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“More than a human can bear”: Israel’s systematic use of sexual, reproductive and other forms of gender-based violence since 7 October 2023

Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel

Summary

The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel submits the present conference room paper to the Human Rights Council on the systematic use of sexual, reproductive and other gender-based violence by the Israeli Security Forces since 7 October 2023.

In the paper, the Commission examines Israel’s widespread destruction of Gaza and the disproportionate violence against women and children resulting from Israel’s method of war, including the targeting of residential buildings and the indiscriminate use of heavy explosives in densely populated areas. It describes the destruction of Palestinians through reproductive violence and harms resulting from the Israeli Security Forces’ deliberate attacks on sexual and reproductive health care facilities and the collapsed health care infrastructure in Gaza.

The Commission also examines the sharp increase in sexual and gender-based violence perpetrated by members of the Israeli Security Forces and settlers online and in person across the Occupied Palestinian Territory, including rape and other forms of sexual violence. It also examines how sexual and gender-based violence has taken different forms when committed against male and female members of the Palestinian community in order to dominate, oppress and destroy the Palestinian people in whole or in part.

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I. Overview and methodology

1. This conference room paper of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel. (the Commission) focuses on sexual, reproductive and other forms of gender-based violence carried out since 7 October 2023 by the Israeli Security Forces (ISF) and Israeli settlers.¹

2. The paper summarizes and expands the findings on gender-based violence included in the Commission's reports that were published after 7 October 2023. In its reports, the Commission found that gender-based violence and harms are not isolated incidents but rather part of broader patterns of discriminatory violations and crimes perpetrated within a system of oppression and domination imposed by Israel as the occupying power. The Commission considers that these issues must be integrated in future accountability processes. This report includes additional cases and findings following subsequent investigations conducted by the Commission in 2024.

3. The Commission's comprehensive findings on violations and abuses committed by the military wing of Hamas and other Palestinian armed groups on and since 7 October 2023 were presented in the Commission's reports to the Human Rights Council in June 2024 and to the General Assembly in October 2024, as well as in a separate conference room paper.² In these reports, the Commission concluded that sexual and gender-based violence was perpetrated in several locations in Israel and by multiple Palestinian perpetrators.

4. From 7 October 2023 to 30 November 2024, several requests for information and access were sent the Government of Israel, as well as requests for information to the State of Palestine and the Ministry of Health in Gaza. The State of Palestine provided information and extensive comments on the report presented by the Commission before the Human Rights Council at its 56th session. On 15 January 2025, the Commission submitted a request for information to Israel about ongoing investigations and accountability efforts (see section Impunity and Accountability, para. 147). No responses were received from Israel. The Commission has also not received from Israel any further information on violations and abuses committed by the military wing of Hamas and other Palestinian armed groups on 7 October 2023. The Commission has not received any information about prosecutions of members of Hamas and other armed groups for the crimes committed on 7 October 2023.

5. The Commission's findings on gender-based crimes are based on verified digital content as well as victim and witness testimonies. The Commission also met with civil society and women's rights organisations who provided information to it.

6. In relation to the standard of proof applied to cases of sexual violence, the Commission has found the standard of 'reasonable grounds to conclude' to have been met when information has been corroborated by one or several victims or witnesses or supported by digital evidence that demonstrates similar patterns and descriptions to those identified by witnesses. Information that does not meet this level of corroboration has been excluded from the Commission's findings. The Office of the High Commissioner for Human Rights guidelines inform that the method of verification for sexual violence may differ from other violations. While corroboration of other violations requires obtaining concurring information from two other independent and reliable sources, verification for sexual violence may rely on a single primary source if deemed credible and if the case corresponds to a pattern that is consistent with other similar cases.³

¹ See A/HRC/56/26, C/56/CRP.4 and A/79/232.

² See A/HRC/56/26, A/79/232 and A/HRC/56/CRP.3. Officially known as Izz al-Din al-Qassam Brigades, the Commission uses the terms "Hamas military wing" or "Hamas militants."

³ Office of the High Commissioner (OHCHR), Commissions of inquiry and fact-finding missions on international human rights and humanitarian law – Guidance and Practice, 2015, p. 60; OHCHR, Integrating a gender perspective in human rights investigations – Guidance and Practice, 2018, p.18.

7. An integrated gender analysis has been applied throughout the Commission's investigations to examine the gender differentiated consequences of attacks on civilians and civilian objects and deliver justice for survivors.

8. The Commission considers the term 'gender-based violence', which includes sexual and reproductive violence, to be a broad term for violence directed towards or disproportionately affecting someone because of their gender or sex. The term 'sexual violence' covers a range of physical and non-physical acts of a sexual nature against a person or causing a person to engage in such an act, by force or by threat of force or coercion. 'Reproductive violence' is a distinct form of gender-based violence that includes acts or omissions that cause harm by interfering with reproductive autonomy and rights, or violence directed at people because of their actual or perceived reproductive capacity.⁴

9. The Commission has considered acts of sexual violence within the context in which they were carried out, such as coercing a victim to undress in a context of religious and cultural dress codes, particularly for Muslim women and girls in relation to the removal of the veil.⁵

10. The Commission notes that survivors of sexual violence are frequently hesitant to come forward due to the risk of stigma and re-traumatization for themselves and their family members. The Commission considers that inflammatory language, misinformation and disbelief surrounding sexual violence committed on and since 7 October 2023 risk exacerbating these challenges and further silencing victims. At the same time, the exploitation of sexual violence in conflict for political expediency risks removing attention from the experience and needs of the survivors, as well as fuelling long-standing animosity and dehumanization.

II. Applicable Law

11. The Commission reiterates that the Occupied Palestinian Territory, including East Jerusalem and Gaza, and the occupied Syrian Golan are currently under belligerent occupation by Israel, to which international humanitarian law applies concurrently with international human rights law.⁶ The Commission finds that Gaza remains under Israeli occupation by, *inter alia*, Israel's control over the airspace and territorial waters of Gaza, as well as the land crossings at the borders, and that Israel re-established its military presence and control inside the Gaza Strip as of October 2023.⁷ This has been affirmed by the International Court of Justice in July 2024.⁸ Israel is therefore bound by the international humanitarian law obligations of an occupying power set out in the Fourth Geneva Convention and customary international law, including the 1907 Hague Regulations.

⁴ <https://www.unwomen.org/en/digital-library/publications/2024/09/research-paper-documenting-reproductive-violence-unveiling-opportunities-challenges-and-legal-pathways-for-un-investigative-mechanisms>, page 7.

⁵ The Policy on Gender-based Crimes by the Office of the Prosecutor at the International Criminal Court emphasizes the need to contextualize crimes and understands the survivor's point of view, stating that that forced removal of a veil may be experienced as "forced nudity" and may qualify as a form of sexual violence. <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf>, para 62.

⁶ A/77/328, para. 7; A/HRC/50/21, paras.16,20; <https://www.icj-cij.org/public/files/case-related/131/131-20040709-ADV-01-00-EN.pdf>, para. 106.

⁷ *Ibid*, para. 93.

⁸ International Court of Justice, *Legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion (19 July 2024), paras. 78, 92-94. <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>. The International Court of Justice stated that for the purpose of determining whether a territory is occupied under international law, "the decisive criterion is not whether the occupying Power retains its physical military presence in the territory at all times but rather whether its authority 'has been established and can be exercised'" (at para. 92, citing article 42 of the Hague Regulations).

12. At the outset, the Commission notes that the laws governing international armed conflict apply to the situation of occupation.⁹ During an international armed conflict, international humanitarian law allows for the internment of prisoners of war (combatants) and in limited circumstances, civilians.¹⁰ The Fourth Geneva Convention provides that a civilian may be detained if “the security of the detaining power makes it absolutely necessary”.¹¹ The standard for civilian internment is very high, an occupying State may intern civilians only if the detention is absolutely necessary or imperative for security reasons. If a State interns a large number of protected persons at once, the State must establish the grounds for internment for each individual person who has been interned. Thus, civilian internment shall be exceptional, limited and subject to strict conditions applicable on an individual basis. Protected persons shall be protected in all circumstances, including during internment. This protection includes respect for their person, honour, and family rights. They shall be “humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults”.¹² In particular, women shall be “especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.”¹³

13. During detention, protected persons shall be afforded rights under international humanitarian law. Notably, a State or armed group that detains protected persons is obliged to provide for the maintenance of such persons and the medical attention they require.¹⁴ Furthermore, the detaining entity shall “take all necessary and possible measures” to ensure that detainees are accommodated in buildings or quarters that would provide “every possible safeguard as regards hygiene and health, and provide efficient protection against the rigours of the climate and the effects of the war”. Where this is impossible, the detainees shall be moved to a more suitable location as soon as the circumstances permit. Furthermore, women internees should be held separate from men unless they are accommodated with their family members.¹⁵

14. Body searches are not unlawful in general, but such searches, including strip searches, must be conducted in accordance with international human rights law, and within the context of an occupation, international humanitarian law. In relation to searches during detention, the Fourth Geneva Convention provides that “[a] woman internee shall not be searched except by a woman.”¹⁶ Furthermore, the Commission refers to the guidelines of the UN Standard Minimum Rules for the Treatment of Prisoners (“Nelson Mandela Rules”), which provides that searches shall be conducted based on the principles of legality, necessity and proportionality;¹⁷ as such, they cannot be used to “harass, intimidate or unnecessarily intrude upon a prisoner’s privacy”.¹⁸ In particular, strip searches should only be undertaken where they are “absolutely necessary.”¹⁹

15. The Commission reiterates that the applicability of international humanitarian law does not replace Israel’s existing obligations under international human rights law. These regimes are mutually reinforcing protection against gender-based crimes,

⁹ GCIV, art. 2.

¹⁰ See GCIV, arts. 27, 78.

¹¹ GCIV, art. 42; ICTY, *Prosecutor v. Dario Kordić et al.*, IT-95-14/2-A, Judgement, 17 December 2004, para. 70; ICTY, *Prosecutor v. Zejnil Delalić et al. (Čelebići)*, IT-96-21-A, Judgement (Appeals Chamber), 20 February 2001, para. 320; ICRC, Opinion Paper, *Internment in Armed Conflict: Basic Rules and Challenges*, November 2014, p.4, available at https://www.icrc.org/sites/default/files/document/file_list/security-detention-position-paper-icrc-11-2014_0.pdf.

¹² GCIV, art. 27.

¹³ GCIV, art. 27.

¹⁴ GCIV, art. 81.

¹⁵ ICRC Customary International Humanitarian Law, Volume I: Rules, rule 119; GCIV, art. 76; API, art. 75; APII, art. 5(2)(a).

¹⁶ GCIV, art. 97.

¹⁷ Nelson Mandela Rules, rule 50.

¹⁸ Nelson Mandela Rules, rule 51.

¹⁹ Nelson Mandela Rules, rule 52(1).

discrimination and persecution. International criminal law, as set forth in the Rome Statute, codifies the international crimes of genocide, crimes against humanity, war crimes and the crime of aggression.

16. Customary international law recognises the specific protection, health and assistance needs of women and girls. Special protection is granted to pregnant women, mothers of young children and lactating women. States are required to take exceptional care with regard to the provision of food, clothing, medical assistance, evacuation and transportation. According to international humanitarian law, pregnant women must be provided sexual and reproductive healthcare services.

17. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) prohibits sexual, reproductive and other gender-based violence against women and girls as a form of discrimination.²⁰ The United Nations Security Council has reiterated the need for all parties to armed conflicts to take special measures to protect women and girls from gender-based violence in situations of armed conflict.²¹

18. Women and girls enjoy special protection because they continue to hold an inferior place in the gender hierarchy and suffer from discrimination that initiates and sustains violence. This places women and girls at an increased risk of not being able to enjoy their human rights. It is also crucial to recognise that abuse of power, which remains at the centre of gender inequity, also results in men and boys experiencing specific vulnerabilities to sexual and reproductive violence, particularly in captivity as a means of humiliation.

19. Crimes related to sexual, reproductive and gender-based violence have been recognised as among the gravest of crimes under the Rome Statute. Investigating and prosecuting such crimes is one of the key priorities for the Commission.²² In its first report to the Human Rights Council in May 2022 (A/HRC/50/21, para.13), the Commission stated that its mandate requires it to take full account of gender-based discrimination, as well as intersecting forms of discrimination, as both a driver and a root cause of conflict.

20. All crimes under the Rome Statute may potentially involve gendered elements in their intent, commission or execution, as well as result in gender-specific harms. Persecution as a crime against humanity is “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity”.²³ Gender persecution therefore includes conduct committed against both men and women who are targeted separately or differently based on their gender. Discriminatory intent may be proved by the disproportionate use of persecutory conduct against one group based on gender. It may also be exhibited by the use of the same persecutory conduct committed against multiple groups but targeted separately based on gender.²⁴

²⁰ United Nations Committee on the Elimination of Discrimination against Women, “*General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations*” (CEDAW/C/GC/30), para. 34; “*General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19*” (CEDAW/C/GC/35), para. 21.

²¹ UN Security Council Resolution 1325 (2011).

²² International Criminal Court, Policy on gender-based-crimes; crimes involving sexual, reproductive and other gender-based violence, December 2023, para 100, and UNSC Resolution 2467 (2019), para. 15.

²³ Rome Statute, art. 7(2)(g).

²⁴ <https://www.icc-cpi.int/sites/default/files/2022-12/2022-12-07-Policy-on-the-Crime-of-Gender-Persecution.pdf>, para. 50.

III. Female casualties and the disproportionate effect of heavy explosives

This is a war against women. Thousands of women have been killed and hundreds of thousands are living in extremely precarious conditions. The number of women and girls who have died from complications related to pregnancy and childbirth remains unknown.

Obstetrician in Gaza ²⁵

21. The Israeli attacks in Gaza are characterised by an extremely high civilian casualty ratio in comparison with other armed conflicts in the last decades. As of January 2025, 15 months into the attacks, over 46,000 persons have been killed by Israeli forces in Gaza.²⁶ Some 24,000 out of the 40,717 who have been identified are women, children and older persons, making up almost 59 percent of the identified fatalities. Another 11,000 persons are missing under the rubble and presumed dead.²⁷ Air and artillery strikes account for the majority of casualties.

22. While the estimated number of combatants killed by the ISF varies, there is no doubt that civilians comprise the vast majority of the persons killed since the Israeli attacks began. According to a United States intelligence assessment from May 2024, Palestinian armed groups have lost 30 to 35 percent of their fighters in Gaza since October 2023.²⁸ The Commission therefore estimates the death toll of Hamas and other armed groups as between 6,000 and 14,000, given an estimated strength of about 20,000 to 40,000 militants prior to October 2023.²⁹ One report estimated that 8,500 militants were killed.³⁰ The ISF claimed in October 2024 that it had killed about 17,000 Hamas operatives and members of other armed groups.³¹ Given that the number of adult male fatalities since 7 October 2023 has been around 16,735,³² this would mean that the ISF considers all adult male Palestinians in Gaza to be members of armed groups and so legitimate targets.

23. Among those confirmed as killed are some 7,216 women, making up around 18 percent of all persons killed in Gaza since 7 October 2023.³³ Reportedly, at least 1,213 women were killed in the month of October 2023, which makes it the most lethal month for Palestinian women in Gaza ever recorded, according to some experts.³⁴ The Commission notes that, while taking into account the rate of women killed is not a substitute for confirming civilian status, women are more likely to experience conflict as civilians than combatants. These numbers therefore indicate a high number of female civilian casualties. Children make up almost 33 percent of the fatalities³⁵ and, according to data presented by the Ministry of Health in September 2024, some 15 percent of the persons killed are girls.³⁶ Over 100,000 persons have been injured since 7 October; however, the disaggregated data is not available.³⁷ In total, some 33 percent of all persons killed in Gaza since October 2023 were female.

²⁵ Quotes from witnesses and victims that have been included in the report are either direct quotes or have been paraphrased.

²⁶ <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024>

²⁷ <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-14-january-2025>

²⁸ <https://www.washingtoninstitute.org/policy-analysis/hamas-weakened-prolonged-guerrilla-conflict-looms>)

²⁹ <https://www.cia.gov/the-world-factbook/references/terrorist-organizations/>)

³⁰ <https://acleddata.com/2024/10/06/after-a-year-of-war-hamas-is-militarily-weakened-but-far-from-eliminated>.

³¹ <https://www.idf.il/223776>.

³² <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024>

³³ <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024>

³⁴ <https://gaza-patterns-harm.airwars.org>.

³⁵ <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024>.

³⁶ <https://t.me/MOHMediaGaza/5823r>.

³⁷ <https://t.me/MOHMediaGaza/6217> t.

24. The proportion of female fatalities in the period since October 2023 is more than double that in the 2008 conflict. In 2008-2009, female fatalities made up 15 percent of the conflict-related fatalities (eight percent women and seven percent girls) and 22 percent of fatalities in 2014 (13 percent women and eight percent girls).³⁸ This upward trend in female fatalities was already identified by the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, emphasizing that attacks on residential buildings rendered women particularly vulnerable to death and injury.³⁹

25. This upward trend is seemingly due to several factors, primary among them the ISF's increased use of heavy air bombardment since 7 October 2023. Research conducted by the International Committee of the Red Cross indicates that the risk to women and children posed by heavy explosive weapons with wide area effects is distinctive and exacerbated by the exposure to constant movement through evacuation orders and overcrowded living quarters which were also targeted.⁴⁰ Previous investigative mechanisms of the Human Rights Council have also noted the gendered impact of heavy explosive weapons in populated areas, where, due to socially prescribed gender roles, women are responsible for the home environment and care of family members.⁴¹

26. The Commission notes that this trend may also be due to an expansion of the ISF's targeting criteria to target many more private homes and residential buildings with the stated aim of killing militants even in small numbers, inevitably resulting in high numbers of civilian casualties among family members, neighbours and communities at large. In practice this means, for example, the inclusion of more targets that are not purely military in the ISF's 'target bank' and the broader authorization to carry out attacks against private homes of Hamas officials and members when it is known that family members are present or with the knowledge that nearby civilians will likely be harmed.⁴²

27. The Commission documented several ISF statements that may be interpreted as *de facto* awarding Israeli combatants blanket permission to target civilian locations in the Gaza Strip.⁴³ In one example, on 25 December 2023, the ISF issued a clarification on its targeting approach in the Gaza Strip, stating: "Whereas in past operations or wars, Israel has been more selective or "accurate" with regards to the exact types of Hamas targets struck, given that Israel's overall objective was limited to diminishing Hamas's capabilities, Israel is now focused on dismantling Hamas's capabilities altogether, i.e. causing "maximum damage" to Hamas' military capabilities in their entirety."⁴⁴ The United Nations Fact Finding Mission investigating the offensive on Gaza in 2008-2009 also reported on similar strategies.⁴⁵

28. The result of the Israeli method of warfare of intentionally destroying and causing suffering to the civilian population has been an increased impact on women

³⁸ For comparative data see <https://statistics.btselem.org/en/stats/during-cast-lead/by-date-of-incident/pal-by-israel-sec/gaza-strip?section=overall&tab=overview>, and <https://statistics.btselem.org/en/stats/since-cast-lead/by-date-of-incident/pal-by-israel-sec/gaza-strip?operationSensor=%5B%22protective-edge%22%5D§ion=overall&tab=overview>. See also A/HRC/12/48 and A/HRC/29/52, and Statement on Gaza by UN Women Executive Director Sima Bahous | UN Women – Headquarters

³⁹ A/HRC/29/52, para 37

⁴⁰ <https://www.icrc.org/en/document/civilians-protected-against-explosive-weapons%20>; https://www.icrc.org/en/download/file/229018/ewipa_explosive_weapons_with_wide_area_effect_final.pdf.

