OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON
SEXUAL VIOLENCE IN CONFLICT

Mission report
Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank
29 January – 14 February 2024

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Disclaimer

This report has been edited for the sake of its distribution to the public. Sensitive information shared with the United Nations on a confidential basis has been withheld to respect the privacy, safety and security of those who engaged with the mission team. In line with a survivor/victim-centered approach, findings are conveyed in generic terms and details are not revealed.

I. Executive Summary

1. The present report is submitted to the United Nations Secretary-General pursuant to the mandate of the Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC), outlined by the Security Council in resolutions 1888 (2009), 1960 (2010), 2106 (2013), 2331 (2016), and 2467 (2019). This report contains the findings of the mission of Special Representative, Ms. Pramila Patten to Israel, aimed at gathering, analyzing, and verifying information on conflict-related sexual violence (CRSV) in the context of the attacks on 7 October 2023 and their aftermath, and for its potential inclusion in reporting to the Security Council , given the absence of relevant United Nations entities operating in Israel. The visit which was carried out at the invitation of the Government of Israel, also included a visit to the occupied West Bank. The report describes findings on incidents and patterns of CRSV (i) during the 7 October attacks; and (ii) in the context of abduction and hostage-taking. It also covers the engagement of the mission team with the Palestinian Authority and other stakeholders and sets out information it received regarding allegations of CRSV by Israeli security forces in the occupied West Bank.

2. The mission took place from 29 January to 14 February 2024. The mission team was led by the SRSG-SVC who was supported by a technical team composed of nine experts drawn from the United Nations, including staff from the office of the SRSG-SVC and specialists trained in safe and ethical interviewing of survivors/victims and witnesses of sexual violence crimes; a forensic pathologist; and a digital and open-source information analyst. The mission team received the full cooperation of the Government of Israel.

3. In Israel, the mission team conducted a total of 33 meetings with Israeli national institutions, including relevant line ministries such as Foreign Affairs, Welfare and Social Affairs, Health, and Justice, including the State Attorney General's Office, as well as the Israeli Defense Forces (IDF), the Israeli Security Agency (Shin Bet), and the Israeli National Police in charge of the investigation into the 7 October attacks (Lahav 433). The SRSG-SVC also met with the President of Israel, Isaac Herzog, and the First Lady. The mission team conducted several visits to the Shura military base, the morgue to which the bodies of victims were transferred, as well as one visit to the Israeli National Center of Forensic Medicine. The mission team reviewed over 5,000 photos and around 50 hours of footage of the attacks, both provided by various state agencies, independent private sources and through an independent online review of various open sources, to identify potential instances and indications of CRSV. Further, the mission team conducted interviews according to UN standards and methodology, with a total of 34 interviewees, including with survivors and witnesses of the 7 October attacks, released hostages,

first responders, health and service providers and others. The mission team also met with families and relatives of hostages still held in captivity as well as members of the community displaced from kibbutz Nir Oz. It further met with a range of relevant Israeli civil society organizations and representatives from academia.

4. The mission team visited four locations affected by the 7 October attacks in the Gaza periphery, namely Nahal Oz military base, kibbutz Be'eri, the Nova music festival site, and Road 232 where reports of sexual violence had emerged. For the purpose of the present report, information was also gathered pertaining to incidents of CRSV reportedly committed in kibbutzim Kfar Aza and Re'im, which the mission team did not visit.

5. Information received by the mission team indicates that on the morning of 7 October 2023, at about 6:30 AM and under the cover of an unprecedented barrage of rockets, a coordinated attack by Hamas joined by other armed groups, which reportedly included the Palestinian Islamic Jihad, Popular Resistance Committees, other armed elements and armed and unarmed civilians, breached the Gaza perimeter fence at multiple points, entered the Gaza periphery and attacked military and civilian targets, including surrounding villages and towns, music festivals[1] and adjacent roads. The complexity and *modus operandi* of the attacks, which seem to have occurred over three cumulative waves, appear to demonstrate a significant level of planning, coordination and detailed prior knowledge of the targets selected.

