Genocide in the Gaza Strip*, 2024). Jurisdiction of the ICJ over this issue is, however, not precluding the International Criminal Court (ICC) and domestic courts of states from determining individual criminal liability for perpetrators of genocide (Albanese, 2024). Such a broadly recognized risk of genocide, therefore, calls for a detailed examination of all facts relevant to the legal assessment of Israel's war in Gaza, including its use of AI tools and their design.

Even though the use of AI in the context of war is not new, the AI tools must be now examined in the context of genocide allegation, not only for thoroughly examining all relevant factors of such a serious claim but also for preventing the normalization, expansion and further use of potentially genocidal AI tools.

To establish the commission of genocide, two elements must be proven beyond reasonable doubt: the *actus reus* (the commission of one of the acts listed in Article II of the Genocide Convention against a protected group) and the *mens rea* (comprising both dolus generalis, the general intent to commit the act, and *dolus specialis*, the specific intent to destroy the group *as such*) (Schabas, 2009).

Given the clear evidential relevance of the use of AI tools for at least three forms of the *actus reus*—namely, (a) killing members of the group, (b) causing them serious bodily or mental harm, and (c) inflicting conditions of life intended to bring about the group's physical destruction in whole or in part—this short paper explores whether specific AI-powered algorithmic tools used in Gaza may constitute evidence of special genocidal intent and, by extension, contribute to establishing *mens rea* within litigation proceedings on genocide.

Infamous Trinity of AI Algorithms Used in Gaza: Gospel, Lavender and Where is Daddy?

Israel's use of AI tools in its war in Gaza is evident. Its advanced weaponry, including AI-powered systems, has been extensively studied (Dolinko & Antebi, 2024; Loewenstein, 2023; Rosenhek et al., 2003) and is frequently promoted by the state itself (IDF, 2023; Jeremy Bob, 2023; Weinstein & Mimran, 2023). While the design and operational details of these tools remain largely classified due to their military nature, various details have been disclosed in the recent Report made by the +972 Magazine and Local Call, which identifies and describes —based on testimonies from IDF soldiers directly involved in their deployment—, three distinct AI tools used for generation of bombing targets: *Gospel, Lavender and Where is Daddy?* (Abraham, 2024).

Gospel is an AI system used to generate geographical targets potentially linked to Palestinian militant activity (Davies et al., 2023). *Lavender* similarly identifies potential targets but focuses on individuals rather than locations (Abraham, 2024). The system *Where is Daddy?* reportedly tracks the targeted individuals until they enter their family homes, and then alerts the IDF to strike them (ibid.).

The Report provides extensive details on the ongoing use of AI tools in Gaza—some so disturbing that even scholars claiming to write "from Israel's perspective" describe them as "alarming" (Mimran & Daham, 2024). Yet, labelling them as such is insufficient; they must instead be rigorously analyzed in light of the alleged crime of genocide.

AI and the genocidal intent

Dolus specialis, the subjective element that complements the general intent to commit genocidal acts, may not only be established by direct evidence, such as statements in the officials' rhetoric or written documents but may also be 'inferred from patterns of conduct', if genocidal intent is the only reasonable conclusion of such patterns (Albanese, 2024).

Therefore, this Article examines the patterns of conduct related to the use of the aforementioned AI tools in light of the information currently available. It focuses on three distinct but interrelated points: (1) the selection of targets, (2) the collateral damage factor and (3) the bombing.

The selection of targets by means of the aforementioned AI tools was, firstly, remarkably large (Abraham, 2024; Davies et al., 2023). The *Lavender*, according to sources, *rated almost everyone* in Gaza (including babies) from 1 to 100, according to the probability that they are enemy combatants – the higher the score, the more likely that person would be killed (Abraham, 2024; Danes je nov dan, 2025). The instructions given to the soldiers were to use AI as to generate more targets than ever before, which resulted in over 37.000 generated targets (Abraham, 2024). As targeting algorithms are known to feed on data collections containing civilian communication patterns, which causes high chances of mistakenly marking civilians as targets (Badalič, 2021), only the decision to dramatically increase target production alone raises concerns about a mass execution plan.

Secondly, when operating AI, unprecedented numbers of 'collateral damage' – civilians, permitted to be killed alongside the selected target, were allowed (Ibidem.). As reported, after 7 October 2023, up to 15 or 20 civilians could be killed for one low-ranking militant, and more than 100 civilians for a supposed commander (Ibidem.). As explained by Shir Hever, multiplying the collateral factor (described by soldiers as "in high double-digits if not low triple-digits") with tens of thousands of selected targets indicates that at times the number of people considered as permitted to kill exceeded the whole population of Gaza, meaning that effectively everyone was eligible to be killed (Danes je nov dan, 2025). Even though there were some short-time restrictions on the collateral damage (allowing 'merely' 5 civilians per combatant to be killed on the most 'merciful' days), the soldiers reported that such endeavors "made it really difficult for us to attack, because if the whole family was home, we couldn't bomb it", and the restrictions were therefore soon lifted (Abraham, 2024). Such an enormous collateral factor as an "element of revenge" (Abraham, 2024), not only demonstrates a blatant violation of the principle of distinction as a part of the broader corpus of international humanitarian law (IHL) but also expands beyond that and points to a specific intent to destroy the group as such. This is extremely important as IHL and genocide were already examined together with a conclusion that Israel is using IHL as camouflage to cover and legitimize its genocidal violence (Albanese, 2024).