⁴¹ A/HRC/29/CRP.4, para. 527. See also Gender and International Criminal Law, Oxford University Press, 2022, p.376.

⁴² A/HRC/56/CRP.4, paras 153-172.

⁴³ A/HRC/56/CRP.4, paras 153-172.

⁴⁴ <https://www.idf.il/en/mini-sites/hamas-israel-war-24/war-on-hamas-2023-resources/idfpress-release-clarification/>.

⁴⁵ See the 'Dahiya doctrine', A/HRC/12/48.

and children.⁴⁶ Entire families in Gaza have been killed together in their homes in unprecedented numbers; experts have found that, during the first month of the war, more than nine out of ten women and children killed were in residential buildings, and 95 percent of women were killed together with at least one child.⁴⁷ A lactation consultant in Gaza told the Commission of a new mother who was killed with her twins in August 2024: “One of my patients had just given birth to twins when her apartment was attacked. The attack happened while the father was at a local government office to register the birth. The woman and her newborns were killed instantly in the attack. The grief following her death was amplified by the fact that there was no militant in sight.” The Commission documented in its report to the Human Rights Council in June 2024 several incidents where women and girls were killed during airstrikes on residential areas.⁴⁸ This pattern is reported to have continued to date.⁴⁹

IV. Israel’s targeting of women and girls

I saw a pregnant woman who was shot and killed as she was approaching the hospital. She was left there bleeding. Nobody managed to rescue her as the hospital was under siege by the Israeli forces. She was found in a decomposed state about 20 days later.

A witness from al-Awda hospital in Gaza

29. The Commission verified cases of deliberate targeting and killing of civilian women and girls by members of the ISF in Gaza. On 12 November 2023, Hala Abd Al-Ati, an older woman, was shot and killed in the Al-Rimal neighbourhood of Gaza City as she attempted to evacuate with her family. In a video viewed and verified by the Commission, Al-Ati is seen holding the hand of her young grandson, who is waving a white flag. The group is walking on the road through a built-up area and reaches an intersection. Her family members can be seen following a few metres behind when a gunshot is heard, and she falls to the ground. Evidence reviewed by the Commission indicates that Ms Al-Ati was shot by a sniper despite not posing any threat. CNN’s investigation confirmed the presence of the ISF to the west and south of the street intersection where the incident occurred.⁵⁰ According to the ISF, the Givati Brigade and the 162nd Division were operating in the Al-Rimal and Al-Shati neighbourhoods at the time of the incident.⁵¹

30. On 16 December 2023 at around noon, Nahida and Samar Anton, a mother and her adult daughter, were shot and killed by an ISF sniper at the Holy Family Parish, a Catholic church in Gaza City. A witness interviewed by the Commission stated that the two women were shot while on their way to the bathroom, situated in another building that is part of the same compound. According to the witness, Israeli soldiers were deployed in the street behind the church complex and shouted in Arabic that it was forbidden to move outside. The two women left the building to go to the bathroom inside the church complex when they were shot.

31. According to the Latin Patriarchate of Jerusalem, seven other people were shot and wounded in the same incident, when they ran to the courtyard to help the women. The Latin Patriarchate stated that there were no militants inside the Parish at the time of the shooting and no warning was given prior to the attack. Furthermore, the list of

⁴⁶ See A/HRC/56/26, and A/HRC/56/CRP.4.

⁴⁷ <https://gaza-patterns-harm.airwars.org>.

⁴⁸ See A/HRC/56/CRP.4.

⁴⁹ <https://gaza-patterns-harm.airwars.org>.

⁵⁰ <https://edition.cnn.com/2024/01/26/middleeast/hala-khreis-white-flag-shooting-gaza-cmd-intl/index.html>;

⁵¹ [1] November 9, 2023 Operations in Hamas' Military Quarter in Gaza City, Over 50 Terrorists Eliminated | IDF; [2] [ap-hamas-israel-war-november-12th-2023-day-37/srael-war-november-12th-2023-day-37/](https://www.idf.il/en/press-releases/2023-11-12).

coordinates had been forwarded to the Israeli military prior to the incident who responded that they could not guarantee the safety of civilians inside the buildings. The ISF denied intentionally targeting the two women, alleging that they were responding to a threat identified in the area of the church.⁵² However, a spokesperson from the Israeli Prime Minister's office asserted that "there was no fighting in the Rimal neighbourhood on Saturday where this Catholic church was located", thereby contradicting the ISF's statement that it was operating there and responding to a threat.⁵³ The Commission did not find any evidence indicating that the women or anyone in the church premises posed a threat to ISF soldiers. The Commission did not find any evidence of crossfire at the time the women were shot. It concludes that the women were shot by an ISF sniper, who must have been able to identify the moving persons as women. According to the ISF, the 401st Brigade of the 162nd Division, along with forces of the Shaldag Unit, Shayetet 13 and Yahalom were operating in Gaza city at the time of the incident.⁵⁴

32. The Commission documented a case of a pregnant woman who was killed by an ISF sniper outside the al-Awda hospital during the siege of the hospital in December 2023. Witnesses told the Commission that the pregnant woman was shot close to the hospital building, as she was walking towards the hospital. The hospital area was occupied by Israeli forces at the time and, as a result, people were afraid to offer the woman aid. According to a witness, no one could reach her due to the presence of ISF and she died due to her injuries. According to some sources, her body was left there to decompose. The Commission received additional information about another woman who was shot in front of her son outside the same hospital, but it could not verify the information.

33. The Commission investigated the killing of a woman and four girls near the Faris Gas Station in the Tel al Hawa neighborhood of Gaza City on 29 January 2024. In the incident, the parents named Bashar Hamada Hamouda and Enaam Mohammad Hamada were killed while driving a car with five children (four girls and one boy) including their daughter 15-year-old Layan Hamada and her 5.5-year-old cousin Hind Rajab. The Commission established that the family's car was targeted in the early morning hours by shots from guns likely mounted on tanks, killing Layan's parents and three other siblings, leaving Layan and Hind injured. Layan was alive at least until 14:45 when she answered a call from Palestinian Red Crescent Society (PRCS). During this call with PRCS, she informed that she and Hind were injured and that there was a tank nearby. Layan was likely killed at around this time, as shots were heard on the call and the line was cut. Hind remained alive until at least 19:00 that day.

34. The ambulance dispatched to their location at around 17:40 carried two paramedics, Yousef Zeino and Ahmed al Madhoun, after its route had been cleared and coordinated with the ISF through the Ministry of Health in Gaza and third parties. The ambulance was hit by a tank shell at around 18:00, at a distance of some 50 meters from the family's car. The presence of the ISF in the area prevented access to reach and retrieve the victims. As a result, the family members' bodies could not be retrieved from their damaged, bullet-ridden car until 12 days after the incident. The ambulance was found destroyed nearby, with human remains inside. The Commission finds that the targeting by the ISF was deliberate and that the ISF should have been able to determine that the persons in the vehicle did not pose a threat.

35. The cases above are illustrative examples of women and girls being targeted and victimized following the ISF's expansion of its targeting criteria and in the absence of discernible attempts by the ISF to distinguish between combatants and civilians.

⁵² <https://www.haaretz.co.il/news/politics/2023-12-18/ty-article/0000018c-7d95-d301-a3ac-ffd594360000>.

⁵³ <https://www.washingtonpost.com/world/2023/12/16/women-killed-at-holy-family-parish-gaza-israel/>.

⁵⁴ [1] <https://www.idf.il/en/mini-sites/idf-press-releases-israel-at-war/december-23-pr/tunnel-network-used-by-hamas-senior-leadership-in-gaza-s-elite-quarter-revealed/>.

36. The Commission reported to the Human Rights Council in its June 2024 report several statements, including by Israeli officials and members of the Knesset, that may be perceived as calling for the annihilation of Gaza and calling on Israeli forces not to distinguish between militants and civilians.⁵⁵ Statements documented by the Commission asserted that everyone in Gaza should be considered responsible for the attack on 7 October 2023. Palestinians in Gaza are considered complicit, despite age, gender or civilian status, and should be exterminated.

37. Palestinian women have also been a specific target of such incitement. Former head of the National Security Council, Major General Giora Eiland, has made statements to media that emphasize the need to treat Palestinians in Gaza collectively, particularly referring to Palestinian women and the need to cut humanitarian aid; “After all, who are Gaza’s elderly women – the same mothers and grandmothers of Hamas fighters who committed the horrific crimes on 7 October. In this situation, how can you even talk about humanitarian considerations, especially when you still have abductees whose situation God knows.”⁵⁶

38. In another example, Eliyahu Yosian a commentator from the Misgav Institute for National Security, in an interview with Yinon Magal, discussed the situation in the Gaza Strip. The interview was broadcast on channel 14, Israel’s right-wing commercial television channel, which has provided a consistent platform for commentators, journalists and army personnel to make comments inciting violence against Palestinians. In the interview, Yosian said Israel should level the ground in Gaza, kill as many as possible and spare no one, particularly targeting women: “The woman is an enemy, the baby is an enemy, and the pregnant woman is an enemy.”⁵⁷ The clip, posted by channel 14 news, had 1.6 million views as of 3 January 2024.⁵⁸

V. Israel’s destruction of Palestinians through reproductive violence and harms

A. Direct attacks on sexual and reproductive health care facilities

The measures imposed by Israel, coupled with repeated bombardment since October 2023, will have long-term effects on Gazan women’s fertility. We do not know the extent of these women’s trauma or the extent of the impact on their unborn babies, nor the long-term effect on the Palestinian people.

Director at health agency in Gaza

39. Direct attacks on healthcare facilities offering sexual and reproductive healthcare services have impacted about 540,000 women and girls of reproductive age in Gaza.⁵⁹

40. In April 2024, reportedly only two of the 12 partially functioning hospitals previously offering sexual and reproductive healthcare were able to actually provide such services. Direct attacks against the main maternity wards in Gaza, in al-Shifa Hospital and al-Nasser Hospital, rendered these wards non-functional. Facilities specifically designated to provide sexual and reproductive healthcare were directly targeted or forced to cease operations, including al-Emirati Maternity Hospital, al-

⁵⁵ See A/HRC/56/CRP.4.

⁵⁶ Maj. Gen. (Res.) Giora Eiland: No Humanitarian Aid to the Enemy | Channel 7; <https://www.globes.co.il/news/article.aspx?did=1001462900>.

⁵⁷ <https://x.com/MiddleEastEye/status/1741069437518680399>; Israeli analyst Eliyahu Yossian says Israel should level the ground in Gaza, kill as many as possible & spare no one. Over 21,500 Palestinians in Gaza have been killed, including 8,500 children.

⁵⁸ See ICTR, *Prosecutor v. Ferdinand Nahimana et al.*, ICTR-99-52-A, Judgement (Appeals Chamber), 28 November 2007, paras. 755-758; ICTR, *Prosecutor v. Ferdinand Nahimana et al.*, ICTR-99-52-T, Judgement and Sentence, 3 December 2003, paras. 481-488.

⁵⁹ <https://www.usaforunfpa.org/unfpa-statement-on-the-crisis-in-gaza/>.

Awda Hospital, al-Mahdi Maternity clinic and Sahaba Hospital, which are the primary maternal health facilities in the south and north of Gaza. In parallel, several maternity wards in other hospitals were forced to close, including al-Aqsa Hospital in January 2024. The situation is still dire. As of January 2025, emergency obstetric and newborn care was available at seven out of 18 partially functional hospitals across Gaza according to OCHA, as well as four out of 11 field hospitals, and a community health centre.⁶⁰

41. Al-Basma IVF Centre, Gaza's largest fertility clinic, was shelled in December 2023, reportedly destroying around 4,000 embryos, as well as 1,000 sperm samples and unfertilized eggs. According to reports, al-Basma IVF Centre served 2,000 to 3,000 patients each month, carrying out approximately 70 to 100 IVF procedures a month. The siege on Gaza and the resulting lack of supplies of liquid nitrogen, which is used to keep storage tanks cold, presented considerable challenges to the operation of the clinic and the preservation of reproductive material during the first months of the war. The stored reproductive material was lost in its entirety when the genetic bank was attacked in early December 2023. During the attack, the embryology laboratory was directly hit, and all the reproductive material stored in the laboratory were destroyed.

42. The Commission has determined through visual analysis of pictures from the scene that the extensive damage to the building's exterior and interior was caused by a large calibre projectile, most probably a shell fired from an ISF tank. Satellite imagery indicates that the area around the clinic was extensively damaged due to the hostilities. The Centre was a standalone building, clearly marked with the name of the clinic. In a statement given to American ABC News, a spokesperson for the ISF said that the ISF was not aware of the specific strike. The ISF also stated that it takes extensive measures to mitigate civilian harm and in handling objects that require special protection and that it did not deliberately target civilian infrastructure, including IVF clinics. The Commission did not find any credible information indicating that the building was used for military purposes. The Commission is not aware of any assisted reproductive services operational and available in Gaza as of January 2025.

43. The Commission also investigated attacks on al-Awda Hospital, the main reproductive healthcare provider in northern Gaza, which was targeted repeatedly by the ISF from November 2023 to January 2024 and again in May 2024. The hospital was attacked despite Israeli authorities being provided with the GPS coordinates by Médecins Sans Frontières (MSF) who informed all parties that it was a functioning hospital.⁶¹ Three doctors were killed in a strike on 21 November 2023, including two MSF doctors. The hospital was under siege in December 2023, with some 240 people trapped inside facing severe shortage of food, water and medicine. During the siege, all males over 15 were ordered to exit the hospital wearing only underwear and several medical staff, including the hospital director, were arrested. Several persons, including medical staff and a pregnant woman, were reportedly killed by snipers.

44. Until late February 2024, al-Awda Hospital, containing one of the only functioning maternity wards in North Gaza, was partially operational, receiving maternity patients well beyond its capacity. Reportedly, it provided care to 15,577 maternity patients from 7 October to 23 December 2023 with 75 beds. On 27 February 2024, the hospital administration announced that it was partially ceasing operations due to lack of fuel, electricity and medical supplies, with dire consequences for healthcare in the north, in particular for maternity patients.

45. Reportedly, the roads leading to the hospital had been destroyed, with doctors stating that some pregnant women had to walk for up to four kilometres to reach the hospital. The Commission received information that the quality of care at al-Awda had deteriorated due to the siege and that faulty or damaged equipment, including

⁶⁰ <https://www.ochaopt.org/content/humanitarian-situation-update-255-gaza-strip>.

⁶¹ <https://www.doctorswithoutborders.org/latest/gaza-msf-doctors-killed-strike-al-awda-hospital/>;

sterilisation devices and incubators, could not be repaired due to the lack of spare parts.

46. Furthermore, Israeli attacks on medical facilities have led to the injury and death of child patients, including girls, and have had devastating consequences for paediatric and neonatal care in Gaza hospitals, creating a large, unmet need for complex surgical and medical care for children, including premature babies.

B. Blocking access and availability of reproductive health care

Giving birth in Gaza is like giving birth in the Middle Ages. There is no access to neonatal, prenatal or post-partum care. Basic equipment for childbirth, such as forceps, is not available, nor are crucial drugs such as hypertension medication to treat common and serious conditions such as preeclampsia. As a result, maternal morbidity, stillbirths, and miscarriages have increased.

Obstetrician in Gaza

47. The Commission documented extremely unsafe conditions for women giving birth in Gazan hospitals, including lack of specialized personnel, medication and equipment. Medical professionals told the Commission that they faced severe challenges in managing patients' pain and preventing infections as hospitals often lacked adequate supplies, including epidurals, hypertension medication, anesthesia, analgesia, anti-D immunoglobulin and antibiotics. An emergency specialist who operated in Nasser Hospital in January 2024 described significant challenges in diagnosing and treating pregnant women given the lack of reliable laboratory testing or equipment, leading to avoidable complications. Obstetricians stated that Gazan women had received very little obstetric care and a number of them were suffering from vaginal infections, which if untreated could lead to premature births, miscarriages or infertility. Medical personnel described receiving maternity patients suffering from malnutrition and dehydration, as well as different forms of infections and anemia.

48. Women described delivering their babies in extremely precarious conditions in hospitals impacted by the continuing hostilities, amid lack of specialized personnel, beds, pain medication and adequate facilities. Reportedly, the lack of pain relief medication particularly impacted women who had undergone Cesarean Sections. One woman told the Commission of her experience giving birth by Cesarean Section at al-Emirati Maternity Hospital in Rafah. The woman had to walk for 30 minutes before finding a car that could take her to the hospital where she gave birth. The woman stated that the hospital was overcrowded. After her Cesarean Sections she had to share a bed with another woman and was discharged the following day.

49. Medical personnel told the Commission about increases in maternal morbidity and neonatal and intrapartum fetal death which was more likely due to the extremely difficult conditions, including the lack of space, medication and equipment. The Commission interviewed an obstetrician who spoke about deaths of pregnant patients he had treated, whom he referred to as "indirect victims of war". Several of these deaths were due to the lack of adequate medication and treatment. He also highlighted that many of his pre and post-natal patients were malnourished or weakened by diseases and infections. In one case, a pregnant woman in her early 30s died in al-Emirati Hospital in Rafah due to an infection (septicemia) following a complicated Cesarean Sections. The obstetrician also spoke about another pregnant woman he treated at the European Hospital; the woman, who was diabetic, died due to lack of adequate medication and treatment.

50. According to the WHO, equipment and 24 types of medication needed for prenatal, delivery and postnatal care were in short supply and urgently needed as of December 2024.