6. The attacks resulted in approximately 1,200 fatalities[2] and thousands of injuries, predominantly among civilians. Based on information reviewed by the team, people were shot, often at close range; burnt alive in their homes as they tried to hide in their safe rooms; gunned down or killed by grenades in bomb shelters where they sought refuge; and hunted down on the Nova music festival site as well as in the fields and roads adjacent to the festival ground. Other violations included sexual violence, abduction of hostages and corpses, the public display of captives, both dead and alive, the mutilation of corpses, including decapitation, and the looting and destruction of civilian property. A total of 253 individuals, including some deceased, were taken as hostages.[3]

7. The national authorities faced numerous challenges in the collection of evidence and pursuit of their investigations of the crimes committed during the 7 October attacks, including challenges of coordination and information sharing between governmental agencies, with very specific challenges related to crimes of sexual violence. These included limited survivor and witness testimony, limited forensic evidence due to the large number of casualties and dispersed crime scenes in a context of persistent hostilities; the loss of potentially valuable evidence due to the interventions of some inadequately trained volunteer first responders; the prioritization of rescue operations and the recovery, identification, and burial of the deceased in accordance with religious practices, over the collection of forensic evidence. Further, a significant number of the

[1] Nova and Psyduck music festivals
[2] Security Council Briefing on the Situation in the Middle East, as delivered by Special Coordinator Tor Wennesland on 22 February 2024 available at https://unsco.unmissions.org/security-council-briefing-situation-middle-east-delivered-special-coordinator-tor-wennesland.
[3] *Ibid*.

recovered bodies had suffered destructive burn damage, which made the identification of potential crimes of sexual violence impossible.

8. The mission team also faced specific challenges in gathering and verifying information on the occurrence of conflict-related sexual violence. The main challenge was the limited number of and access to survivors/victims of sexual violence, and to survivors and witnesses of the 7 October attacks. While the mission team was able to meet with some released hostages as well as with some survivors and witnesses of the attacks, it did not meet with any survivor/victim of sexual violence from 7 October despite concerted efforts encouraging them to come forward. The mission team was made aware of a small number of survivors who are undergoing specialized treatment and still experiencing an overwhelming level of trauma. Further, the internal displacement of several communities from the Gaza periphery to other locations, the relocation of survivors of the Nova music festival attacks both internally and to third countries as well as the deployment of 7 October first responders from the military forces to combat, hindered access to first-hand information.

9. The lack of trust by survivors of the 7 October attacks and families of hostages in national institutions and international organizations, such as the United Nations, as well as the national and international media scrutiny of those who made their accounts public, hindered access to survivors of the attacks, including potential survivors/victims of sexual violence.

10. The absence of comprehensive forensic evidence limited the mission team's ability to draw definitive forensic conclusions in many instances. This was compounded by evidence being spread among various agencies and limited organization of the material, and the fact that the process of linking individuals with specific photos and videos is still ongoing. The inaccurate and unreliable forensic interpretations by some non-professionals also represented a challenge.

11. Lastly, the mission took place over a limited period of two and a half weeks, and, in a context for Israel, where no dedicated UN country team or infrastructure is operational. Considering the scale and magnitude of the attacks, and the range of locations and the high number of casualties, the mission team could not comprehensively cover the full range of the situation.

12. Based on the information gathered by the mission team from multiple and independent sources, there are reasonable grounds to believe that conflict-related sexual violence occurred during the 7 October attacks in multiple locations across Gaza periphery, including rape and gang rape, in at least three locations. Across the various locations of the 7 October attacks, the mission team found that several fully naked or partially naked bodies from the waist down were recovered – mostly women – with hands tied and shot multiple times, often in the head. Although circumstantial, such a pattern of undressing and restraining of victims may be indicative of some forms of sexual violence.

13. At the Nova music festival and its surroundings, there are reasonable grounds to believe that multiple incidents of sexual violence took place with victims being subjected to rape and/or gang rape and then killed or killed while being raped. Credible sources described finding

murdered individuals, mostly women, whose bodies were naked from their waist down – and some totally naked – tied with their hands behind their backs, many of whom were shot in the head. On Road 232, credible information based on witness accounts describe an incident of the rape of two women by armed elements. Other reported instances of rape could not be verified in the time allotted. The mission team also found a pattern of bound naked or partially naked bodies from the waist down, in some cases tied to structures including trees and poles, along Road 232. In kibbutz Re'im, the mission team further verified an incident of the rape of a woman outside of a bomb shelter and heard of other allegations of rape that could not yet be verified.