Thirdly, there are several other factors in the Report related to the bombing process that are relevant for the examination of genocidal intent. The testimonies show that the IDF used *Where is Daddy?* algorithm to bomb Lavender-targeted people *intentionally* in their private homes, knowingly and willingly eliminating entire families – including women and children:

"We were not interested in killing [Hamas] operatives only when they were in a military building or engaged in a military activity. […] On the contrary, the IDF 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." (Abraham, 2024).

Furthermore, the army in almost half of the cases preferred to use 'dumb' (i.e. unprecise) bombs on a very small but densely populated geographical area, with children constituting almost 50% of the whole population (Euro-Med Human Rights Monitor, 2021; Mohammad, 2023). "You don't want to waste expensive bombs on unimportant people — it's very expensive for the country and there's a shortage [of those bombs]", an IDF soldier explained (Abaham, 2024). Complete bloodlines – all members from all generations of one family tree – were annihilated this way (Al Ahmad, 2023; El Deeb, 2024).

Testimonies collected in the Report clearly demonstrate that decisions regarding the high number of targets, increasing collateral factor to triple-digits, using unprecise ammunition and bombing targeted people in their homes, alongside their families and other displaced[1] persons, were made consciously and communicated explicitly to the IDF soldiers, pointing to a 'preconceived plan or policy' of reaching an unprecedented level of killing and destruction. The latter serves as evidence of the 'systematic' nature of acts (*Prosecutor v. Jean-Paul Akayesu*, 1998) or a 'pattern of acts' as part of indirect genocidal intent (Albanese, 2024; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide*

1 It should not be forgotten that at the beginning of its invasion of Gaza, Israel ordered the whole population of northern Gaza (app. 1 million people) to evacuate towards the south in 24 hours, causing mass displacement, chaos and panic (Krauss and Shurafa, 2023).

(Bosnia and Herzegovina v. Serbia and Montenegro), 2007). The effects of this plan or policy are today visible in the total destruction of Gaza for the whole world to see.

However, in order to prove that the genocidal intent is *the only reasonable conclusion deriving from the described pattern of acts*, other potential conclusions need to be assessed.

One could argue that the described use of AI, while undoubtedly destructive, nevertheless indicates a certain (low) principle of selectivity, which could preclude genocidal intent. Even though the selected targets represented only a percentage of the whole population in Gaza, high collateral factor and the use of unprecise ammunition in almost 50% of all cases (Abraham, 2024) show that the 'selectivity' of targets is merely an illusion. It seems that AI tools are used to conduct (and simultaneously provide a (false) justification for) carpet bombing (Hever and Jay, 2025). Israel has transformed an entire national group and the entirety of its inhabited space into a destroyable target (Albanese, 2024), under the disguise of technological precision.

Another argument that needs to be addressed is the supposed gender selectivity in the targeting process. The soldiers' testimonies highlighted that – while essentially functioning as a kind of a 'stamping machine' for everything that algorithms suggested – they mainly checked only one thing: if the designated target was male (Abraham, 2024). According to the International Criminal Tribunal for the former Yugoslavia (ICTY) in *Krstić*, even focusing the killing on (exclusively) military-aged men suffices for genocidal intent to destroy a group (*Prosecutor vs. Radislav Krstić*, 2004). However, in the case at hand, there was no checking of the targeted men's age, and the extermination policy carried out by *Where is Daddy?* included also their entire families. If the genocidal intent was proven in the case of the killing of military-aged men in Srebrenica, it must be accepted as even more likely to be established in the Gaza case, where the targeting was significantly broader.

Regarding any other similar argument stating that genocidal intent is precluded by the fact that AI tools did not *explicitly* target *everyone* in Gaza, it must be highlighted that proving genocidal intent does not mean 'proving the intent to kill everyone within the protected group' as often falsely argued in the public debates, but that there was an intent to conduct any one of the five listed *actus reus*, including the causing of serious bodily or mental harm and inflicting conditions of life intended to bring about the group's physical destruction in whole or in part. Genocidal intent can, therefore, be established even when the intent was 'only' to cause such destructive living conditions.