51. Women have increasingly resorted to unsafe deliveries at home or in shelters, with little or no medical support, increasing the risk of complications resulting in life-

long injuries and death. The Commission received reports of women being forced to deliver at home with inadequate medical assistance as they were not able to reach a hospital or a medical clinic due to the security situation or the lack of transportation. One woman told the Commission about the obstacles she faced in accessing reproductive health care in Khan Younis at the beginning of the war when she was pregnant. She and her husband had to prepare for a home delivery by watching videos on the internet: “My husband had been watching online videos to learn how to deliver a baby, preparing for anything. He was so concerned for my safety that he even considered leaving me at someone else’s house to ensure that I would be cared for.”

52. The Commission received reports from medical personnel about pregnant women delivering in extremely precarious conditions while they were living in shelters with very little support, equipment or medical tools and no access to hospitals. A medical practitioner explained that women would arrive at hospitals requesting the hospital’s medical staff to produce birth certificates for their newborns delivered in tents in IDP camps.

53. Disruptions to electricity and telecommunication services have further increased the risks for pregnant women and newborns. One doctor told the Commission that the lack of telecommunication resulted in the lack of coordination between hospitals and ambulances, directly impacting women’s and girls’ access to maternity care. In addition, hotlines for home deliveries were unreachable. The continuing siege and hostilities also posed barriers for the distribution of “safe home delivery kits” to pregnant women.

54. A sharp increase in emergency admissions has resulted in the de-prioritization of reproductive healthcare at the few remaining functional facilities. In the context of tens of thousands of war injuries, obstetrics and gynaecology were not the main priority and only the most severe cases received what is considered basic care. A paediatrician interviewed by the Commission gave an example including women who had had Cesarean Sections. At al Nasser hospital they were discharged less than 24 hours after the procedure, often without receiving follow up postpartum care. Prior to the offensive, these women would have stayed in the hospital for 24 to 48 hours, or longer if there were complications, in order to receive adequate health care. Women and girls in some areas had no access at all to maternal healthcare.

55. According to medical personal interviewed by the Commission, pre-natal care was de-prioritized and no longer available. Postpartum mothers and their newborns were also not given adequate time to recover after delivery. Women were discharged to make space for new patients just a few hours after giving birth, while they were still mentally and physically fragile. Additionally, post-natal care was not available, impacting some 60,000 maternity patients who have not been adequately monitored and cared-for. The Commission spoke to a midwife who said that women have to walk for hours to reach healthcare facilities where the dressing of their Caesarean Section wound could be changed, and that they lacked pads to manage the bleeding after childbirth. The lack of pads forced women to use cloth or the same pad for a long period of time, causing infections and other complications.

56. Since 7 October Israel has suspended issuing permits to seek medical treatment outside Gaza and has only exceptionally allowed medical evacuations. This change has resulted in a drastic reduction in the number of patients who can receive treatment outside of Gaza. For comparison, in 2022, Israeli authorities approved about 13,500 patient permit applications to seek medical treatment outside Gaza.⁶² After 7 October 2023, Israel only approved the medical evacuation of 4,947 patients until the closing of the Rafah crossing on 7 May 2024.⁶³ The number of medical evacuations further dropped since then, to 458 patients between 8 May 2024 and 15 January 2025.⁶⁴

⁶² <https://www.emro.who.int/images/stories/palestine/Gaza-Health-Access-2022.pdf?ua=1>.

⁶³ https://www.emro.who.int/images/stories/Medevac_15Jan25.pdf?ua=1.

⁶⁴ https://www.emro.who.int/images/stories/Medevac_15Jan25.pdf?ua=1.

57. Consequently, patients have suffered physically and mentally, and some have died owing to lack of adequate cancer treatment.⁶⁵ This includes patients with gynaecological cancer such as ovarian, cervix and breast cancer. The Commission spoke to a doctor who described treating a patient with vulva cancer in December 2024. The patient's tumour had been growing for eight months while she had waited to be approved travel outside of Gaza for radio-chemotherapy. As no non-invasive treatment was available in Gaza, the doctor had to undertake surgery. Radio-chemotherapy was needed to shrink the tumour. According to the doctor, the physical and mental suffering for the patient was immense.

58. The hostilities in Gaza have had a detrimental psychological impact on pregnant, postpartum and lactating women due to direct exposure to armed conflict, displacement, famine and substandard healthcare. Obstetric emergencies and premature births have reportedly surged due to the exposure to stress and trauma, and an increase of up to 300 percent in miscarriages has been reported since 7 October 2023. Experts told the Commission that the long-term psychological and physical impact of such precarious conditions for women, newborns and families remains unknown.

C. Starvation and reproductive harms

It was a lot for me, it was a lot for women. It's more than a human can bear.

New mother in Gaza

59. The Commission found in its 2024 report to the Human Rights Council that the Israeli authorities were using starvation as a method of war.⁶⁶ Furthermore, starvation and famine have had a severely detrimental impact on women and girls, in particular pregnant and post-partum women. Pregnant and lactating women have faced specific risks to their own health and to the health of their newborns due to starvation. As early as November 2023, thousands of displaced women and newborns residing in the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) facilities reportedly required medical care due to increasing malnutrition, dehydration and water-borne disease.⁶⁷

60. The UN repeatedly warned about risks for women suffering from famine and starvation. In November 2023, the World Health Organization (WHO) warned that, as access to food and water worsened, the risk of death would increase for both mothers and babies.⁶⁸ In mid-December, United Nations Population Fund (UNFPA) stated that pregnant women were starving.⁶⁹ In January 2024, United Nations Children's Fund (UNICEF) raised concerns about the nutrition of over 155,000 pregnant women and lactating mothers, given their specific nutrition needs and vulnerability.⁷⁰ Reportedly, the essential dietary diversity for pregnant and lactating women was severely compromised, with most of them consuming only two types of food a day.⁷¹

61. According to Food and Agriculture Organization of the United Nations (FAO) guidance the minimum dietary diversity for women, women and girls should eat food

⁶⁵ https://www.emro.who.int/images/stories/Medevac_4Dec.pdf?ua=1.

⁶⁶ A/HRC/56/CRP.4.

⁶⁷ <https://www.unrwa.org/newsroom/official-statements/women-and-newborns-bearing-brunt-conflict-gaza-un-agencies-warn>.

⁶⁸ <https://www.who.int/news/item/03-11-2023-women-and-newborns-bearing-the-brunt-of-the-conflict-in-gaza-un-agencies-warn>.

⁶⁹ https://www.instagram.com/unfpa/p/C0z3Qj4v_Nv/.

⁷⁰ <https://www.unicef.org/press-releases/intensifying-conflict-malnutrition-and-disease-gaza-strip-creates-deadly-cycle>.

⁷¹ <https://www.unicef.org/press-releases/intensifying-conflict-malnutrition-and-disease-gaza-strip-creates-deadly-cycle>.

from five different food groups a day.⁷² Furthermore, pregnancy and lactation raise the requirements for the quality of nutrients, as well as the energy requirements. The consequences of malnutrition before and during pregnancy and lactation could include anaemia, pre-eclampsia, haemorrhage, maternal death, newborn death and premature birth.⁷³ Lack of nutrients for children hinders their bodies and brains to grow and develop well.

62. In February 2024, the Global Nutrition Cluster reported that dietary diversity for pregnant and lactating women in North Gaza, Deir al Balah, Khan Younis and Rafah was “extremely critical”.⁷⁴ The situation remained dire for pregnant and lactating women according to the Integrated Food Security Phase Classification (IPC) reports published in June 2024,⁷⁵ compromising infant survival, growth and development. UN Women reported in June 2024 that, among households with lactating mothers, 55 percent reported health conditions impeding their ability to breastfeed and 99 percent reported difficulties developing enough breastmilk.⁷⁶

63. More than 15 months after the attacks in Gaza began, the situation is more dire than ever. According to UNFPA reports issued in October 2024, 42,000 pregnant women faced crisis levels of hunger (IPC 3) and over 3,000 pregnant women faced catastrophic levels of food insecurity (IPC5), numbers that reportedly were expected to surge during winter.⁷⁷ According to an IPC analysis published in October 2024, an estimated 60,000 cases of acute malnutrition were reported among young children aged six to 59 months, and 16,500 pregnant and lactating women were reported to be in need of treatment for acute malnutrition.⁷⁸ According to reports by OCHA in December 2024, 96 percent of children aged six to 23 months and women were not meeting their nutrient requirements due to the lack of minimum diet diversity.⁷⁹

64. An obstetrician interviewed by the Commission noted the difficult conditions facing women and girls due to effects of starvation, stating that many pre- and post-natal patients were malnourished or weakened by diseases and infections. The Commission also spoke to women who had faced famine and starvation while pregnant or lactating. They noted the lack of access to food and clean drinking water, combined with multiple displacements and grieving the loss of family members. These ailments compounded their feeling of anxiety and stress, impacting them and their babies. The impact of stress and the lack of food and water on lactation was confirmed by several medical professionals.

65. Often, these difficulties were compounded by the experience of displacement. One woman, who had been seven months pregnant when she was displaced from Gaza City to Rafah in November 2023, told the Commission that she had had to walk for 14 hours straight, carrying her belongings, with very little food and water, despite being advanced in her pregnancy. She also told the Commission that she had been unable to access adequate and sufficient food after the birth of her baby because of the scarcity of food and the high prices, leaving her to eat conserves and “labna” (thick yogurt). The Commission spoke with one woman who had been eight months pregnant while staying with her family in a tent outside a hospital near Khan Younis in November

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<https://www.unicef.org/media/114561/file/Maternal%20Nutrition%20Programming%20Guidance.pdf> ; <https://openknowledge.fao.org/server/api/core/bitstreams/c949ea1a-bd5d-4788-87fa-2917f1a2ecd/content>.

⁷³ <https://www.unicef.org/media/114561/file/Maternal%20Nutrition%20Programming%20Guidance.pdf>

⁷⁴ <https://www.nutritioncluster.net/news/nutrition-vulnerability-and-situation-analysis-gaza>.

⁷⁵

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf.

⁷⁶ <https://www.un.org/unispal/document/at-least-557000-women-in-gaza-unwomen-270624/>

⁷⁷ [https://www.un.org/unispal/document/unfpa-sitrep-01nov2024/#:~:text=Situation%20Overview%3A,incluing%20over%2043%2C000%20pregnant%20women\).](https://www.un.org/unispal/document/unfpa-sitrep-01nov2024/#:~:text=Situation%20Overview%3A,incluing%20over%2043%2C000%20pregnant%20women).)

⁷⁸ [IPC_Gaza_Strip_Acute_Food_Insecurity_Malnutrition_Sep2024_Apr2025_Special_Snapshot.pdf](https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024).

⁷⁹ <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024>.

2023. She told the Commission that there had been no flour to make bread, no milk or eggs, and they had eaten only canned tuna. She believes that the lack of proper nutrition and her psychological state caused complications during her pregnancy.

66. Several women told the Commission that they had been unable to continue producing breastmilk due to the lack of food and the psychological effect of the military operations and siege. This was also confirmed by medical professionals. A lactating woman who had been staying in a school in Rafah, told the Commission that her body had been unable to produce milk due to the stress she had been subjected to since Israeli attacks began, as well as the lack of access to fresh food leading to substantial weight loss. Another woman said that she no longer produced breastmilk due to stress and anxiety brought on by the hostilities.

67. The Commission notes that this is particularly concerning given the lack of formula milk and lack of clean water needed to prepare the formula. Indeed, since 7 October 2023, an increased number of infants have had to rely on formula milk for survival. The Commission notes the Global Nutrition Cluster's report that the "scarcity of clean drinking water required for safely preparing formula milk will increase young children's risk of infection and subsequently malnutrition".⁸⁰ In December 2023, UNICEF stated that 130,000 children under the age of two were not receiving "critical life-saving breastfeeding and age-appropriate complementary feeding".⁸¹

68. The Commission interviewed a displaced woman with breast cancer who had to postpone her Cesarean Section until 12 days after her due date because of the lack of anesthesia at Al-Awda Hospital in Nuseirat. The morning after her Cesarean Section, she was asked to leave the hospital due to the lack of beds. She described going back to the shelter, where she was living in very bad conditions, feeling dizzy and fatigued. She told the Commission: "Prior to the birth I was thinking how I am going to afford prenatal care and the delivery itself. The same for the formula for the child as I cannot breastfeed him due to cancer."

D. Menstrual and reproductive health concerns

There is no dignity for mothers in Gaza. There is no dignity in giving birth without pain relief, bleeding for weeks after giving birth without access to pads and clean water or to breastfeed your child in an overcrowded shelter where you share a room with male strangers.

Paediatrician in Gaza

69. The Commission documented the specific needs of women in relation to menstrual and reproductive health after interviewing several women who spoke about unsanitary conditions due to the overcrowding and the lack of water.

70. Women and girls, particularly in female-led households, have faced significant challenges accessing safe water and sanitation facilities, especially when these supplies and facilities were situated far from their place of displacement. The Commission received reports that women and girls tried to minimise their need to go to the toilet, for example by avoiding to eat and drink, mainly due to unhygienic conditions, having to use the toilet in close quarters with men or because the only viable option was to go to a toilet outside far from where they stayed.

71. Women who are pregnant or lactating have particular needs and face particular risks to their health in unsanitary conditions, including an increased need to use the toilet. One woman who was pregnant during her displacement, who had been living in a tent near Khan Younis, told the Commission that accessing toilets, especially at night, had been particularly difficult.

⁸⁰ <https://www.nutritioncluster.net/news/nutrition-vulnerability-and-situation-analysis-gaza>.

⁸¹ <https://palestine.un.org/en/256251-%E2%80%98ten-weeks-hell%E2%80%99-children-gaza-unicef>.

72. Limited access to water to maintain personal hygiene and wash clothes has led to the spread of diseases among displaced people, as well as vaginal and urinary tract infections for women and girls. According to a report issued by UN Women in September 2024, urinary tract infections impacted more than 90 percent of women they interviewed.⁸² A midwife interviewed by the Commission explained that vaginal and urinary tract infections had become widespread due to the bad sanitary conditions, including the lack of access to water and clean underwear, and the need for women to queue for hours to go to the bathroom. Another difficulty that the lack of hygiene caused was infections in the breasts of lactating mothers (mastitis).

73. The Commission interviewed a woman staying in Al Shifa Hospital who suffered from infections because of the lack of access to water to clean herself. She said that there was garbage spread everywhere inside the hospital, as it was not safe to take the garbage outside. Another woman interviewed by the Commission stated that not being able to shower caused her to have multiple vaginal infections. She and her family members had no means or opportunity to wash their underwear. One woman told the Commission: “We put up a tent outside the European Hospital and we stayed there, without food and water. I had to walk far to get water and wash our laundry. I had to stay 17 days without showering, and I slept on the ground which was very dirty. I was pregnant and had to use the bathroom inside the hospital a lot, but I tried not to because it was crowded, dirty and difficult to get to. I had several vaginal infections as a result.”

74. Displaced women reported to the Commission that their menstrual cycles became a source of stress. Lack of access to water and sanitation, combined with the lack of menstruation supplies and facilities to dispose of them, also affect the sense of dignity and physical and psychological well-being of women and girls. The Commission received information concerning women and girls resorting to home-made, makeshift alternatives for sanitary pads, which also put them at risk of reproductive and urinary tract infections, which could result in infertility, birth complications and increased risk of sexually transmitted infections. A medical professional told the Commission that the issue of infections, when occurring in bad hygienic conditions and without access to antibiotics, vaginal and urinary infections are both painful and serious. External infections might develop to internal infections, and without proper medical care, this might lead to miscarriage, loss of fertility and in worse case, death.

75. A midwife interviewed by the Commission explained that the lack of menstrual products was a major concern for women and that organisations were unable to meet the growing demand. “Can you imagine, only 30 packages! We did not know to whom to give them and whom to prioritize, and how to give justice to these women.” The midwife also explained that women who had given birth also required pads and that the use of unhygienic options was causing serious infections. A woman described to the Commission that, after giving birth in May 2024, she had to wear the same pad for two days as there were so few available.

76. The Commission interviewed a woman who had been staying in a shelter in Rafah. She stated that her father had bought her pads as they had had some money. She commented that she could not even imagine the situation of those who could not afford to buy them. Another woman told the Commission about the difficulties to acquire menstrual pads; “We cannot afford pads. If we have money, the priority is to bring food for the family to survive rather getting pads for something that is temporary. We have to balance our priorities, and unfortunately managing menstruation is not one of them.”

77. Another woman reported that, due to the lack of menstrual pads, she had to use children’s nappies on one occasion or a piece of cloth. The Commission is aware of other similar reports, including women who had no choice but to use dirty clothes

⁸² <https://www.unwomen.org/sites/default/files/2024-09/gender-alert-gaza-a-war-on-womens-health-en.pdf>.

when menstruating. Without water or privacy, they had no way to wash themselves or their underwear.

VI. Israel's systematic use of sexual and gender-based violence

A. Masculinity, nationalism and militarization

Shall he make our sister into a whore? 9208 brings the honour back to the people of Israel.

Graffiti by Israeli soldiers in Beit Lahia in Gaza (see para. 77)

78. Women's bodies and sexuality are often perceived as linked with the dignity of the nation and other negative gender stereotyping, such as the collective's honour and emasculation. Several experts have noted that allegations of sexual violence against Israeli women on 7 October 2023 have resulted in attempts to rebuild Israeli national masculinity through aggression and in retaliation for the attacks carried out by the military wing of Hamas and other Palestinian armed groups.

79. Israeli officials have used sexual violence committed on Israeli women on 7 October to mobilize support for the ISF military operations in the Gaza Strip and continue the war, referring to Hamas as "a rapist regime" that has weaponized sexual violence as a means of terrorizing the Israeli population while "the international community remains silent". This message has been amplified and circulated by the ISF in videos of detained Palestinian males allegedly confessing to acts of rape and other forms of sexual violence during the 7 October attacks (see section Sexual, reproductive and other gender-based violence in detention, para. 123).

80. The Commission's investigation shows that members of the ISF have been impacted by such messages. During the mistreatment of Palestinians in detention, some members of the ISF referenced the crimes committed on 7 October in Israel. In one illustrative example, the Commission examined a photo taken following the ground invasion in Gaza that depicts an Israeli soldier standing next to a wall in Beit Hanoun, Gaza, which displays graffiti in Hebrew reading "Shall he make our sister into a whore?". The graffiti refers to the story of Dinah in the biblical book of Genesis, who was abducted and raped. On learning about her rape, her brothers reacted strongly by engaging in a mass killing of all the men of the city. The story is commonly interpreted to indicate that injury by others to a woman's body should be seen within the context of male honour and revenge, her body and mind belonging not only to the woman but also to the male-controlled collective. Hence, sexual violence committed against Israeli women is seen as an affront against the male-dominated collective, implying that it calls for a similar revenge to the one sought for Dinah. Next to this question about Dinah, the following text was written: "9208 brings the honour back to the people of Israel." This additional text further emphasizes that some members of the ISF believe that the assault on Israeli women harmed a collective honour that must be avenged. The numbers 9208 refer to the 9208th Infantry Battalion of 12th Infantry Brigade of 252nd Division, which was the lead ISF division operating in the northern Gaza Strip from the direction of Beit Hanoun on 27 October 2023.