14. The mission team conducted a visit to kibbutz Be'eri and was able to determine that at least two allegations of sexual violence widely repeated in the media, were unfounded due to either new superseding information or inconsistency in the facts gathered. These included a highly publicized allegation of a pregnant woman whose womb had reportedly been ripped open before being killed, with her fetus stabbed while still inside her. Other allegations, including of objects intentionally inserted into female genital organs, could not be verified by the mission team due in part to limited and low-quality imagery.

15. In kibbutz Kfar Aza, while reports of conflict-related sexual violence, including at least one instance of rape, could not be verified, available circumstantial evidence may be indicative of some forms of sexual violence. In this kibbutz, similarly to other locations, female victims were found fully or partially naked to the waist down with their hands tied behind their backs and shot.

16. In the Nahal Oz military base, the mission team reviewed reports of sexual violence including a case of rape and genital mutilation, neither of which could be verified. With respect to the latter instance, while the forensic analysis reviewed injuries to intimate body parts, no discernible pattern could be identified, against either female or male soldiers. However, seven female soldiers were abducted from this base into Gaza.

17. With respect to hostages, the mission team found clear and convincing information that some have been subjected to various forms of conflict-related sexual violence including rape and sexualized torture and sexualized cruel, inhuman and degrading treatment and it also has reasonable grounds to believe that such violence may be ongoing.

18. Regarding the occupied Palestinian Territory, the mission team visited Ramallah in the occupied West Bank to engage with the Palestinian Authority, including the Ministries of Foreign Affairs, Detainees and Ex-Detainee Affairs, Women's Affairs, Social Development, and Labor. The mission team also met with the Palestinian Independent Commission for Human Rights, conducted meetings with several civil society representatives and non-governmental organizations. It also interviewed four recently released detainees. The purpose of the visit to the occupied West Bank was to hear the views and concerns of Palestinian counterparts and engage with them on reports of conflict-related sexual violence received by the mandate, allegedly committed by Israeli security forces and settlers. This information will complement information already verified by other UN entities on allegations of CRSV in Gaza and the occupied West Bank for potential inclusion in the annual Report of the Secretary-General on Conflict-Related

Sexual Violence. Stakeholders raised concerns about cruel, inhuman and degrading treatment of Palestinians in detention, including the increased use of various forms of sexual violence, namely invasive body searches; threats of rape; and prolonged forced nudity. The scope of the mission did not encompass a visit to Gaza, where several other UN entities are present and operating, including some that monitor and address sexual violence.

19. The mission was neither intended to, and nor could the mission team, in such a short period of time, establish the prevalence of conflict-related sexual violence during and after the 7 October attacks. The overall magnitude, scope, and specific attribution of these violations would require a comprehensive investigation by competent bodies.

20. Key recommendations from the visit include: a) to continue to encourage the Government of Israeli to grant, without further delay, access to the Office of the High Commissioner for Human Rights and the Independent International Commission of Inquiry on the occupied Palestinian Territory, including East Jerusalem and Israel, to carry-out fully-fledged investigations into all alleged violations; b) to urge Hamas and other armed groups to immediately and unconditionally release all individuals held in captivity and to ensure their protection including from sexual violence; c) to call on all relevant and competent bodies, national and international, to bring all perpetrators, regardless of rank or affiliation, to justice based on individual, superior and command responsibility; d) to encourage the Government of Israel to consider signing a framework of Cooperation with the Office of the SRSG-SVC to strengthen capacity on justice and accountability for CRSV crimes as well as security sector engagement, training, and oversight to prevent and address CRSV; e) to strengthen the capacity of the United Nations to monitor and report on incidents, patterns and trends of CRSV in both Israel and the occupied Palestinian Territory through the establishment of the Monitoring, Analysis and Reporting Arrangements on CRSV (MARA); f) to encourage relevant actors to uphold information integrity and ethical, trauma-informed representations of conflict-related sexual violence, including by respecting and safeguarding the dignity and identity of survivors/victims and witnesses of sexual violence; g) to urge all parties to the conflict to adopt a humanitarian ceasefire, and to ensure that expertise on addressing conflict-related sexual violence informs the design and implementation of all ceasefire and political agreements and that the voices of women and affected communities are heard in all conflict resolution and peacebuilding processes.