Another popular argument against genocidal intent relies on the IHL category of human shields. Israeli officials indeed often use a '*macro-characterization* of Gaza's civilians as a population of human shields', considering it broadly as 'complicit and thus killable' (Albanese, 2024). By such a misuse of the term 'human shield', Israel transformed Gaza into a "world without civilians" (Semerdijan, 2024), justifying their killing 'under a cloak of purported legality, whose all-enveloping pervasiveness admits only of genocidal intent' (Albanese, 2024).

Therefore, as none of the examined alternative conclusions is convincing, it must be concluded that all three selected elements– selection of targets, collateral damage factor and the way the bombing was and is carried out – examined together, point towards the common intent to destroy the people in Gaza in whole or in part by means of killing, injuring and/or inflicting upon them conditions of life to bring about their destruction.

The extreme level of *dehumanization*[2] of the whole Gaza population as well as the mass-scale destruction – both created by means of the abovementioned AI tools – resulted in describing these tools as a 'factory' (Davies et al., 2023). This notion ominously resembles some of the horrific examples of various extermination machines used in past genocides.

The Perpetrator: AI or Humans?

While the Israeli AI used in Gaza can serve as additional evidence of genocidal intent, it must be highlighted that the AI is a tool in the hands of humans who are designing, controlling and operating it. Therefore, the criminal liability for genocide lays with those making and following the decisions to increase the number

2 Dehumanization of a group is foundational to the process of genocide (Albanese, 2024; Green & Ward, 2004).

of selected targets and collateral factor, as well as to carry out bombing in people's homes in the presence of the whole families, even when some of those decisions were based on AI suggestions.

The threshold for genocidal intent varies for top-, mid- and low-level perpetrators. Although a *purpose-based* intent needs to be proven for the former two categories, the *knowledge-based* intent suffices for the latter category of perpetrators (Ambos, 2009).

In the present case, the top- and mid-level perpetrators – persons who are responsible for creating the aforementioned genocidal policy and plan, such as military commanders, display the ulterior form of purposeful genocidal intent by authorizing and ordering deliberate use of algorithmic tools in dehumanizing, indiscriminate way. In particular, by ordering a mass production of targets, instructing the use of unprecise ammunition and for bombing to occur in the homes of individuals and increasing the collateral damage factor to the point when it was inevitable that this would lead to the commission of *actus reus* of genocide.

Conversely, low-level perpetrators (e.g., soldiers), as clear from their testimonies in the Report, display a knowledge-based threshold of genocidal intent by following these instructions despite their clear knowledge that their actions will cause the destruction of the targeted group in whole or in part by at least one of the genocidal acts.

Gaza as AI-Powered Genocide: The Last Horror or the First of Many?

The fact that Israel turned "Gaza as a whole into a military objective" (Albanese, 2024) with the help of the aforementioned AI tools points towards a possible commission of not only genocide but various international crimes. Although some of them are easier to prove, as unlike genocide, they do not require the establishment of *dolus specialis*, AI technologies must be thoroughly examined also in the context of genocide for various important reasons.

Firstly, only a correct legal qualification will trigger a proper response, both in terms of prevention - activated at the first recognized risk of genocide – as well as sanctioning, both enshrined as *erga omnes* obligations in the Convention on Prevention and Punishment of the Crime of Genocide. When asked about the reasons for focusing on the crime of genocide, the UN Special Rapporteur Francesca Albanese replied: "Because it *is* genocide. If you go to a doctor because you have cancer and you are diagnosed with fever, you have a big problem — it's the same with the people who are being genocided." (*'It Is Important to Call a Genocide a Genocide,' Consider Suspending Israel's Credential as UN Member State, Experts Tell Palestinian Rights Committee*, 2024), highlighting the importance of correct legal qualification for proper response to the situation.

Secondly, the precise use of legal terminology is essential for maintaining the integrity of the international legal system. Arbitrarily altering legal classifications undermines legal certainty, predictability, and the equal application of the law. Watering down genocidal actions only because they are difficult to prove leads towards relativization and emptying of the term, weakens the international legal framework and contributes to the normalization of genocidal violence.

Lastly, as Israel is known to widely export its military technology, tested on Palestinians (Abdelnour, 2023; Loewenstein, 2023), particularly in the "Gaza laboratory" (Lederman, 2024), the aforementioned AI tools will be likely used in other cases worldwide, perhaps with more sensibility to the public (and expert) opinion and less genocidal rhetoric displayed by the respective authorities. This means increasing the risk of hiding genocidal intent behind technological disguise, as well as enabling genocides to be conducted extremely fast and under a camouflage of technological neutrality and precision, and at the same time which will have catastrophic consequences not only for the people in Gaza or in Palestine, but for populations worldwide. It is, therefore, crucial to assess Israel's AI tools as potential evidence of not only genocidal acts but also genocidal intent in the ongoing and potentially upcoming litigations concerning the crime of genocide in the context of Gaza.

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