81. These examples should also be considered against the broader context of the sharp increase in sexual violence against Palestinian women and men described below, seemingly fueled by similar desire to retaliate. The Commission documented multiple incidents corroborated through victim and witness statements and verified photos and video footage. Sexual and gender-based violence is by no means a new element of the Israeli occupation. The Commission has reported on such issues before.⁸³ However, the Commission notes that Israeli soldiers' aggression and violence increasingly includes sexual acts intended to "feminize" or shame, not only the victim but the Palestinian community as a whole, and an increasing trend to photograph or film these

⁸³ A/HRC/50/21.

acts. Such acts have a clear link with entrenched gender stereotypes that continue to be intentionally used in attempts to break the sense of community and harm social cohesion, whether the victim is male or female. Previous reports by accountability mechanisms established by the Human Rights Council to investigate violations in the Occupied Palestinian Territory did not document a similar pattern of sexual and gender-based violence.⁸⁴

B. Sexual harassment and public shaming of Palestinian women

You sons of bitches, we came here to fuck you, you and your mothers, you bitches. You ugly Arab we will burn you alive you dogs.

Writings left by members of the ISF in a women's shelter in Gaza

82. Since the start of the hostilities, Palestinian women in the Occupied Palestinian Territory have been increasingly subjected to online harassment and smear campaigns by Israeli officials and soldiers, including by doxing, a practice in which private information about a person is shared online by others, with the intention to humiliate and isolate the victim. The Commission observes that such incidents of abuse have direct or implicit links to the events of 7 October 2023, impacting Palestinian society as a whole.

83. The Commission documented several videos and photos, recorded by Israeli soldiers and posted online, depicting them searching homes in the Gaza Strip, deliberately humiliating and mocking Palestinian women based on their gender and ethnicity. The videos and photos, most of which were originally published in ISF soldiers' private Instagram or X accounts, were later widely reposted on social media. In one case, a video shows a soldier filming himself while going through underwear and other private belongings in a house in the Gaza Strip, directing gendered and sexualized insults to Palestinian women, stating: "I've always said Arabs [female pronouns used] are the biggest sluts out there ... There you go, here are the sets [of lingerie] here, inside, another new one in the package, they haven't opened it yet, look at these sets, who wants elastic bodysuits?"

84. In a second video, an ISF soldier is filming himself describing how when searching the premises for weapons, the soldiers had found money and lingerie: "Two or three drawers stuffed with the most exotic lingerie that you can imagine, just piles, loads of it, in every single house. Unbelievable. These naughty naughty Gazans." In a third case, an ISF soldier published a photo on a dating application depicting himself posing in front of a collection of Palestinian women's underwear. The Commission found that many of the original videos and photos had been removed from the public domain, and the social media accounts of these Israeli soldiers had been either closed or set to private.

85. The Commission notes that the videos and photos show a clear gender and racial bias by the perpetrators, who intentionally target Palestinian women and attempt to humiliate and degrade them publicly. Moreover, from the perspective of Palestinian culture, publication of these images is potentially extremely harmful, carrying serious implications for the women whose private possessions are publicly exposed.

86. The Commission also documented a deliberate attack in mid-November 2023 on a women's rights centre working with survivors of gender-based violence in Gaza City. The attack against the centre appeared to have a clear gendered dimension, with soldiers leaving gendered and sexualised insults directed against the Palestinian women in graffiti in Hebrew on the walls of the centre, for example: "You sons of bitches, we came here to fuck you, you and your mothers, you bitches" and "The dirty pussies of your prostitutes, you ugly Arab you ugly, you sons of bitches, we will burn you alive you dogs".

⁸⁴ See <https://www.ohchr.org/en/hr-bodies/hrc/list-hrc-mandat>.

87. Based on photographic evidence, the Commission assessed that the fifth floor of the building, which sheltered abused women and families, was directly targeted and completely destroyed. The rest of the five-floor building remained intact. The Commission found the damage to be consistent with firing from a tank, based on the height of the building, the size of the shell's point of penetration on the wall and the level of destruction to concrete and metals from the munition's explosion within the building.

88. The Commission was informed that, at the time of the attack, the centre's building and the surrounding area were deserted due to the ISF operations. The women taking shelter had evacuated the premises prior to the ground operations and therefore no casualties were reported from the attack. No warning was reportedly issued by the ISF prior to the attack. Photos reviewed by the Commission indicate that the soldiers broke the door to enter the building, most likely after the tank shelling. The Commission did not find any military justification for the ISF firing tank shells at this centre.

89. The centre, which was one of two shelters for women and girls in Gaza, is now in need of reconstruction and is no longer operational. The Commission spoke to a women human rights defender working on the protection of abused women, who stated that the closure of the centre had a negative impact on the women who could no longer seek refuge there. She said that the women who usually seek protection at the shelter felt a double threat, both from their own families and from the ISF. She thought that there is no place for them to seek protection against their abusers. The Commission notes that this is particularly concerning in times when international organisations report an increase in gender-based violence in Gaza, particularly intimate partner violence.

90. Between 7 October and December 2023, Israel's National Security Minister, Itamar Ben-Gvir, posted on his X account pictures of six Palestinian women who were detained in Israel and the West Bank. The captions to the photos asserted that the women had links with terrorism, mostly referencing crimes such as incitement and hate speech linked to the events of 7 October 2023. The captions added by the Minister included the following statements: "We started talking to them in a language they understand", and "This is a clear message to all those inciting keyboard-heroes - the Israel Police will reach each and every one of you. Don't test us." In three cases the women's names were included in the caption together with their pictures. While the Commission documented similar photos of male detainees on the Minister's social media account, the men's names were not disclosed and their faces were often blurred, preserving their anonymity.

91. Four of the women were coerced to sit in front of an Israeli flag and in four cases their hands were restrained with handcuffs or tied with plastic restraints. In all cases, the women's faces were visible, except in one case where the upper body of a woman is seen from the back, with her hands tied behind her back with plastic restraints, while she is sitting on a chair in what seems to be her home. In one of the photos, a young women human rights defender was photographed in her bedroom with her hands tied behind her back with plastic restraints. She looks confused, dazed and scared and a soldier can be seen holding her shoulders and pushing her to sit on the bed. The same woman later recounted the violent and humiliating circumstances surrounding this incident, including physical and verbal assault.

92. Female detainees also reported having been photographed without their consent and in degrading circumstances, including in their underwear in front of male soldiers. In one case, a detainee was subjected to repeated and invasive strip-searches following her arrest at a police station in northern Israel. She was beaten, verbally abused, dragged by her hair and photographed in front of an Israeli flag without her consent. The photos were posted online.

C. Filming and photographing acts of sexual violence against men and boys during arrest

Together with 50 other detainees, we were ordered to walk, barefoot and in underwear, to the end of the road [...] One female soldier instructed two boys to dance while in their underwear. She recorded a video of them, and they all laughed.

Man detained in December, Beit Lahia, Gaza

93. Since 7 October 2023, hundreds of Palestinian men and boys have been photographed and filmed in humiliating and degrading circumstances while subjected to acts of a sexual nature, including forced public nudity and stripping, full or partial. The Commission documented more than ten such incidents since October 2023, including around 20 pictures and videos. The men and boys were photographed fully or partially undressed or wearing only undergarments, forced into subordinate positions (such as being tied to a chair, kneeling on the ground or lying on the ground blindfolded and tied) and in some cases subjected to physical abuse. The Commission also documented digital footage of Palestinians who had been captured by Israeli soldiers, where they are stripped naked and, in some cases, physically assaulted by soldiers. The Commission documented two cases of photographing and filming sexual violence against Palestinians by civilians (see section Sexual and gender-based violence by settlers and other civilians, paras. 128-137).

94. Four of these incidents involved photographing of men detained during mass arrests. Three incidents took place on 7 to 9 December 2023 in Beit Lahia (including at Market Street and the UNRWA affiliated Khalifa bin Zayed primary school) and one took place in the Yarmouk stadium in Gaza City on 24 December 2023. Photos and videos of these mass arrests appeared on social media, depicting men and boys detained in large groups in their undergarments in open air. Some photos showed men forced to sit on their knees next to each other in rows, hands tied behind their back and blindfolded. Most of the footage was first published in Israeli Telegram groups and later disseminated on X. The ISF spokesman Daniel Hagari stated that the circulated photos did not originate from the ISF spokesman's office. The Commission's analysis of the videos and photos indicates that most were taken by ISF soldiers. This is based on the proximity of the images to the soldiers, captions accompanying the footage, the military uniform of the cameraman appearing in some of the frames and the proximity to the photographed subject. These incidents of forced public nudity were also corroborated by testimonies provided to the Commission (see section on Sexual violence during ground operations including at checkpoints and evacuations, paras. 105 and 107).

95. One victim described to the Commission his experience of being detained and photographed in this manner, during the evacuation of Beit Lahia in early December 2023. The victim stated that he was in his home when soldiers entered the area and ordered people to evacuate. During the course of the evacuation, men and boys were forced to undress in front of family members and ordered to kneel. The victim's wife and children witnessed his undressing before they left the area. The man expressed the humiliation he felt being exposed like that in public. He and some 50 other men were ordered to walk barefoot in their underwear to the end of the street, where they were forced to kneel with about 250 other men and boys wearing only underwear. The victim was transported on a military truck to an unknown location, where an ISF soldier removed his blindfold and photographed him.

96. The Commission documented other cases of sexual abuse committed by members of the ISF against boys. One witness described how a female Israeli soldier in Gaza ordered two teenage boys who had been stripped to their underwear to dance in front of other detainees and recorded a video of them while she was laughing. The Commission also verified digital footage confirming that Palestinian boys were detained and stripped down to their underwear along with adults in Yarmouk Stadium in December 2023.

97. On the first day of the mass arrests on 7 December 2023, the ISF official spokesman Daniel Hagari stated that the ISF and the General Security Service had arrested and interrogated hundreds of suspected terrorists. The ISF spokesperson Jonathan Conricus told CNN that the men in the photos were “ Hamas members and suspect Hamas members” who were detained “without clothes in order to make sure they’re not carrying explosives”. On 8 December 2023, in an interview with CNN, Israeli government spokesperson Eylon Levy stated that the residents of the areas subjected to the ISF operations were ordered to evacuate their neighbourhoods. “Let’s remember that these are military-age men that were found in areas that civilians were supposed to have evacuated over a month ago.”

98. The Commission documented three particularly egregious cases of sexual and gender-based violence during arrest and detention that were filmed and disseminated online by soldiers. One case involved a video depicting severe mistreatment and abuse of male detainees. The video was posted on X and Telegram by Israeli soldiers. The Commission geolocated it to Hebron, in the West Bank, noting it was filmed on 31 October 2023. In the footage, six men are seen blindfolded, undressed and lying on the ground. Two of the men are completely naked with their genitals exposed. The Commission documented conflicting information regarding the reasons for the men’s capture, with the ISF claiming they were Hamas militants and other sources stating that they were workers from Gaza. One of the naked men appears to be unconscious or lifeless, while the other is yelling in pain before being pushed to the ground. A soldier is seen stepping on the face of one man who is wearing only trousers with his hands and feet tied. The man is then pulled by his legs, while yelling in pain. According to a media report, the ISF stated that the conduct of the soldiers was serious and not in line with the army’s orders and that the case was under investigation. The Commission was unable to find any information regarding the outcome of the investigation.

99. In the second case, on 24 December 2023, an Israeli reservist soldier posted photos on his Instagram account, depicting an Israeli soldier standing in front of a Palestinian man sitting on a chair with his hands tied behind his back with what appears to be black plastic straps. The Palestinian man is undressed, wearing only black boxer shorts, and has a five-centimetre cut on his right thigh that is bleeding, and traces of blood are seen on his forehead and right arm. The Commission geolocated the video and found that it was taken in the Rimal neighbourhood of Gaza City during a ground incursion. The ISF reportedly made a statement that the man depicted in the footage was not hurt and that he was interrogated briefly and then released. The ISF also stated that the photos were taken and published contrary to the ISF orders and values, and that the reservist’s service had been suspended.

100. In a third video, filmed at night, three completely naked, barefoot and blindfolded Palestinian men are seen being forced onto a bus by ISF soldiers. An ISF soldier is heard swearing at the detainees in Arabic and Hebrew, and making spitting sounds, saying: “brother of a bitch”, “son of a whore”, “you pig”, “your sister’s cunt” and “you pimp”. The Commission found that the video was likely filmed in Ofer prison in the West Bank and showed the transfer of Palestinian detainees. The video was first published on Israeli Telegram news channel D4747 on 13 November 2023 with the description: “Documentation from the transfer of the terrorists who participated in the October 7 massacre in Otef”. Shortly after, the video was posted with the description: “The Nazi pigs of Nukhba are led naked straight to the Shin Bet basements”.

101. Other cases of misconduct of Israeli soldiers, including sexual and gender-based violence, have been widely broadcast on X. Following 7 October 2023, soldiers posted videos online of Palestinians being mistreated and humiliated while being detained. In some cases, the victims were shown fully or partially undressed.

D. Sexual violence during ground operations including at checkpoints and evacuations

They ordered all of us, men and women, to take off our clothes and to continue walking, ordering us to only look forward. I was walking naked between the tanks, not even wearing underwear. An Israeli soldier spit in my face. I forced myself not to react as I knew they would break every bone in my body if I did.

A man evacuating through Salah al-Din Street in Gaza

102. The Commission collected and preserved evidence, including testimonies, photos and video footage, of sexual violence directed against Palestinian men by members of the ISF during ground operations including at checkpoints and in the course of evacuations in the Gaza Strip and in the West Bank, including forced public nudity, forced stripping and sexual humiliation, abuse and harassment. This information was corroborated by UN reports and reports by international and Palestinian civil society organizations. While Palestinian men and boys have been disproportionately affected and victimised in such circumstances, the Commission also documented cases where women and girls were subjected to similar treatment.

103. The Israeli Government has stated that “Due to the militants' tactics of concealing explosives and other weapons under civilian clothing and the need to ensure they do not pose an immediate threat to the ground force, there may be a need to search them, including by partial removal of clothing”.⁸⁵ While strip-searches for security justifications are not unlawful *per se*, in the situations and cases documented by the Commission the motivation from the outset appeared to have been retribution and a desire to humiliate, while in other cases, even if there was a security rationale, the processes were not conducted according to the acceptable standards and in a dignified manner. This is based on the fact that victims were mistreated during these processes, including through physical and verbal abuse, photographing, and the presence of male soldiers during searches of women, indicating that this was not done for security reasons.

104. The Commission heard accounts from several male victims concerning mistreatment while forced to strip, in part or in full, including being compelled to walk barefoot for prolonged periods of time between checkpoints. The cases also included physical and mental abuse while being undressed, as well as forced public nudity, in some cases during very cold weather. Male victims described to the Commission how such treatment undermined their sense of dignity and privacy and resulted in feeling subordinated and humiliated.

105. One victim told the Commission how he, together with his family and other displaced persons, was subjected to mistreatment, abuse and forced public nudity in early November 2023 on Salah al-Din Street during evacuations. The victim described a military presence along the street, with many tanks and soldiers, including snipers positioned on buildings. The victim stated that women, men, girls and boys were all told to undress at gunpoint at a makeshift checkpoint, create a ball with their clothes and throw their clothes to the ISF personnel. They were told to hold their identity documents high in the air and continue walking while undressed. The ISF said that anyone who did not follow orders would be shot. The men were completely naked while walking and the women were in their underwear. The victim was asked by a soldier to step aside and was forced to remain naked during an interrogation by three soldiers that lasted about 30 minutes. During the interrogation, he was slapped in his face and received threats to his life.

106. The Commission also spoke to witnesses who described mistreatment and forced public nudity by soldiers during the ISF operations in hospitals. One female witness described how Israeli forces stormed al Shifa hospital in Gaza in mid-November 2023 while she was seeking treatment for her son. She said that some 40 soldiers entered the hospital and searched the premises. All the men and teenage boys

⁸⁵ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38810>

were taken outside the hospital and told to undress to their underwear in front of everyone. She also stated that one woman asked a soldier why they had laid siege to the hospital, leaving them without food and water, and the soldier responded, “You will die from hunger in the hospital if it is up to us. The Arabs can help you.”

107. Another witness described the mistreatment of men on 12 December 2023 when the ISF entered the Nasr Medical Complex (the Nasr Hospital) in Gaza. Hundreds of people, including the witness and his family, were taking shelter at the hospital at the time. The men were told by the soldiers to undress to their underwear and to line up next to each other, placing their hands on a wall. The soldiers checked their identity documents and arrested some of them. The persons who were arrested were beaten with the soldiers’ weapons before being taken away. The men were subjected to verbal abuse during the process, the soldiers speaking to them in Arabic, calling them “animals” and “cows”. The soldiers also mocked the men, using a microphone to threaten and harass them, including “Where is your resistance now? Where is your dog president?” The witness heard threats directed towards the group, such as “We will shoot you like dogs”.

108. The Commission also met with witnesses and women human rights defenders who witnessed and documented cases of gender-based violence against women during the ISF ground operations in Gaza. These accounts include forced public stripping and removal of veils in public, invasive and humiliating searches, threats and verbal and physical abuse of those women who refused to undergo such searches. A woman working with an organisation providing psychosocial support to women in the Gaza Strip described to the Commission how this affected women’s psychological well-being: “With regards to ISF orders to remove veils, the women’s choice is between shame and abuse, possibly death. Being forced to remove your veil has a deep psychological impact on women, the trauma compounded by loss and grief from a war unlike anything they have seen before.” In some cases, male victims reported the stripping of female relatives as a means to humiliate the men.

109. A male witness told the Commission about sexual abuse and harassment of women that took place in Salah al-Din Street during evacuations, where members of the ISF instructed women to undress. The witness saw several of his female relatives being forced to undress, leaving them in their underwear with no veil to cover their hair. He also saw several women being subjected to sexual harassment by the soldiers while stripped, including a teenage girl aged around 17 years old. The soldiers mocked and harassed the men for not being able to intervene in the forced stripping of women. The witness also saw the mistreatment and arrest of a pregnant woman before she was taken away by soldiers.