II. Introduction

A. Context of the Mission

21. Following the 7 October attacks in Israel and the numerous allegations of conflict-related sexual violence (CRSV) that emerged, the Office of the SRSG on Sexual Violence in Conflict (SRSG-SVC), in line with its mandate, engaged with the Permanent Mission of Israel to the United Nations and activated the UN Action Against Sexual Violence in Conflict (UN Action) network in an attempt to gather relevant information. However, due to the absence of the

Monitoring, Analysis, and Reporting arrangements (MARA) infrastructure in Israel and the occupied Palestinian Territory, and of relevant UN Action entities operating in Israel, no verified information on conflict-related sexual violence was received related to the 7 October attacks. Further, the lack of access and cooperation by the Israeli authorities with the Independent International Commission of Inquiry on the occupied Palestinian Territory, including East Jerusalem and Israel (IICOI) and the Office of the High Commissioner for Human Rights (OHCHR) despite their timely requests to investigate the events of 7 October and their aftermath resulted in the unavailability of United Nations sourced or verified information on sexual violence linked to the attacks committed by Hamas and other armed groups.

22. On 8 November 2023, the Office of the SRSG-SVC received an official invitation from the Government of Israel through the Permanent Mission of Israel to the UN, to "*first-handedly hear and see the testimonies and evidence of these heinous acts [of conflict-related sexual violence]*." On 27 November 2023, the Office of the SRSG-SVC responded positively to the invitation and laid out parameters for the visit.

23. On 18 January 2024, a letter was sent to the Permanent Mission of Israel to the UN confirming the dates and scope of the mission, the composition of the mission team – including the deployment of a technical team of specialists – the methodology and expected outcomes. The agreed aim of the mission was to gather and verify information on conflict-related sexual violence allegedly committed during the 7 October attacks and their aftermath for its potential inclusion in the 2023 annual Report of the Secretary-General on Conflict-Related Sexual Violence. The mission also sought to give voice to survivors/victims of sexual violence, witnesses, recently released hostages and others affected, and to identify avenues for holistic services and accountability. The mission team also requested to visit the occupied West Bank to engage with the Palestinian Authority and civil society organizations, following reports of sexual violence against Palestinians, especially detainees received through UN sources, since the 7 October attacks. The SRSG-SVC met with the representative of the Permanent Observer Mission of the State of Palestine to the UN on two occasions prior to the visit. Considering the ongoing hostilities, the mission team did not request to visit Gaza. The mission commenced on 29 January 2024 with a high-level segment, while the technical team concluded its work on 14 February 2024.

B. Composition of the Mission Team

24. The mission team was led by the SRSG-SVC with the support of a technical team comprised of nine staff members with relevant expertise drawn from the United Nations system. The technical team included a principal human rights officer that acted as its head; a police expert in criminal investigation; a judicial affairs officer; two sexual and gender-based violence investigators skilled in the safe and ethical interviewing of survivors/victims and witnesses of sexual violence crimes; a forensic pathologist; a digital and open-source information analyst; and two political affairs officers. For certain segments of the visit, the mission team was accompanied by a public information officer. Logistical and security support for the mission was provided by the UN Country Team based in Jerusalem.

C. Standard of Proof for Verification of Violations of CRSV

25. The mandate of the SRSG-SVC encompasses the gathering, analysis, and verification of existing, as well as independently received information on incidents and patterns of conflict-related sexual violence. The mission was not intended to be, and is not a substitute for, an investigation by relevant United Nations entities mandated for that purpose, nor is it a replacement for criminal investigations and proceedings subject to due process of law.

26. The applicable standard of proof adopted by the mission team is one of "reasonable grounds to believe," consistent with the practice of investigative bodies, including those established by the UN Security Council and Human Rights Council. The conclusions of the mission team on how to meet the applicable standard of proof were based, in line with the practices of these mechanisms, on "its own assessment of the credibility and reliability of the witnesses it met, verifying the sources and the methodology used in the reports and documents produced by others, cross-referencing the relevant material and information, and assessing whether, in all the circumstances, there was sufficient credible and reliable information […] to make a finding in fact"[4] as to an incident, pattern, or trend of conflict-related sexual violence.

27. Although the primary standard of proof in this report is one of "reasonable grounds to believe," there have been occasions where *more* information has supported a finding of fact, and the overall finding has therefore been stated to be established at the level of "clear and convincing" information. United Nations reporting has used a "clear and convincing" standard,[5] and although there is no single definition of the term, it is generally agreed that "clear and convincing" information or evidence rises above "reasonable grounds to believe" yet falls below "beyond a reasonable doubt". [6] When the present report uses the term "circumstantial" information it uses the ordinary definition of that term, which is that such information is "indirect" and "does not, on its face, prove [the] fact in issue but gives rise to a logical inference that the fact exists", yet ultimately "requires drawing additional reasonable inferences in order to support" the allegation before making a final conclusion.[7]

28. For the purposes of this mission and report, "conflict-related sexual violence" is defined in accordance with the framing definition used in successive reports of the Secretary-General on conflict-related sexual violence. The term thus refers to "rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls, or boys that is directly or indirectly linked to a conflict. The term also encompasses trafficking in persons for

[4] A/HRC/12/48 (2009) at para 24; see also OHCHR, Commissions of Inquiry and Fact-Finding Missions on International Human Rights and Humanitarian Law (2015) at pp. 62–63.
[5] Final Report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic (2013) at para 109.
[6] Office of the United Nations High Commissioner for Human Rights, *Guidance Note: Verification and Standard of Proof* (September 2020), at p. 2.
[7] Cornell University Law School, Legal Information Institute, *Wex Legal Definitions Series* (January 2022).

the purpose of sexual violence/or exploitation, when committed in situations of conflict".[8] The substantive elements of these violations are derived from the *Elements of the Crimes of the Rome Statute of the ICC*. Further, when considering the term "any other form of sexual violence of comparable gravity" the mission team looked not only at single instances of sexual violence in isolation but a course of conduct over an extended period.

29. The incidents, patterns, and trends of conflict-related sexual violence that are included in successive annual reports of the Secretary-General do not require an explicit declaration that a war crime, crime against humanity, or constituent act of genocide has occurred, but rather a determination of whether the incidents, patterns, and trends of sexual violence have either a direct or indirect link to conflict. This link "may be evident in the profile of the perpetrator, who is often affiliated with a State or non-State armed group, including those designated as terrorist groups by the United Nations, the profile of the victim, who is frequently an actual or perceived member of a persecuted political, ethnic or religious minority, or targeted on the basis of actual or perceived sexual orientation or gender identity; a climate of impunity, which is generally associated with State collapse; cross-border consequences, such as displacement or trafficking; and/or violations of the provisions of a ceasefire agreement".[9] This list of factors is non-exhaustive.

D. Methodology

30. The mission team conducted its process of gathering, analysis, and verification of information related to incidents and patterns of conflict-related sexual violence in strict adherence with established United Nations standards and methodologies, and with specific attention to the gendered impact of violations. The mission team conducted its work in accordance with the principles of independence, impartiality, objectivity, transparency, integrity, and the principle of "do no harm", including in relation to guarantees of confidentiality and the protection of victims and witnesses. It also followed a survivor/victim-centered and trauma-informed approach.

31. The mission team did not conduct interviews unless sources agreed to be interviewed, and when interviewing was deemed safe and ethical. The mission team ensured informed consent from sources to use their accounts in reporting of the office of the SRSG-SVC reporting, without including their identity or any identifiable information. As such, the names of sources, including survivors/victims and witnesses were anonymized and elements that could be used as means of identification omitted from this report. The mission team did not consider for the purpose of this report accounts collected by Israeli intelligence bodies, including those related to interrogations of alleged perpetrators, despite some being offered, due to the mission team's inability in the time allotted to establish the due process rights of the accused person and adequate authentication.

[8] S/2023/413 (June 2023) at para 5.
[9] *Ibid.*

32. In Israel, the mission team benefitted from the full cooperation of the Government of Israel. It visited several identified sites of the 7 October attacks, including Nahal Oz military base, kibbutz Be'eri, the Nova music festival site, and Road 232 with the support of the Israeli authorities. Not all sites mentioned in this report could be visited due to time and security constraints, and where relevant the mission team gathered documentary and digital information and interviewed witnesses and other sources, without undertaking an onsite visit.