110. To corroborate this information, the Commission spoke to a women human rights defender who had documented multiple accounts of women being subjected to sexual violence and abuse, including when evacuating and stopped at a checkpoint on Salah al-Din Street between 22 October and 28 December 2023. This included being stripped down to their underwear and coerced to remove their veils in front of male soldiers in public and subjected to male soldiers touching their bodies. In three cases, women reported that they were insulted, threatened and beaten when they refused to take off their clothes.

111. Similar reports of forced public stripping, removal of the veil and sexual abuse and harassment were received from women’s rights organisations that had collected testimonies from Palestinian women. In one case a woman reported that she was filmed during a ground offensive in Gaza in front of male members of the community who had been stripped naked as a means of humiliation. A soldier showed the woman the video that was taken of her and threatened to disseminate it online so that her community would shame and stigmatize her. The woman was reportedly beaten on her stomach and, as she had just had a Caesarean Section, she suffered serious complications. In another case, a woman in Gaza was reportedly interrogated by several male soldiers in her home, beaten and groped. She was also threatened with rape, one soldier threatening to check if she was still a virgin. In another case, a woman in Gaza was reportedly forced to strip in front of male soldiers outside while

evacuating, and the lives of her children were threatened if she refused. The woman reported to have cried out of humiliation.

112. The Commission also received information about sexual violence against girls, or threats of sexual violence directed against girls. In one case, a 14-year-old girl was reportedly searched and subjected to sexual violence when passing by the Bab Al Zahera Police station on her way to a school. A soldier ordered her to stop and then threw the content of her bag on the ground and dragged her to a location close by that did not have cameras. Two soldiers reportedly touched her on her breasts, neck and waist. When she asked for a female soldier to do the search, she was slapped by one of the soldiers who also made sexual remarks and said “you are murderers”. A pregnant woman who was detained by soldiers close to her house in Hebron was reportedly threatened by the male soldiers with rape, and the threats were also directed at her daughters aged three and four who were present at the time.

113. The Commission also received reports that when evacuating with young children, women were searched, harassed and threatened by soldiers. In one case a woman was evacuating through Salah al-Din Street with her three daughters in early November 2023, when shots were fired in their direction. Her eight-year-old daughter was almost hit by a shot fired at her feet. In another case, a woman who had evacuated from a school reported that ISF soldiers at a checkpoint at Salah al-Din Street beat her and threatened to kill her and shoot her children if she refused to follow orders. The soldiers ordered her to go behind a hill and her children were made to continue walking by themselves. The woman was strip-searched outside and ordered at gunpoint to remove all her clothes, including her veil, in front of male soldiers. While she was being searched, she heard gunshots and thought soldiers had killed her children. She was kept at the checkpoint for a day and a half, not knowing where her children were and whether they were dead or alive. Another woman, who was passing through the Salah al-Din Street checkpoint, recounted how she and others were stopped by soldiers. The men were forced to strip to their underwear, were blindfolded and had their hands and feet tied. The soldiers ordered the women to remove their clothes. When one woman refused, they threatened her, insulted her and beat her. She undressed and took off her veil while she was crying.

114. The Commission also received reports from women’s rights organisations that women were robbed by ISF soldiers while evacuating, their money and gold being seized. Witnesses interviewed by the Commission provided similar information.

E. Sexual, reproductive and other gender-based violence in detention

I was lying on the floor, completely naked. The soldiers demanded that I kiss the Israeli flag, but I refused so they beat me severely and kicked me on the genitals. I vomited as a result. I was in pain and my testicles were swollen and bruised from the beating. I lost consciousness for a short period of time and woke up again to realize they were still beating me.

Male detainee in Negev prison in Israel

115. Between 7 October 2023 and July 2024, Israel arrested over 14,000 Palestinians in Gaza and the West Bank, including East Jerusalem. According to human rights organizations, by October 2024, over 420 Palestinian women had been arrested in the West Bank, including East Jerusalem, by Israeli authorities, with around 100 women, including two minors, still in Israeli custody. Many were not informed of the reasons for their arrest. Released detainees reported being interrogated about their potential involvement in the hostilities, including affiliation with Hamas, and the whereabouts of Israeli hostages. Several female human rights defenders, journalists and politicians from the West Bank were also arrested and detained under charges of “incitement to terrorism”.

116. The Commission documented cases of sexual and gender-based violence against male and female detainees in more than 10 military and Israel Prison Service

facilities, in particular in Negev prison and Sde Teiman camp for male detainees and Damon and Hasharon prisons for female detainees. Sexual violence was used as a means of punishment and intimidation from the moment of arrest and throughout the detention, including during interrogations and searches. Acts of sexual violence documented by the Commission appear to have been motivated by extreme hatred towards the Palestinian people and a desire to dehumanize and punish them. Sexual and reproductive violence in detention has also been reported by the Office of the High Commissioner for Human Rights, B'Tselem, Addameer, Amnesty and Healthcare Workers Watch.⁸⁶

117. The Commission found that forced nudity, with the aim of degrading and humiliating victims in front of both soldiers and other detainees, was frequently used against male detainees, including through repeated strip searches, interrogations of detainees while they were naked, forcing detainees to perform certain movements while naked or stripped and, in some cases, also filming them, subjecting detainees to sexual slurs as they were transported naked, forcing naked detainees into a crowded cell together, and forcing stripped and blindfolded detainees to crouch on the ground with their hands tied behind their back. The Commission spoke with a man who was interrogated naked inside a tank by ISF soldiers for more than thirty minutes. During this time, he was questioned about his family members' association with Palestinian armed groups. He was subjected to death threats and was slapped twice during the interrogation.

118. Male detainees reported that ISF personnel had beaten, kicked, pulled or squeezed their genitals, often while they were naked. The Commission verified four such cases. In some cases, ISF personnel used objects such as metal detectors and batons to beat them while they were naked. One detainee who had been held in Negev prison stated that, in November 2023, members of the Keter unit of the Israel Prison Service had forced him to strip and then ordered him to kiss the Israeli flag. When he refused, he was beaten and his genitals were kicked so severely that he vomited and lost consciousness. Another detainee released from Megiddo prison told the Commission: "I was kneeling with my head down and my hands tied behind my back. They beat and kicked me everywhere on my body, including on my face and my genitals. I thought I was going to die." Similar accounts about violence targeting the genital area have been reported by B'Tselem and Healthcare Workers Watch.⁸⁷

119. The Commission documented cases of rape and sexual assault of male detainees, including the use of an electrical probe to cause burns to the anus, and the insertion of objects, such as fingers, sticks, broomsticks and vegetables, into the anus and rectum. One victim who had been detained in Sde Teiman told the Commission about severe mistreatment, including being suspended from the ceiling so that only the tips of his toes touched a chair and beaten with tools for hours. During the abuse, a metal tool was inserted in his penis repeatedly until his penis started bleeding, and he fainted. The victim told the Commission: "They took me into an interrogation room and suspended me by my arms behind my back. My toes barely touched the floor. A male guard inserted a metal stick in my penis on several occasions, about twenty times in total. I started bleeding. The pain was excruciating but the humiliation was worse."

120. In at least two cases documented by the Commission, victims needed medical treatment and/or surgery due to the injuries caused by rape. In one case, a detained Palestinian man was raped after he was transferred from Ofer prison to Sde Teiman detention facility. According to an indictment submitted to an Israeli military court, the man was physically abused by five soldiers, reservists in Unit 100, during a search

⁸⁶ https://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf; 20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf; Israel must end mass incommunicado detention and torture of Palestinians from Gaza - Amnesty International and HWW-report_The-killing-detention-and-torture-of-HCWs-in-Gaza_October-72024_Final.pdf; <https://addameer.org/sites/default/files/publications/GF%20Submission.pdf>.

⁸⁷ https://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf; HWW-report_The-killing-detention-and-torture-of-HCWs-in-Gaza_October-72024_Final.pdf.

at Sde Teiman prison. The men, including the commander of the team, kicked the victim and hit him with a baton and tasered him in the head. A baton was also inserted in his mouth and a dog was used to intimidate the victim during the assault. The assault resulted in the fracture of several of the victim's ribs and a punctured lung. The victim was also stabbed in the rectum with a sharp object. The victim's rectum was ruptured due to the assault, and he required surgery to the rectum. Following the assault, the victim was required to use a stoma bag due to the gravity of the injuries. A video filming the assailants were taken by a soldier.

121. The Commission received reports that Dr. Adnan al-Bursh, the head of the orthopaedic department at al-Shifa Hospital in Gaza City, was subjected to sexual violence in an Israeli prison prior to his death in Israeli custody. Al-Bursh was arrested in December 2023 from al-Awda hospital during the ISF's siege on the hospital. Al-Bursh died at Ofer prison in April after four months in an Israeli prison allegedly due to the mistreatment he endured during his captivity. A released detainee told the Commission that he saw al-Bursh in Sde Teiman in December 2023 where he was bruised and complained of chest pain. The Commission also received reports about a witness in Ofer prison seeing al-Bursh just prior to his death. According to the witness, al-Bursh had been assaulted and stripped naked on his lower body. Al-Bursh's body remains withheld by the Israeli authorities. To the Commission's knowledge there has not been an independent forensic autopsy on the body.

122. The Commission has determined that detainees were routinely subjected to sexual abuse and harassment, and that threats of sexual assault and rape were directed at detainees or their female family members. The Commission received information about detainees being forced to undress and lie on top of each other while subjected to verbal abuse and forced to curse their mothers. One detainee was subjected to an attempted rape with a carrot in the anus in front of the other detainees. Another detainee held in Sde Teiman reported that female soldiers had forced him and others to make sounds like a sheep, curse the Hamas leadership and the prophet Muhammad, and say "I am a whore". Detainees were beaten if they did not comply. In another case, a soldier took off his trousers and pressed his crotch to a detainee's face, saying: "You are my bitch. Suck my dick."

123. The Commission reviewed several videos where detainees were interrogated by members of the ISF, while placed in an extremely vulnerable position, completely subjugated, when confessing to witnessing or committing rape and other serious crimes. The names and faces of the detainees were also exposed. The Commission considers the distribution of such videos, purely for propaganda purposes, to be a violation of due process and fair trial guarantees. In view of the apparent coercive circumstances of the confessions appearing in the videos, the Commission does not accept such confessions as proof of the crimes confessed.

124. Female detainees were also subjected to sexual assault and harassment in military and Israel Prison Service facilities, as well as threats to their lives. The sexual assault and harassment included kicking the women's genitals, touching their breasts, attempting to kiss them, and threats of rape. One female detainee interviewed by the Commission said that a soldier threatened to gang rape her, kill her and burn her children. The soldier asked her: "How do you want us to rape you? one by one or all together?" The victim was also denied access to her lawyer once she had informed him of the rape threat. In one case reported to the Commission, a woman was threatened with sexual assault in front of her husband while detained in Hasharon prison. One soldier reportedly unzipped his pants and threatened to make the woman sit on his lap while another soldier commented on her breasts. The woman, who had given birth two months prior to her detention, was reportedly spat in her face by the soldiers and beaten repeatedly until she fainted.

125. Female detainees reported being subjected to repeated, prolonged and invasive strip searches, both before and after interrogations. One woman was strip searched in her cell every three hours during her four-day detention, the guards forcing her to remove all her clothes even though she was menstruating. Women were forced to remove all clothes, including the veil, in front of male and female soldiers. They were

beaten and harassed while called “ugly” and subjected to sexual insults, such as “bitch” and “whore”, directed at them. One victim described to the Commission the humiliation she and her fellow detainees were subjected to: “They forced us to strip and laughed at us during the search because some of us had clothes stained with menstruation blood and some smelled because we had not been allowed to take showers. They also laughed at one detainee who was overweight. We felt so insulted and humiliated.” Amnesty International also reported on a violent strip search involving a female detainee in Damon prison where guards reportedly used a huge knife to rip off her clothes.

126. The Commission received reports from the Palestinian Authority and civil society organisations about the rape of several female detainees but was not able to verify the information. In three of the cases the rape reportedly involved the insertion of foreign devices in the vagina or rectum of the detainees.

127. On 16 October 2023, the Minister of National Security Itamar Ben-Gvir ordered significant additional restrictions in Israel Prison Service facilities.⁸⁸ Female detainees were subjected to the same restrictions as men in Israel Prison Service facilities and were affected in particular ways by insufficient and inadequate food and water and unhygienic conditions. The Commission documented particular reproductive harms in detention, including that pregnant women held in an Israel Prison Service facility did not receive either sufficient or adequate food and were denied medical care. Several women reported that they had not been allowed to use toilets despite having requested access, or that they had been handcuffed for prolonged periods of time and therefore required help from other detainees to use the toilets. Female detainees had limited access to or were denied menstrual pads. Reportedly, some women suffered from urinary tract infections as a result of the lack of hygiene facilities.

VII. Sexual and gender-based violence by settlers and other civilians

I will be happy to sit with you in jail someday. You know Sde Teiman? Rape for the sake of God, as they say. You understand what I mean.

Threat by an Israeli settler to a Palestinian man

128. The Commission observed a surge in settler attacks on Palestinian communities in the West Bank immediately after 7 October 2023 and continuing to date. Several developments may have contributed to this, including the enlistment of thousands of settlers in the ISF reserve duty, arming and mobilizing settlers for regular military service in specialised battalions based in the West Bank, establishing and arming additional quasi-military militias in settlements and easing gun licence regulations by Minister of National Security, Itamar Ben Gvir.⁸⁹ The increase in settler violence since 7 October 2023 has caused massive displacement of entire Palestinian communities and the seizure of their lands.

129. The Commission received reports about an increasing number of settler attacks involving sexual abuse and harassment, some involving collaboration between settlers and the ISF. In one such case documented by the Commission, a group of around ten to fifteen Israeli men arrived in a Bedouin village in the West Bank in civilian cars in mid-October 2023. Some of the men were wearing full army uniforms, some were wearing army uniforms and sport shoes, and some were wearing civilian clothes and carrying rifles. The Commission assesses that the group was composed of settlers and ISF members, some of whom may have been reserve forces. During their stay in the village, the group attacked a total of three Palestinian men that day, two human rights defenders, who had gone to the village to offer protection to the Bedouin community,

⁸⁸ The Commission reported on these conditions to the General Assembly in October 2024, see A/79/232.

⁸⁹ A/HRC/56/CRP.4, paras 353 and 504.

and later one other man. The Commission has obtained the names of two of the attackers and identified them as settlers from nearby settlements.

130. During the early stages of the attack, the group held the two human rights defenders for around nine hours in a sheep herding enclosure. The perpetrators also seized the men's car, money and mobile phones. At around noon, some 40 additional settlers and ISF members joined the group, bringing with them another Palestinian man from the Bedouin village and holding him captive as well. They then ordered the three Palestinians to lay face down on the ground, beat them and threatened to kill them, telling them that "there will be no Arabs left here" and that they would "send the rest of the Arabs to Jordan". On two occasions throughout the day, Israeli civil authorities, including Israeli Administration officials and a police officer, came to the scene but did not intervene and left shortly after.

131. The three captive Palestinian men were all subjected to physical and mental abuse during their ordeal. One of the human rights defenders was beaten on his head with a rifle, by a man wearing a military uniform, resulting in severe bleeding. When the victim tried to lift his head and wipe the blood from his face, the perpetrator stepped on his head and smeared dirt on his face. The uniformed man tore the victim's clothes with a knife, leaving him in his underwear. He then blindfolded him with a piece of torn clothes. He put his foot on the victim's head and pushed his face to the ground several times, saying, "eat, eat", as the ground had remnants of straw and sheep food. The victim told the uniformed man that he had undergone heart surgery which prompted the uniformed man to kick the victim in the chest, saying "die, die". The uniformed man then proceeded to jump on the victim's back. When the victim asked for water, the uniformed man said he will give him water and urinated on him. He then placed a stick in the area of the victim's anus, over his underwear, and attempted twice to insert the stick into his rectum but the victim moved away to avoid it. According to the victim, men in military uniforms beat the other human rights defender and extinguished their cigarettes in four different places on his body.

132. The Commission reviewed a photo posted on a settler social media account, showing the two human rights defenders stripped down to their underwear sitting on the ground, with their hands tied behind their backs and blindfolded with a piece of cloth. The man from the Bedouin village is lying on the ground, with his hands tied behind his back. Other photos published by media outlets show severe bruises on the back and arms of one of the human rights defenders as a result of the beating he was subjected to. The victims required medical assistance following the attack.

133. Palestinians have reported about settlers in the West Bank attacking them and threatening them with rape. The experience has had a profound impact on the mental health and sense of security of the victims. One male victim told the Commission that he would have preferred to be subjected to physical abuse than sexual harassment. "It was a very difficult experience. I felt very angry but I knew that I would be harmed if I responded so I chose to remain silent. I knew about Sde Teiman and what they had done to Palestinian detainees there."

134. A Palestinian man from the West Bank was threatened with rape by an Israeli settler in early August 2024, when a group of masked settlers armed with clubs arrived at the victim's house and harassed his family, threatening to take over their house and their land. Referring to the case of sexual assault that took place in Sde Teiman prison against a Palestinian detainee (see section Impunity and accountability, paras. 154-156), the settler told the victim: "You are my bitch" and "I will be happy to sit with you in jail someday. You know Sde Teiman? Rape for the sake of God, as they say. You understand what I mean." Residents and activists called the police but, according to information received by the Commission, the police did not come to the site.

135. The Commission also received reports of sexual harassment by settlers targeting Palestinian women. One case involved threats of rape by an ISF member and a settler towards a Palestinian woman in April 2024. The woman was traveling back to her house in the south of the Nablus governorate when she was stopped by a soldier in the neighbourhood. The area was surrounded by settlers and the soldier told her she

would be killed if she returned. As she was speaking to the soldier, the woman was hit on her shoulder by a settler. The soldier did not intervene. The soldier grabbed and shook her face, telling her to leave. Both the settler and the soldier threatened her with rape, saying “we will fuck you” if you do not leave. The woman feared returning to her home and has been restricted in her movements by her family members since the incident.

136. The Commission also received information about settlers subjecting two 15-year-old boys to physical assault and sexual violence in August 2024 in Bethlehem. The boys were herding cattle when they were attacked by a group of settlers carrying knives. The two boys were beaten, blindfolded and stripped by the settlers. One settler also urinated on one of the boys. The boys were beaten severely during the attack, and one sustained a fracture to his leg. The boys were taken to a nearby hospital for treatment after the assault.