33. The mission team met with a wide range of national authorities including the President of Israel and the First Lady, relevant line ministries including Foreign Affairs, Welfare and Social Affairs, Health, and Justice. The mission team further held several rounds of meetings to review information from an extensive range of security and justice actors, including the Israeli Defense Forces (IDF), the Israeli Security Agency (Shin Bet), and the Israeli National Police in charge of the investigation on the 7 October attacks (Lahav 433). The mission team also conducted several working visits to the Shura military base, the morgue to which the bodies of victims were transferred as well as one visit to the Israeli National Center of Forensic Medicine. In total, the mission team conducted 33 meetings with representatives of Israeli national institutions.

34. The mission team, specifically the forensic pathologist and the digital analyst, reviewed over 5,000 photos, around 50 hours and several audio files of footage of the attacks, provided partly by various state agencies and through an independent online review of various open sources, to identify potential instances and indications of conflict-related sexual violence. The content encompassed the actual attacks and their immediate aftermath, captured through militants' bodycams and dashcams, individual cellphones, CCTV, and traffic surveillance cameras. Additionally, the materials included photos and videos documenting the process of recovering and identifying the deceased.

35. Though the material provided by national agencies appeared to be authentic and unmanipulated, it could not always be independently verified by the mission team. Efforts were made to verify the most important pieces of digital evidence gathered by the mission team. For the purpose of this report, only items found to be reliable and related to the 7 October attacks were considered.

36. The mission team met with 27 representatives of Israeli civil society, including the Hostages and Missing Families Forum, NGOs, academics, and activists working on women's rights, sexual violence and international criminal law during seven meetings, at which information was shared. The mission team also met with families and relatives of hostages still held in captivity as well as some members of the community displaced from kibbutz Nir Oz.

37. Further, the mission team carried out its own confidential interviews with survivors and witnesses of the 7 October attacks, released hostages, first responders, health professionals, service providers and others. In total, the mission team conducted interviews according to UN standards and methodology, with a total of 34 interviewees (17 males and 17 females).

38. Regarding the occupied Palestinian Territory, the mission team visited Ramallah in the occupied West Bank and engaged with the Palestinian Authority and civil society organizations

to hear their views and concerns on allegations of conflict-related sexual violence received by the mandate, allegedly committed by Israeli security forces and settlers. The mission team met with relevant line ministries of the Palestinian Authority, including the Ministries of Foreign Affairs, Detainees and Ex-Detainee Affairs, Women's Affairs, Social Development, and Labor. The mission team also met with the Palestinian Independent Commission for Human Rights and conducted four meetings with civil society representatives and NGOs. It met with and interviewed four recently released detainees.

39. The purpose of the visit to the occupied West Bank was not to gather and verify information since relevant UN entities are operating in the occupied Palestinian Territory and will provide UN-verified information for the purposes of the annual Report of the Secretary-General on Conflict-Related Sexual Violence. In addition, information on incidents, patterns, and trends of conflict-related sexual violence against Palestinians has, in this regard, already been requested from relevant UN entities.

III. The 7 October Attacks and its aftermath and findings related to CRSV

A. Context

40. Information received by the mission team indicates that in the morning of 7 October 2023, at about 6:30 AM and under the cover of an unprecedented barrage of rockets, a coordinated attack by Hamas joined by other armed groups, including reportedly Palestinian Islamic Jihad, Popular Resistance Committees, other armed elements and armed and unarmed civilians, breached the Gaza perimeter fence at multiple points and entered from Gaza including by road, air and sea. These attacks included multiple military and civilian targets, including surrounding villages and towns in the Gaza periphery, music festivals (Nova and Psyduck music festivals), and adjacent roads. The complexity and *modus operandi* of the attacks appears to demonstrate a significant level of planning, coordination and detailed prior knowledge of the targets selected, including civilian ones.