137. The Commission also documented cases of sexual violence directed at Palestinian men by Israeli civilians in Israel. The Commission collected and verified digital footage of civilian men desecrating the bodies of two Palestinian men in Israel in the aftermath of the 7 October attack. A video and a photograph were published on Telegram on 8 October 2023, showing the bodies of two dead Palestinian men who had been stripped naked, their heads covered with a piece of fabric and what appear to be military uniforms of Palestinian armed groups next to them. Two men in civilian clothes are then seen urinating on the bodies of the men, one of them kicking one of the bodies repeatedly in the stomach, and a third man kicking the body in the head. One of the civilian men also poses in a photograph while standing on the heads of the two men lying on the ground. The Commission geolocated the photo to a location in Israel and notes that the civilian men speak in Hebrew while abusing the bodies, encouraging each other to urinate on the bodies stating they are bodies of Hamas militants, while also using gendered and sexualized insults, such as “slut” and “prostitute”, as well as racist and possibly religious slurs referring to the bodies as “Mohammed”.

VIII. Gendered impacts of displacement

The school was used as shelter, but it was not prepared for this purpose; for example there were no electricity or generators and so women had to collect wood and paper to burn as fuel for baking and drying clothes. I was pregnant at the time and there was no way for me to reach the hospital. My husband watched online videos to learn how to deliver a baby.

Displaced woman in Khan Younis

138. The ISF issued evacuation orders and movement instructions multiple times to people in specific areas of the Gaza Strip since 7 October 2023. By the end of 2024, 86 percent of Gaza was under evacuation orders. The Commission found in practice that evacuations were not feasible as people were attacked during the process and also at the so called ‘safe zones’. No distinction or exception was made for pregnant women, older women, maternity patients, women and girls with disabilities or others who could not or would not evacuate for a variety of reasons. The ISF did not offer assistance to those who were unable to evacuate, or those who faced difficulties while evacuating.

139. The Commission spoke with several individuals, including women, who described challenges during the evacuation processes including the absence of transportation which resulted in them having to walk for many hours. Pregnant women faced increased problems due to the lack of assistance, as did postpartum women and those with young children. Often, ISF checkpoints made evacuations slower and more cumbersome. Such checkpoints were established in order to screen evacuees, to detain adult and teenage males and to search for Palestinian militants and Israeli hostages in the evacuating crowds. The Commission also received reports about pregnant women being arrested in such circumstances. Several persons recounted being attacked while

evacuating and being subjected to sexual and gender-based violence (see section Sexual violence during ground operations including checkpoints and evacuations, paras 102-114).

140. The Commission notes the particular impact that displacement has had on women mainly due to socially prescribed gender roles as those responsible to care for and tend to family members. Women are the primary caregivers for children, family members with disabilities or illness, and older family members who are unable to evacuate, and as such are more likely to stay behind while others evacuate. Moreover, the collapse in infrastructure, lack of basic necessities and crowded living spaces increase caregiving responsibilities for women and girls when families are displaced, and consequently, the usual number of hours spent on household activities increases substantially. Women are also the main homemakers, and the multiple displacements that most Palestinians in Gaza have experienced require women to re-establish the semblance of a home wherever their family takes refuge, in many cases having to do so ten or more times over the past 14 months.

141. As of January 2025, around 90 percent of the population in Gaza has been internally displaced and this has severely impacted power dynamics and gender relations. Unbearable living conditions and overcrowding have created stress and anxiety, particularly for women and girls. OCHA reported in December 2024 an average of 1.5 square meters per person in IDP shelters in Gaza (with the minimum acceptable emergency indicator being 3.5 square meters per person according to OCHA).⁹⁰ Moreover, the loss of homes and family members, including those acting as breadwinners, and community members lead to changes in family formation which impact gender relations, roles and dynamics. UN Women has also emphasised that women increasingly fear that these dynamics, coupled with the humanitarian crisis and the lack of food, safe shelter, privacy and educational opportunities, will lead families to resort to harmful coping mechanisms such as early marriage.⁹¹ Meanwhile, gender-based violence, including intimate partner violence, remains a threat for many women in Gaza. The risks have been exacerbated by restrictions on the survivors' ability to move freely, lack of privacy, scarce resources and the collapse of pre-existing response providers such as shelters and hotlines.

142. Women spoke to the Commission about the suffering caused by displacement and being separated from their children with limited means of communication, with children sometimes being very young when separated from their mothers. Many women were also separated from their husband or widowed, leading to shifts in household dynamics that forced them to step into roles traditionally filled by men, such as being the principal income earner. One woman explained to the Commission the challenges in this situation, including emphasising the uncertainty she felt in how she would be able to provide for her four children by herself. "I am alone with the children, and I am in a difficult position, not knowing how I will provide for them. Our home is destroyed, and we are displaced. Everything has been taken from me."

143. About 12,000 women have been made widows in Gaza since October 2023. Widowed women lack protection in accessing rights to child custody and guardianship, as well as control over inheritance from a deceased spouse. Women in Gaza in female headed households are eligible for social safety nets but this assistance is minimal or unavailable due to the ongoing hostilities. A widowed woman told the Commission that she had been providing for her family since the death of her husband in the 2009 escalation of hostilities in Gaza. She explained that, while she had received assistance from the authorities, this assistance had stopped now due to the war and, even when provided, it was difficult for her to manage the household finances: "My husband died in the war of 2009. I raised my children alone and it was not easy. I was solely responsible for feeding and clothing five children. I lost my son too in this war.

⁹⁰ <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-17-december-2024>.

⁹¹ <https://www.unwomen.org/sites/default/files/2024-01/Gender%20Alert%20The%20Gendered%20Impact%20of%20the%20Crisis%20in%20Gaza.pdf>.

I am filled with grief, and I cry every day, thinking about the son I lost. I just wish I could be in a safe place with my children.”

144. Protracted conflict and displacement result in gendered impacts due to the exacerbation of pre-existing structural gender-discrimination. Women from Gaza have told the Commission about controlling behaviors from male family members that restricted their agency. One woman described how, when she and her family were displaced, they had to share one room with several families, and her father required her to remain covered due to the presence of other men and not to leave the building where they were sheltering. Another woman told the Commission, “I worked as an engineer before the war and used to have a lot of freedom. The war changed that, and suddenly women had to stay inside. I had to ask my father and brothers to get me what I needed, even pads when I had my period, which was so embarrassing. This had a huge psychological effect on me.”

145. Throughout the conflict, women and girls have been forced to wear their veil or their prayer cover constantly as the living spaces are shared with men outside the immediate family. One woman told the Commission that, due to mixed gender spaces, women had to wear their veil around the clock, day and night, and that this had become a real concern for them. The woman told the Commission: “We had to be veiled 24 hours a day. We were 17 people in one room, including my male cousins, so my father told me and my sister to make sure we were always covered. Also, we never knew if we would need to leave the home suddenly due to an aerial strike. We were constantly prepared to run.”

146. The Commission received information that women and teenage girls remain covered 24 hours a day so that, if they are killed, they die covered. A woman working with an organisation providing psychosocial support to women in Gaza stated that women and girls stay covered at all times. “Women in Gaza have lost everything. They lost their family members, their homes, their schools. At least they want to be able to control their bodies and keep their dignity in death.”

IX. Impunity and accountability

147. The Commission notes that, there have been no meaningful efforts by Israel to hold the perpetrators accountable. The Commission has not seen any evidence that the Israeli authorities have taken any effective measures to prevent or stop acts of sexual violence or to identify and punish perpetrators, despite the abundance of witness and digital evidence of Israeli soldiers committing crimes in Gaza. On 15 January 2025, the Commission submitted a request for information to Israel about ongoing investigations and accountability efforts in relation to cases related to sexual violence in detention in Israel and incidents in Gaza carried out by members of the ISF since 7 October 2023, including incidents in paragraphs 95, 96, 97 and 133 among others. However, Israel has not responded to the Commission’s request for information.

148. The Commission has spoken to witnesses and has reviewed social media posts, including photos and videos taken by the soldiers themselves. These posts were widely circulated online, and the soldiers often used their real names, which the Commission has collected and stored. The Commission finds that there is a clear culture of impunity within the ISF and soldiers believe that they will never be held accountable for the crimes they have committed. This results in an implicit or tacit encouragement by the top civilian and military leadership to the soldiers who commit these crimes.

149. The Commission is aware of media reports concerning ISF instructing soldiers in February 2024 not to carry out acts of revenge and not to film revenge videos, in response to the broader allegations of soldiers documenting their misconduct. However, even if such reports are accurate, the Commission considers these measures to be inadequate.

150. Rather than holding to account perpetrators who posted videos and photos of their acts online, Israeli efforts focused on instructing soldiers not to publish photos

and videos, and directing media outlets in Israel to blur soldiers' faces in photos and videos, actions which can be considered part of shielding suspected perpetrators from identification and investigation.

151. In the cases of photographing and filming mass arrests and forced public stripping reviewed by the Commission, the ISF has not made any statement that presents an acceptable reason for employing such a procedure (see section Filming and photographing acts of sexual violence, paras. 94 and 97). While the ISF stated in December 2023 that the actions were “not in line with IDF values, command and disciplinary measures will be taken”,⁹² this humiliating and degrading treatment has continued systematically during the military operations in the Gaza Strip and affected hundreds of men. The Commission documented similar patterns in October and November 2024, confirming the continued practice by the ISF to photograph and disseminate photos of Palestinians who have been forced to strip in public. The incidents documented by the Commission occurred in northern Gaza, including at the Kamal Adwan hospital.

152. The Commission refers particularly to two cases of sexual violence: the six detainees subjected to severe mistreatment and abuse; and the transportation of naked and blindfolded detainees (see section Filming and photographing acts of sexual violence against men and boys during arrest, paras. 98 and 97100 These cases were filmed by soldiers. The ISF has stated in at least one case that the conduct was serious and under investigation. The Commission is unaware of any report being released as a result of any investigation or of any serious action being taken to hold the perpetrators accountable.

153. The systematic abuse, including sexual and gender-based violence in detention documented by the Commission, is directly and causally linked to statements made by Israeli officials, including the Minister of National Security, who is responsible for the Israeli Prison Services (IPS), and other members of the Israeli Government, legitimizing revenge and violence against Palestinians.⁹³ The lack of accountability for actions of individual ISF members, their military commanders, and their civilian superiors and the increasing acceptance of violence against Palestinians have allowed such conduct to continue uninterrupted and to become systematic and institutionalized.

154. In an illustrative example of the culture of impunity, in July 2024 ten Israeli soldiers were arrested in a rape case which caused life-threatening injuries to a Palestinian detainee at the Sde Teiman detention facility. Five soldiers were released without charge within a few days and five others were placed under house arrest. In September 2024, a military court eased the conditions of their house arrest, removing the requirement for them to be accompanied by a supervisor during their night-time house arrest and allowing them to submit requests for release during the holidays.

155. Knesset members from the coalition, right-wing activists and soldiers participated in demonstrations to protest the soldiers' arrest, showing them support and legitimizing their actions. They attacked the Sde Teiman camp, including soldiers of the military police tasked with investigating the rape case, and occupied part of it. According to a media report, reserve soldiers from Unit 100 who had allegedly participated in the rape of the detainee attacked soldiers from the military police unit who were investigating the incident, including through threatening them at gun-point, beating and using pepper spray, and broke out some of their fellow unit members who were detained in the base. They also attacked the military base in Beit Lyd where the soldiers were transferred to. On 19 February 2025, five reserve soldiers belonging to Unit 100 were indicted for severe physical assault by a group. The Commission reviewed the indictment and noted the absence of a charge of sexual violence or rape, despite providing a detailed description of the assault which includes insertion of an object in the anus resulting in severe injuries to the rectum. The Commission notes

⁹² <https://www.idf.il/160872>; <https://www.youtube.com/watch?v=vvmaAzEqzM&t=241s>.

⁹³ A/HRC/56/CRP.4, paras 26, 33-44.

that by not indicting the accused with rape and sexual violence, the prosecutor has downgraded the offense and this will inevitably result in a more lenient punishment, if in fact convicted.

156. The Commission documented several statements from officials that were made in support of the accused, in some cases legitimizing rape and other forms of sexual violence against Palestinian detainees. Referring to the soldiers who were arrested in Sde Teiman, the Israeli Minister of Finance, Bezalel Smotrich, stated that “IDF soldiers deserve respect” and that they suffered “terrible injustice”,⁹⁴ while the Minister of Justice Yariv Levin reportedly said he was “shocked” that the soldiers were arrested like “criminals”, which was “impossible to accept”.⁹⁵ Minister of National Security Itamar Ben-Gvir also reportedly stated that it was “shameful” for Israel to arrest its “best heroes”⁹⁶ and that the Military Advocate General should be the lawyer of “our soldiers, not the Nukhba terrorists” and referring to the case as “vicious persecution against ISF soldiers”.⁹⁷

157. Israeli President Isaac Herzog said in a statement that the morality of the ISF was being tested and that he considered hatred against Palestinian terrorists to be “understandable and justified”.⁹⁸ When asked, during a discussion in the Knesset, if it was legitimate to “insert a stick into a person’s rectum”, Hanoch Milwidsky, a member of Knesset from the Likud Party, responded: “If he is a Nukhba [Hamas militant], everything is legitimate to do. Everything.”⁹⁹

158. The lack of effective measures to ensure accountability for rape and other forms of sexual violence is evident both in cases where there have been strong public reactions in Israel against attempts to hold the assailants accountable, such as the case above, as well as in other cases where there is little public attention. The Commission documented a case where a male detainee was raped repeatedly in an Israeli detention facility. A complaint was filed with the Israeli prosecution but, more than six months after the incident was reported, the Commission has received information that no effective measures were taken by the Israeli authorities to investigate the allegations or prosecute those involved despite the evidence.

159. The Commission also documented statements from public and media figures that excused or encouraged the use of sexual violence against Palestinians in detention. In an illustrative example, Israeli journalist Yehuda Schlesinger from the Israel Hayom newspaper made a statement on Israeli channel 12 in August 2024 in relation to the rape of Palestinian detainees, stating that it should be institutionalised by the Israeli authorities to punish, exact revenge and deter Palestinians.¹⁰⁰ The journalist later retracted his statement.

⁹⁴ <https://www.aljazeera.com/news/2024/8/9/everything-is-legitimate-israeli-leaders-defend-soldiers-accused-of-rape> ; <https://x.com/bezalelsm/status/1817888474281709987?t=5BL7a-mFWoqVnWhGdwKtXQ&s=19>.

⁹⁵ <https://www.theguardian.com/world/article/2024/jul/29/israeli-inquest-into-alleged-abuse-of-palestinian-detainees-sparks-far-right-fury>; <https://www.kan.org.il/content/kan-news/defense/778494/>; <https://x.com/HezkeiB/status/1817913592752091144>.

⁹⁶ <https://www.aljazeera.com/news/2024/8/9/everything-is-legitimate-israeli-leaders-defend-soldiers-accused-of-rape>; <https://www.kan.org.il/content/kan-news/defense/778467/>.

⁹⁷ https://x.com/itamarbengvir/status/1820170707931635825?t=RaLJD7T587J9r1QkR_XUrQ&s=19

⁹⁸ https://x.com/Isaac_Herzog/status/1817924845780246832?mx=2;
<https://www.theguardian.com/world/article/2024/jul/29/israeli-inquest-into-alleged-abuse-of-palestinian-detainees-sparks-far-right-fury>.

⁹⁹ https://www.youtube.com/watch?v=gC_PmNReg9s;
<https://www.youtube.com/shorts/wUhdh8NLe0s>.

¹⁰⁰ <https://www.middleeasteye.net/live-blog/live-blog-update/israeli-journalist-calls-rape-against-palestinian-be-institutionalised> and
https://x.com/ireallyhateyou/status/1821121616094412908?ref_src=twsrc%5Etfw%7Ctwcamp%5Etwcetembed%7Ctwterm%5E1821121616094412908%7Ctwgr%5E4ffd977f5935aa94031ebe902679ae404678c91e%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.middleeasteye.net%2Flive-blog%2Flive-blog-update%2Fisraeli-journalist-calls-rape-against-palestinian-be-institutionalised.

160. The statements and actions by political and civic leaders and the lack of effectiveness of the military judicial system send a clear message to ISF members that they can continue committing such acts without fear of accountability. The same applies to the civilian justice system. In this context, accountability through the International Criminal Court and national courts of other countries, through their domestic law or exercising universal jurisdiction, is essential if the rule of law is to be upheld and victims are given justice.

161. The Commission also finds, more broadly, that the Israeli justice system does not meet international standards of justice with respect to its application to Palestinians. At present, it cannot ensure fair trial guarantees as it is inherently discriminatory in its application of the law; domestic legislation continues to be used to persecute Palestinians and exculpate perpetrators who violate the rights of Palestinians. The Israeli justice system should not be relied upon to deal with accountability for Israeli civilian and military personnel in relation to Palestinians. In the absence of any meaningful action by the Israeli authorities, there can be no argument that the principle of complementarity can be used to deny jurisdiction to the International Criminal Court as it would require Israel to pursue a genuine investigation into the same persons (Netanyahu and Gallant) and same conduct (war crimes and crimes against humanity) as that of the International Criminal Court (ICC). National courts in other countries may exercise jurisdiction under their domestic laws, including under the principle of universal jurisdiction, to investigate and prosecute perpetrators. The recommendations regarding accountability presented by the Commission in this report are therefore directed towards international accountability or other national efforts.

X. Analysis and legal findings

162. The Commission has set forth the applicable law in its previous reports, including international human rights law, international humanitarian law and international criminal law. The Commission notes that the Occupied Palestinian Territory remains occupied by Israel, and international humanitarian law applies concurrently with international human rights law. The Commission has consistently stated that Israel, as the Occupying Power, has obligations under international humanitarian law vis-à-vis protected persons and objects consistent with the law of occupation.¹⁰¹ The Occupying Power must ensure that the population under occupation has adequate food, shelter and medical supplies. In addition, it must take special care to ensure the protection of protected persons such as women and children. International humanitarian law requires that expectant women and women with young babies or children be treated with particular care.

A. Extermination and wilful killing

163. In its report to the Human Rights Council in June 2024, the Commission found, in relation to Israeli military operations in Gaza, that the chapeau elements for crimes against humanity have been fulfilled and that underlying acts of murder and extermination, as crimes against humanity, were committed by the Israeli authorities.¹⁰² The Commission made such findings based on the direct attacks against the civilian population, the indirect means by starvation as a method of warfare and the acts depriving the civilian population of objects indispensable for their survival, including medical care.

164. The Commission concludes on reasonable grounds that cases of women and girls directly targeted by members of the ISF amount to violations of the right to life. Furthermore, these acts constitute the crime against humanity of murder and the war

¹⁰¹ The law of occupation is derived primarily from article 42 of The Hague Regulations 1907 and the Fourth Geneva Convention of 1949.

¹⁰² A/HRC/56/CRP.4, para. 458.

crime of wilful killing. The Commission makes similar conclusions in the case of attacks against health-care facilities that directly resulted in the deaths of civilian women and girls, including pregnant women, who were receiving treatment or seeking shelter, as well as those cases where actions by members of the ISF indirectly led to deaths of civilians owing to the resulting lack of medical care, supplies and equipment.

165. The Commission concludes on reasonable grounds that, given the increasing numbers of female fatalities in conflicts in Gaza over the past 20 years and the fact that women are more likely to experience conflict as civilians rather than combatants, the ISF could reasonably foresee high numbers of women and girls being killed and injured in its military operations in Gaza since 7 October 2023 yet took no steps to avoid and reduce these casualties. Women and girls are thus being particularly affected by the intentional and disproportionate attacks directed at civilians and civilian objects. The Commission concludes that the ISF knew that civilian women and children were present in the areas it operated in, that the ISF intentionally directed its attacks on civilian residential areas and civilian property with such knowledge and that women and children were also targeted collectively on the basis that the ISF considered the civilian population as a whole to be associated with Hamas and other armed groups.

166. In relation to medical care, the Commission concludes that the conditions imposed by the Israeli authorities on Gaza since 7 October, including the extensive attacks and the total siege, impacting access to maternity and reproductive health care, were not only inhumane, degrading and humiliating, but created unsafe conditions and caused additional danger. Military attacks on facilities that provided maternity care and the impact of the siege on access to medication and equipment, combined with drastically reducing permits for patients to leave the territory for medical treatment, resulted in the deaths of those in need of medical support including maternity patients and newborns. The Commission finds that the ISF has intentionally inflicted these conditions of life on the Palestinians in Gaza, in particular women, girls and young children, and caused their deaths due to the lack of essential medical care. The Commission concluded that such acts amount to the crime against humanity of extermination.¹⁰³

B. Violations and crimes related to sexual and reproductive rights and personal autonomy

167. Attacks on healthcare are an intrinsic element of the broader assault on the physical and demographic infrastructure of Gaza and the expansion of the occupation, in violation of international humanitarian law and the Palestinian people's right to self-determination, as well as in stark contravention of the recent advisory opinion of the International Court of Justice,¹⁰⁴ and the provisional measures orders issued by the International Court of Justice in the case brought by South Africa against Israel under the Genocide Convention.¹⁰⁵

168. The Commission finds that Israel has perpetrated a concerted policy to destroy Gaza's healthcare system in violation of international humanitarian law, including health personnel and health infrastructure that provides sexual and reproductive healthcare. The ISF failed to adhere to the principles of precaution, distinction and proportionality, constituting the war crime of attacks against protected persons and objects. The Commission notes that the intentional policy to destroy the healthcare system not only resulted in thousands of deaths and injuries due to the direct attacks, but it also has long-term consequence for the survival of the Palestinians in Gaza. This

¹⁰³ A/HRC/56/CRP.4.

¹⁰⁴ Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, International Court of Justice, 19 July 2024.

¹⁰⁵ Orders of 26 January 2024, 28 March 2024, and 24 May 2024, International Court of Justice, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*.

is particularly true for women and girls who are not receiving adequate sexual and reproductive health care, as this will take decades to restore after the violence ends, thus impacting the ability of Palestinians as a protected group to procreate and survive.

169. The ISF's destruction of healthcare infrastructure and facilities, including those providing necessary maternal, sexual and reproductive health services, violates the special protections under international humanitarian law provided to medical units and personnel. Compounded by blocking the access and availability to sexual and reproductive health care, including to necessary equipment and medication, this violates the obligation to ensure sexual and reproductive health, particularly for Palestinian women and girls, and the special protections afforded to them under customary international law.¹⁰⁶ The Commission notes that Israel is specifically obligated to ensure the free passage of all consignments of medical and hospital stores and of essential foodstuffs, clothing and medical supplies intended for children under 15, expectant mothers, and maternity cases.¹⁰⁷

170. Pregnancy, childbirth and post-partum recovery create specific vulnerabilities for women and children. Women and girls face discrimination due to characteristics related to their sex and gender in relation to the deprivation of the right to health. This discrimination includes accessing sexual and reproductive health care which is often deprioritised in times of conflict, gender specific harms related to pregnancy and lactation, maintaining menstrual hygiene and dignity, and the consequences of bearing the main responsibilities to care for young children in unthinkable circumstances. The Commission concludes that Israel, as the Occupying Power, has the legal obligation to ensure that the human rights of women and girls are protected and fulfilled.

171. The Commission finds that the targeting and destruction of sexual and reproductive health-care infrastructure constitutes reproductive violence and has had a particularly harmful effect on pregnant, post-partum and lactating women, who remain at high risk of death and injury. The targeting of reproductive health infrastructure and the denial of access to reproductive health care is a violation of women's and girls' reproductive rights and autonomy, and their right to life, health, founding a family, human dignity, physical and mental integrity, freedom from torture and other cruel, inhuman, or degrading treatment and the principle of non-discrimination.¹⁰⁸

172. The intentional targeting of facilities crucial for the health and protection of women, newborns and children violates the norm of customary international humanitarian law that affords special protection to women and children in armed conflicts.¹⁰⁹

173. In its report to the Human Rights Council in June 2024, the Commission found that Israeli authorities, through the manner in which they have conducted their military campaign in the Gaza Strip, committed the war crime of using starvation as a method of warfare.¹¹⁰ The Commission found that starvation and famine have had a severely detrimental impact on women and girls, in particular pregnant and post-partum women, with adverse consequences for physical, reproductive, and mental health that constitutes reproductive violence.

174. The conditions imposed by the ISF brought unimaginable misery, particularly for pregnant women who suffered from a multitude of issues, including avoidable

¹⁰⁶ ICRC Customary International Humanitarian Law, Volume I: Rules, rule 134; Fourth Geneva Convention, art. 27; Additional Protocol I, art. 76(1); International Covenant on Economic, Social and Cultural Rights (CESCR), Gen. Comment No. 22.

¹⁰⁷ The Geneva Conventions of August 12, 1949, *International Committee of the Red Cross*, Geneva, Article 23 - Consignment of medical supplies, food and clothing.

¹⁰⁸ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), art.2 and 12. CESCR art. 12.

¹⁰⁹ Customary IHL - Rule 134. Women (icrc.org) and General recommendation 30, paras.52-54.

¹¹⁰ A/HRC/56/CRP.4.

complications and no access to reproductive health services, and were forced to undergo unsafe deliveries due to not reaching hospitals and painful deliveries without access to adequate pain relief and medication. Post-partum patients also suffered greatly from lack of access to adequate care. The Commission concludes that the prolonged physical and mental suffering caused by reproductive harms to pregnant, post-partum and lactating women amount to the crime against humanity of other inhumane acts and the war crime of wilfully causing great suffering, or serious injury to body or health. Such acts also constitute cruel, inhuman and degrading treatment in cases where they result in severe physical or mental pain.

175. The Commission finds that the ISF intentionally attacked and destroyed the Basma IVF clinic which was the main fertility centre in Gaza. The ISF destroyed all of the reproductive material that was stored for the future conception of Palestinians. The Commission did not find any evidence that this IVF clinic was a legitimate military target at the time that it was attacked by the ISF. The Commission concludes that the destruction of the Basma IVF clinic was a measure intended to prevent births among Palestinians in Gaza, which is a genocidal act under the Rome Statute and Genocide Convention. The Commission also concludes that this was done with the intent to destroy the Palestinians in Gaza as a group, in whole or in part, and that this is the only inference that could reasonably be drawn from the acts in question.

176. In addition, the Commission finds that the ISF intentionally and systematically attacked and destroyed reproductive and maternal health facilities across Gaza, including maternity hospitals and maternity wings of hospitals. The direct attacks on reproductive and maternal health in Gaza resulted in killings and caused serious bodily and mental harm to Palestinians. The intentional destruction of reproductive health care, infrastructure and facilities that provide essential services for the population of Gaza to survive and reproduce exhibits the intent to destroy the Palestinians in Gaza, in whole or in part. The Commission concludes that this is the only inference that could reasonably be drawn from the acts in question.

177. The Commission finds that the ISF controlled the entry, the content and the amounts of humanitarian assistance allowed into Gaza and that the ISF deliberately stopped humanitarian assistance which included items essential for pregnant women, new mothers and newborns from reaching Gaza, both through direct attacks and through the imposition of a total siege. When humanitarian assistance was allowed into Gaza, it was sporadic and did not sufficiently meet the needs of the civilian population. As such, the ISF inflicted conditions of life on pregnant, post-partum and lactating women and their newborns and children in Gaza, resulting in the deprivation of essential care, food, water, medicine and shelter, that were indispensable to their survival.

178. The Commission concludes that the ISF caused serious bodily and mental harm to members of this group, and deliberately inflicted conditions of life that were calculated to bring about the physical destruction of Palestinians in Gaza as a group, in whole or in part, which are categories of genocidal acts in the Rome Statute and the Genocide Convention.

C. Sexual and gender-based violence

179. The Commission documented numerous incidents in which members of the ISF systematically targeted and subjected Palestinians to sexual and gender-based violence online and in person since 7 October 2023, including through forced public nudity, forced public stripping, sexual harassment and sexualized torture and abuse.

180. Based on victims' and witnesses' testimonies and verified video footage and photos, the Commission finds that sexual violence has been perpetrated throughout the Gaza military operations since 7 October 2023 and in the West Bank: during evacuation processes, prior to or during arrest, in civilian homes, health facilities and shelters and in detention. Sexual acts were carried out by force, including while the victim was subjected to violence, intimidation and other forms of duress, in inherently

coercive circumstances due to the armed conflict and the presence of armed Israeli soldiers.

181. Sexual and gender-based violence committed by the ISF against the civilian population in Gaza since 7 October 2023 constitutes grave human rights violations. These include the right to life, the right to be free from torture and other cruel, inhuman and degrading treatment, the right to due process in criminal proceedings, including the right to be considered innocent until proven guilty, the right to privacy, the right to the highest attainable standard of physical and mental health, and the right to be free from discrimination.

182. The Commission concludes that sexual and gender-based violence perpetrated since 7 October has taken different forms when committed against male and female members of the Palestinian community and has resulted in gender-specific harms. The Commission particularly notes that the act of forcing women to strip to their underwear and remove their veils in public and in front of the community has a particular negative impact on women living in a society with strict religious and cultural dress codes.¹¹¹ Forcing women to undress in public constitutes sexual violence against women and is a form of discrimination prohibited by the Convention on the Elimination of All Forms of Discrimination against Women, to which Israel is a State Party, and a violation of human rights.¹¹² The Commission finds that these acts constitute grave human rights violations by ISF soldiers.

183. Palestinian women were also particularly targeted in relation to sexual harassment online and psychological violence, including gendered and sexualized insults and graffiti on sites attacked in Gaza. Israeli soldiers filmed themselves ransacking homes, including drawers filled with lingerie, to mock and humiliate Palestinian women, referring to Arab women as ‘sluts’. The Commission concludes, based on the circumstances and context of these acts, that gender-based violence directed at Palestinian women was intended to humiliate and degrade the Palestinian population as a whole. The Commission observes that such attacks represent an attempt to dishonour the society as a whole by subjugating women to sexual violence. This is an additional gendered dimension of these attacks and a symptom of the male-controlled collective.

184. The Commission notes the existence of aggravating factors in the commission of these gender-based crimes. First, the specific social and normative context in which these acts have been committed includes strong cultural and religious sensitivities linked to privacy, nudity and the significance of the veil, where stigma and social exclusion can have deep repercussions at the individual and community level for the victim, particularly for women and girls. Second, humiliating digital content disseminated online, reaching a global audience, is extremely difficult to remove from the internet and so the humiliation is indefinite and irremediable.

Sexual and gender-based violence during ground operations

185. Members of the ISF forced public stripping and nudity in many locations. Palestinians were also made to watch members of their family and community strip in public and walk completely or partially undressed while subjected to sexual harassment.

186. Men and boys were subjected to sexual and gender-based violence during ground operations that amounted to torture or inhuman and degrading treatment. Men and boys were the primary target of: (i) forced public nudity while walking for prolonged periods of time in front of the victim's family and community during

¹¹¹ The ICC Gender Policy 2023 emphasizes the need to contextualize crimes and understands the survivor's point of view, stating that that forced removal of a veil may be experienced as “forced nudity” and may qualify as a form of sexual violence. <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf>, para 62.

¹¹² General Recommendation 30 of the Committee on the Elimination of Discrimination against Women, para. 34.

evacuations in the Gaza Strip; (ii) forced public stripping, including while blindfolded, tied to a chair, kneeling and/or with their hands tied behind their back; (iii) interrogations and/or physical and mental abuse while undressed; and/or (iv) forcing or coercing a person to commit degrading acts while naked, such as dancing without clothes while being filmed. Men and boys were particularly targeted in terms of being filmed or photographed while being subjected to the above sexual acts and in other degrading and humiliating circumstances. These circumstances indicate that the stripping of the victims was not done for security reasons.

187. Women and girls were subjected to gender-specific violence that amounted to torture, cruel or inhuman treatment and outrages upon personal dignity, including (i) being targeted by soldiers who recorded themselves ransacking homes in Gaza, including emptying drawers filled with lingerie, while mocking and humiliating women with gendered and sexualized insults; (ii) being forced to remove their clothes and veil in public and/or walk in underwear for prolonged periods of time in front of their family and community members during evacuations in the Gaza Strip; (iii) after being forced to remove their clothes in public, being sexually harassed by soldiers in front of their family and community; and (iv) being stripped and harassed while men in their family and community were forced to watch.

188. The Commission notes the context of the coercive circumstances around these acts, including threats and intimidation and other forms of duress, which was also inherent due to the armed conflict and the presence of Israeli soldiers. Acts of a sexual nature were committed by force, threat of force or coercion, causing great psychological harm to victims,¹¹³ even where there was no element of physical contact.¹¹⁴

189. In the cases documented by the Commission where soldiers ordered Palestinians to strip, the Commission finds that, because of the way this was ordered, the duration and the physical, sexual and verbal abuse that followed, these acts were intended to humiliate and subjugate the victims and were not carried out for security reasons. In most cases the processes were not conducted according to acceptable standards that require such searches to be done in a dignified manner, including being carried out by a person of the same sex and with respect to the person's dignity and privacy.

190. The Commission also highlights that forced witnessing of acts of a sexual nature may cause witnesses severe mental suffering, which may amount to an outrage upon personal dignity, inhuman or cruel treatment or torture. The Commission concludes, in cases where persons were forced to witness forced nudity of their family members, such acts were conducted to degrade, humiliate, punish and destabilize the community as a whole. This caused severe mental suffering and amounted to the war crime of inhuman treatment.

191. Based on the way in which such acts were committed, including with filming, photographing and posting material online, in conjunction with the many cases with similar methods observed in multiple locations, the Commission concludes on reasonable grounds that forced public stripping and nudity and other types of abuse by Israeli military personnel were either ordered or condoned. These acts were intended to humiliate and degrade the victims and the Palestinian community at large, by perpetuating gender stereotypes that create a sense of shame, subordination, emasculation and inferiority. It is evident that such violence both is a part of and has been enabled by the broader targeting and ill-treatment of Palestinians.

192. The Commission notes that many acts of sexual violence it documented constitute conflict-related sexual violence in accordance with Security Council

¹¹³ ICC Policy Paper on Sexual and Gender-Based Crimes, 2014, p. 3. See also, International Criminal Court, Office of the Prosecutor, Policy on Gender-based Crimes, December 2023, para. 44 and footnote 79. See also ICL_Guidelines_LR_SGBV_EN_Final_02-1.pdf (un.org).

¹¹⁴ <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf>, para 62. The Hague Principles on Sexual Violence, pp. 45, 70-77.

resolution 1960 (2010) and international humanitarian law and international criminal law and should be considered under this framework

Sexual and reproductive violence in detention

193. The Commission finds that members of the ISF subjected male and female detainees to forced nudity and stripping during transfer, in detention facilities and during interrogations or body searches, in a widespread and systematic manner. Taken together with other acts of sexual violence committed for the purpose of humiliation or degradation, such as being photographed fully or partially naked and subjected to verbal and physical sexual abuse and threats of rape, these acts constitute the war crimes of inhuman treatment and outrages upon personal dignity and the crime against humanity of other inhumane acts. In some cases, such acts amount to the war crime and crime against humanity of torture.

194. Male detainees were subjected to attacks targeting their sexual and reproductive organs, including violence to their genitals, anus and rectum, and were forced to perform humiliating and strenuous acts naked or stripped, as a form of punishment or intimidation to extract information. Male detainees were subjected to rape, which amounts to a war crime and a crime against humanity. Such acts of sexual violence, causing severe physical and mental suffering, also amount to torture. The Commission also notes that physical attacks on reproductive organs can have long term effects on the victims' sexuality and reproductive prospects.

195. Women were subjected to sexual violence in detention that amounts to the war crimes of committing outrages upon personal dignity and inhuman treatment, and the crime against humanity of other inhumane acts. In some cases, these acts amount to the war crime and crime against humanity of torture. Female detainees, including pregnant women, were subjected to conditions of detention that constitute reproductive violence and discrimination based on their gender, including by denying them access to sufficient food, medical care and menstrual products. These violations have a severe impact on women's dignity and physical and emotional well-being.

196. Several female detainees were also photographed and shamed online, sitting in front of the Israeli flag, with their hands tied, and/or were photographed in the intimacy of their bedroom, which amounts to outrages on personal dignity. The Commission concludes that this type of sexual and gender-based violence subjects women to distinct gender-based stigmatization and isolation, including the exposure of private information, which has the effect of silencing women, including women human rights defenders, due to the associated stigma and possible repercussions and risk of violence from within the community.

197. The Commission also concludes that acts of sexual and gender-based violence amounting to the war crime of outrages upon personal dignity were committed when male and female detainees were recorded or photographed by members of the ISF, while in extremely vulnerable situations and under duress, revealing their identity, and/or making forced confessions to acts of sexual violence against Israeli women and girls and when those recordings were publicly released.

D. Persecution of men and boys

198. Since 7 October 2023, Palestinian men and boys in the Gaza Strip have been subjected to severe deprivation of fundamental rights, including the right to life, the right to be free from torture and cruel, inhuman and degrading treatment without discrimination and the right to be free from arbitrary detention.

199. Large-scale arrests of Palestinian men and boys have been carried out with little or no justifiable cause, in many cases seemingly solely on the basis that they were men of 'fighting age' or they did not follow evacuation orders. The subsequent detention of thousands of Palestinian men and boys for prolonged periods, even when they

clearly posed no security risk, was arbitrary, unlawful and constitutes collective punishment and gender persecution.¹¹⁵

200. The Commission finds that Israeli forces have committed the crime against humanity of persecution based on gender. Incidents of arbitrary arrest and sexual violence amounting to torture and others forms of ill treatment form a part of a broader pattern of targeting and persecution of Palestinian men and boys as means of humiliation and subjugation. The Commission notes that the violations in most cases had a gender dimension and that the physical and psychological violence directed at Palestinians had sexual characteristics, such as forcing a person to strip naked in public and sexualized torture in detention. The crimes were intended to inflict severe humiliation on the victims and, when others were forced to watch, either in person or by disseminated digital content, they were also intended to intimidate the larger community.¹¹⁶

201. The Commission concludes on reasonable grounds that men and boys have been subjected to specific acts based on their gender which were committed with the intent to punish and humiliate them in retaliation for the crimes committed on 7 October 2023. The Commission concludes that the ISF specifically targeted men and boys on the ground of gender, based on the following facts the Commission documented: (i) only men and boys were repeatedly filmed and photographed by soldiers while subjected to sexual violence or sexual torture and ill-treatment, including while wholly or partly naked, blindfolded, kneeling on the ground, tied and/or subjected to physical abuse; (ii) digital footage of Palestinian men and boys wholly or partly naked was disseminated online by ISF soldiers operating in Gaza; (iii) male detainees were subjected to rape and other forms of sexual and reproductive violence in detention; (iv) statements by Israeli officials regarding those responsible for the attacks on 7 October implicitly singled out male perpetrators, attempting to dehumanize and vilify Palestinian men with references to “human animals”, “barbarism”, “rapists” and “ISIS”; and (v) videos of alleged male perpetrators of sexual violence committed in Israel on 7 October were made and disseminated by members of the ISF, revealing the identities of Palestinian men despite the absence of due process, formal prosecution and conviction by a court.

202. The Commission finds that the treatment of men and boys was intentionally sexualized as an act of revenge for the attack of 7 October 2023 in southern Israel, in particular for sexual violence committed by Palestinian armed groups, with the intention to punish, humiliate and degrade Palestinian men and boys, including by “feminising” them and harming their sense of dignity. The Commission notes that the photographing and filming of stripped or naked Palestinian men and boys, and in at least ten cases the dissemination of such digital items, is a new and rapidly spreading practice since October 2023 intended to humiliate Palestinians. The Commission notes that personal motives of revenge do not negate a discriminatory intent but constitute aggravating factors; the acts were carried out both in revenge and with the purpose of punishing and humiliating the men and boys specifically.¹¹⁷

203. The Commission concludes that gender-based discriminatory intent intersects with other grounds for persecution. The persecutory acts based on gender that were documented by the Commission intersect with the systematic discrimination against Palestinians based on nationality, ethnicity, culture and religion. Furthermore, men and boys were particularly targeted because of assumptions of their support, activity or affiliation with Hamas and other Palestinian armed groups.

204. The Commission has found that women and girls were targeted on the basis of gender in relation to direct attacks, shaming online, gendered and sexualized graffiti and forced removal of the veil during the ISF military operations and evacuation of

¹¹⁵ Rome Statute, arts.8(2)(a)(vi);8(2)(a)(vii).

¹¹⁶ <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf>, footnote 79.

¹¹⁷ <https://www.icc-cpi.int/sites/default/files/2022-12/2022-12-07-Policy-on-the-Crime-of-Gender-Persecution.pdf>, para 52.

civilians in the current hostilities (see section Sexual harassment and shaming of Palestinian women online, paras. 82-92).

205. The Commission finds that ISF soldiers were operating within a permissive culture that encouraged them to humiliate and degrade Palestinians on the basis of their gender. The Commission notes that Israeli soldiers have committed acts with similar persecutory characteristics intended to punish, humiliate and intimidate Palestinian men and boys in the West Bank and Israel as well as the Gaza Strip (see section Sexual and gender-based violence by settlers and other civilians, paras. 128-137 and Sexual, reproductive and other gender-based violence in detention, paras. 115-127).

E. Violations committed by settlers and soldiers in the West Bank and Israel

206. The Commission finds similar patterns in the violations that ISF soldiers committed against Palestinians in the West Bank and Israel (see section Persecution of men and boys, paras. 198-205). Israeli soldiers, in some cases together with Israeli civilians and settlers, have committed acts with similar persecutory characteristics intended to punish, humiliate and intimidate Palestinian men and boys. In three cases documented by the Commission in the West Bank, victims were subjected to forced public stripping and sexual, physical or mental abuse by settlers, and in two of these cases they were accompanied by soldiers. The sexual violence was also filmed and photographed by the perpetrators and the footage disseminated online in one of the cases.

207. Settlers have resorted to sexual violence as a tool to instil fear, humiliate and punish Palestinian families and communities, to force them to leave their homes and land. The Commission concludes that Palestinian civilians were subjected to sexual and gender-based violence by settlers, including forced public nudity, threats of rape and torture and cruel and inhuman treatment in relation to sexual and reproductive organs.

208. In a case documented by the Commission, ISF soldiers and armed settlers severely degraded, humiliated and attacked two male human rights defenders and a Bedouin man. One of the victims was also sexually assaulted. Throughout the ordeal, in two separate instances, Israeli Civil Administration officers and police were at the scene, yet none intervened, and they left without stopping the mistreatment, thus consenting to or acquiescing in the settlers' and the ISF actions against the victims. Similarly to the cases documented in the Gaza Strip, the men were undressed and photographed and photos of them were disseminated online. The Commission concludes that the two human rights defenders were victims of torture. The Commission also finds that two of the victims, the human rights defenders, were subjected to sexual violence and abuse that amounts to torture and inhuman treatment. The Commission notes that torture is prohibited by the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture (CAT) and is a *jus cogens* norm of international law.

209. Israeli civilians in Israel also committed sexualized desecration and degrading treatment of the bodies of Palestinian men by stripping the bodies, physically assaulting them and urinating on them, while uttering racist and religious slurs. The Commission notes that these violations occurred following the 7 October 2023 attacks and were intended to humiliate and show disrespect to the dead, their families and their community, especially taking into consideration that these acts violated cultural and religious practices and that the abuse was filmed and shared online.

210. Israeli authorities have encouraged, participated in or shown unwillingness to prevent or stop the abuses, or to investigate and prosecute the perpetrators. The Commission notes that the acts were committed as part of and were enabled by the broader targeting and ill-treatment of the Palestinian civilian population. The Commission reiterates that Israel is responsible to investigate and hold their citizens

accountable for these violations, and to ensure full respect of international human rights law and international humanitarian law as an occupying power with an obligation to protect.

211. In one case in Hebron, the Commission also concludes that six men were severely mistreated while detained by the ISF. The Commission concludes that members of the ISF committed acts that amount to violations of international humanitarian law, namely torture, cruel, inhuman or degrading treatment, and outrages upon personal dignity, all of which are war crimes. All the detainees were, to one degree or another, undressed or completely naked while they were mistreated and filmed. In relation to this case, the Commission finds that the ISF members (i) committed sexual violence; (ii) inflicted severe physical and mental pain on the victims through sexual torture and inhumane acts; and (iii) humiliated the victims and degraded their personal dignity.

212. The Commission emphasises that civilians are protected persons under international humanitarian law and enjoy full protection under the Fourth Geneva Convention during an occupation, in addition to the protections afforded under international human rights law.¹¹⁸ Based on all the incidents highlighted above, the Commission concludes on reasonable grounds that Israel, as the occupying power and a State Party to the ICCPR and CAT, failed to fulfil its obligations under international humanitarian law and international human rights law, including the failure to prevent acts, including those of sexual nature, that amount to torture and cruel, inhuman or degrading treatment in the West Bank committed by the ISF, armed settlers and Israeli civilians.

XI. Conclusions

213. **Israeli military operations in Gaza have had a disproportionate impact on Palestinian women and girls, who continue to bear the brunt and pay the price for decisions made by those in power while themselves marginalised from decision-making and military and political power. The Commission notes in this regard the high and increasing number and proportion of female fatalities in Gaza, which is on an unprecedented scale, and the gender-specific harms related to a broad range of violations and crimes that have caused specific and serious bodily and mental harm to women and girls.**

214. **Israel has targeted civilian women and girls directly, acts that constitute the crime against humanity of murder and the war crime of wilful killing. Women and girls have also died from complications related to pregnancy and childbirth due to the conditions imposed by the Israeli authorities impacting access to reproductive health care, acts that amount to the crime against humanity of extermination.**

215. **In addition to the disproportionate impact on women and girls as a result of intentionally directing attacks against civilians and civilian objects, specific gendered harms have been suffered as a result of starvation as a method of warfare, forcible transfer, extermination and collective punishment.**

216. **Israel's use of starvation as a method of war, the denial of humanitarian assistance and the concerted policy to destroy Gaza's healthcare system, compounded by the lack of water and access to sanitation facilities, have caused severe reproductive harms to women and girls, impacting all aspects of reproduction, including pregnancy, childbirth, post-partum recovery and lactation. Other reproductive harms include conditions that lead to the inability to manage postpartum-bleeding and menstruation hygienically and with dignity.**

217. **As primary caregivers, women have suffered gender-specific harms as a result of multiple displacements, deaths of children, separation of families and**

¹¹⁸ ICCPR, art. 7; CAT, art. 2.

caring for sick and wounded family members. Pre-existing structural discrimination has also exacerbated controlling behaviours from male family members and has impacted women's and girls' freedom and agency.

218. Sexual and reproductive healthcare facilities have been systematically destroyed across Gaza, including maternity hospitals and maternity wards of hospitals and Gaza's main in-vitro fertility clinic. Israeli authorities deliberately destroyed such healthcare facilities rendering them non-functional, while simultaneously imposing a siege, and preventing humanitarian assistance at-scale, including necessary medications and equipment to ensure safe pregnancies, deliveries and neonatal care. Israeli authorities have implemented the systematic denial of approval for patients to exit Gaza and seek treatment elsewhere, including patients with gynaecological cancer. The Commission finds that the Israeli authorities have destroyed in part the reproductive capacity of the Palestinians in Gaza as a group, including by imposing measures intended to prevent births, one of the categories of genocidal acts in the Rome Statute and the Genocide Convention.

219. The harm for pregnant, lactating and new mothers is of an unprecedented scale in Gaza. Furthermore, the lack of access to sexual and reproductive health care has caused immediate physical and mental harm and suffering to women and girls that will have irreversible long-term effects on the mental health and the physical reproductive and fertility prospects of the Palestinians in Gaza as a group. The underlying acts amount to crimes against humanity and deliberately inflicting conditions of life calculated to bring about the physical destruction of Palestinians as a group, one of the categories of genocidal acts in the Rome Statute and the Genocide Convention.

220. Israel has systematically used sexual, reproductive and other forms of gender-based violence since 7 October 2023. The Commission concludes that there has been a large increase in sexual and gender-based crimes perpetrated against Palestinians by members of the ISF since 7 October 2023, intended to retaliate and punish them collectively for the attacks carried out by the military wing of Hamas and other Palestinian armed groups in southern Israel on 7 October.

221. Palestinian men and boys have been subjected to specific persecutory acts intended to punish them collectively. The way in which these often-sexual acts are committed, including their filming, photographing and dissemination online, in conjunction with similar cases being documented in several locations, shows that forced public stripping and nudity, as well as sexualised torture and ill-treatment, are part of the persecutory attack against men and boys committed to punish, humiliate and intimidate Palestinian men and boys into subjugation.

222. Israeli detention is characterized by widespread and systematic abuse and sexual and gender-based violence. These practices have increased significantly in severity and frequency since 7 October 2023, following orders and statements of the Minister for National Security Ben Gvir who is in charge of prisons. The mistreatment of Palestinian detainees by Israeli authorities is a result of an intentional policy that utilises sexual, reproductive and other forms of gender-based violence to humiliate and degrade Palestinians in detention. This was observed across several facilities, temporary holding locations, during interrogation and while in transit.

223. The frequency, prevalence and severity of sexual and gender-based crimes perpetrated across the Occupied Palestinian Territory leads the Commission to conclude that sexual and gender-based violence is increasingly used as a method of war by Israel to destabilize, dominate, oppress and destroy the Palestinian people. The Commission documented a pattern of sexual violence, including cases of rape and other forms of sexual violence, torture and other inhumane acts that amount to war crimes and crimes against humanity.

224. Specific forms of sexual and gender-based violence such as forced public stripping and nudity, sexual harassment including threats of rape, as well as

sexual assault, *de facto* form part of the ISF standard operating procedures towards Palestinians. The Commission concludes that these and other forms of sexualized torture, including rape and violence targeting the genitals, are committed with either explicit orders or an implicit encouragement by the top civilian and military leadership. The Commission found that all its documented incidents of sexual and gender-based violence committed by members of the ISF were met with impunity. Under these circumstances, the civilian and military leaders are as responsible for these crimes, as are the direct perpetrators.

225. The Commission's findings demonstrate a clear pattern of members of the ISF and settlers committing sexual and gender-based crimes aimed at instilling fear with the underlying intention to perpetuate Palestinian subordination and remove Palestinians from their land. The Commission therefore concludes that sexual and gender-based violence was intended not only to humiliate, punish and intimidate the individual Palestinians but the civilian population as a whole, with the objective to subordinate, destroy and expel the Palestinian community.

226. Sexual, reproductive and other forms of gender-based violence constitute a major element in the ill-treatment of Palestinians and, in the wider context, the unlawful occupation and the oppression of Palestinians as a group. Sexual and gender-based violence is used as a tool to further accentuate the subordination of the occupied people, maintain the Israeli system of oppression and deny Palestinians the right to self-determination. The Commission affirms that these crimes must be addressed by tackling their root causes through ending the unlawful occupation as rapidly as possible, dismantling settlements and evacuating the settlers immediately, ensuring the right to return, ensuring restitution of property and land, paying reparations to Palestinians whose property cannot be restored, as well as dismantling the historically oppressive structures and institutionalized system of discrimination against Palestinians, as indicated by the International Court of Justice in its Advisory Opinion of July 2024.

XII. Recommendations

227. To the Government of the State of Israel:

(a) End the unlawful occupation in line with the International Court of Justice in its Advisory Opinion of July 2024:

(b) Immediately cease targeting civilians and civilian objects; revise the military protocols in relation to targeting criteria to ensure effective protection for women and children;

(c) Immediately cease the targeting of sexual and reproductive healthcare facilities and restore Gaza's health care system, including for pregnant women and girls, new mothers and their newborns;

(d) Comply with obligations to ensure availability of and access to quality reproductive health services, goods and facilities, including for pregnant, birthing, post-partum and lactating women and girls,

(e) Ensure the necessary entry and distribution of humanitarian assistance and cease the restrictions on "dual-use" items that involve medical-related supplies;

(f) Allow free and unhindered access to all humanitarian and relief actors across the Occupied Palestinian Territory, including UNRWA, and give special attention to those providing sexual and reproductive health services;

(g) Immediately cease the arbitrary arrest and detention of Palestinians as a collective punishment for the attack on 7 October 2023;

(h) Cease the practice of exposing female and male detainees in vulnerable and degrading positions online, including while undressed;

(i) Establish gender-specific protocols and conditions of detention, including in relation to searching prisoners; ensure that female detainees are supervised and attended to only by female staff and that transportation of female prisoners includes female staff;

(j) Ensure that women's gender-specific health-care needs are met in detention, including access to reproductive health care, hygienic conditions and menstrual products;

(k) Cease the practices of forced public stripping and nudity, repeated and intimate body searches and removing women's veils in public and in front of male soldiers or male prison staff;

(l) Immediately cease the perpetration of rape and other forms of sexual and gender-based violence, including sexualised torture, sexual assault, prolonged nudity and other humiliating treatment such as sexual harassment, including in detention and during ground operations, involving victims of all ages and genders, online and in person;

(m) Immediately and without delay return the body of Dr. Adnan al-Bursh to his family members, in addition to returning the bodies of all victims to their families;

(n) Refrain from detaining pregnant women and young mothers except as a last resort and for the shortest possible period of time; where their detention is unavoidable, provide appropriate accommodation for them and ensure their access to sexual and reproductive health care, and implement effective safeguards, including regular monitoring and review of every person;

(o) Set up operational protocols, codes of conduct, regulations and training modules to enable continuing monitoring and analysis of persecution or discrimination based on gender and nationality, sensitize law enforcement authorities and detention facility staff; address and actively combat the discriminatory structures and beliefs that enable these violations to prevent their recurrence;

(p) Immediately investigate and prosecute sexual and gender-based violence committed by settlers and other civilians;

(q) Fully cooperate with the investigations by the Office of the Prosecutor of the International Criminal Court;

(r) Allow the Commission access to Israel and the Occupied Palestinian Territory to conduct investigations;

(s) Comply with all provisional measures ordered by the International Court of Justice in the South Africa v. Israel case under the Genocide Convention, and comply with the advisory opinion issued by the International Court of Justice;

228. To all Member States:

(a) Comply with all international legal obligations, including, *inter alia*, under the Geneva Conventions, the Genocide Convention, the Convention against Torture and the Convention on the Elimination of All Forms of Discrimination against Women; and comply with the advisory opinion issued by the International Court of Justice and the obligation not to recognize the unlawful occupation and not to render aid or assistance in maintaining the occupation;

(b) Apply a gender-conscious approach when reviewing the compliance with the advisory opinion, and ensure that gender dimensions are taken into account;

(c) Pursue avenues of accountability under domestic law or universal jurisdiction and support international justice efforts; and, for States Parties to the International Criminal Court, ensure full compliance with the arrest warrants issued by the Court;

229. To the United Nations Security Council:

(a) **Ensure the participation and leadership of women in any recovery or relief efforts in Gaza, and ensure that the women, peace and security agenda is mainstreamed in the process of ensuring compliance with the advisory opinion and ensuring gender expertise when identifying any further actions to bring an end to the unlawful presence of Israel in the Occupied Palestinian Territory and of Israeli settlers and settlements;**

230. To the Secretary-General of the United Nations:

(a) **Consider list Israel in the annexes of the next annual report on conflict related sexual violence, in accordance with Security Council resolution 1960 (2010) and subsequent resolutions, owing to the prevailing climate of impunity, the systematic and widespread nature of the sexual violence, and the pattern to use sexual violence as a weapon to uphold a system of oppression of Palestinians as a group.**

231. To the United Nations High Commissioner for Human Rights:

(a) **Recommend the deployment of dedicated conflict-related sexual violence experts to the Office of the United Nations High Commissioner for Human Rights in the State of Palestine and to the Commission in order to prevent, address and respond to conflict-related sexual violence by the ISF and Palestinian armed groups including reinforce monitoring and reporting of conflict-related sexual violence trends and patterns in line with survivor centred trauma informed approach, support survivor centred response including services and advance accountability.**