41. Meetings with different stakeholders and the review by the mission team of relevant material (photos, videos and documents) indicate three cumulative waves of attacks resulting in ruthless levels of violence including against numerous civilian and military targets: the first wave was reportedly composed of Hamas commandos; the second wave of Hamas, Palestinian Islamic Jihad, Popular Resistance Committees, and other Palestinian paramilitary organizations breaching from Gaza that joined the ongoing operation; and the third wave of armed elements and unarmed individuals entering from Gaza into Israel. The attacks often took place over several hours and in some cases, armed elements remained on the sites for several days.

42. Information reviewed by the team show that armed elements came equipped with high caliber and military grade weapons and equipment ranging from rocket propelled grenades, automatic rifles, often reported by witnesses as M16s or Kalashnikovs, ample ammunition, grenades, explosives, flammable substances, and restraints including zip ties.

43. According to official sources, the attacks left approximately 1,200 individuals dead[10] across multiple locations in the Gaza periphery with some, like kibbutz Be'eri, reportedly losing over 10% of its population. Several thousand individuals were wounded in the attacks. Hamas and other armed groups abducted 253 individuals from Israel including men, women, and children, dead and alive. As of February 2024, 134 individuals remain in captivity in Gaza.[11] Some hostages are, or are presumed to be dead.

44. Interviews with stakeholders and material reviewed by the mission team describe an indiscriminate campaign to kill, inflict suffering and abduct the maximum number possible of men, women, and children – soldiers and civilians alike – in the minimum possible amount of time. People were shot, often at close range; burnt alive in their homes as they tried to hide in their safe rooms; gunned down or killed by grenades in bomb shelters where they sought refuge; and hunted down at the Nova music festival site as well as in the fields and roads adjacent to the Nova music festival ground. Other violations included sexual violence, abduction of hostages and corpses, the public display of captives, both dead and alive, the mutilation of corpses, including decapitation, and the looting and destruction of civilian property.

B. Challenges and limitations in the collection of information on CRSV

Challenges faced by the national authorities

45. The national authorities faced numerous challenges in the collection of evidence and pursuit of their investigations of the crimes committed during the 7 October attacks, including challenges of coordination and information sharing among governmental agencies. The vast death toll from the 7 October attacks in multiple locations overstretched the response capacities of the Israeli authorities, which were compelled to prioritize the efforts to regain control of the affected areas, over the collection of evidence for the purpose of investigation.

46. Specific challenges related to crimes of sexual violence relate primarily to the minimal crime scene processing and the very limited forensic examination conducted. The collection of forensic evidence was hindered by several factors which include: i) the magnitude of the situation, characterized by a large number of casualties in dispersed crime scenes involving multiple perpetrators in a context of active combat situation for several days; ii) a context in which various forms of violence occurred, with extensive brutality, including postmortem mutilation and booby-trapping of corpses; iii) the high number of bodies with destructive burn damage, which made the identification of potential crimes of sexual violence impossible; iv) the prioritization of rescue operations and the recovery, identification, and burial of the deceased in accordance with religious practices over the collection of forensic evidence, which was necessary in light of the anxiety of families awaiting news from their relatives and concerns

[10] Security Council Briefing on the Situation in the Middle East, as delivered by Special Coordinator Tor Wennesland on 22 February 2024 available at https://unsco.unmissions.org/security-council-briefing-situation-middle-east-delivered-special-coordinator-tor-wennesland.
[11] *Ibid.*

related to the abduction of corpses; and v) the loss of potentially valuable evidence due to the interventions of some untrained volunteer first responders. In addition to combat soldiers and military search units, other actors who were involved in the recovery of bodies included civilian first responders and volunteer search and rescue groups who were not trained for the collection of forensic evidence. Practices by the latter, often from a conservative religious background, included covering or dressing corpses as a gesture of respect for the deceased. For the same reasons, a limited number of photos were taken, often of the faces of the deceased for identification purposes only or after covering the bodies or putting back on their clothes.

47. Additional challenges emerged due to erroneous interpretations of the state of bodies by some volunteer first responders without relevant qualifications and expertise. Some examples include mistaking "postmortem pugilistic posturing" (a 'boxer-like' body posture with flexed elbows, clenched fists, spread legs, and flexed knees) due to burn damage as indicative of sexual violence; misinterpreting anal dilatation due to postmortem changes as indicative of anal penetration; and mischaracterizing grazing gunshot wounds to genitalia as targeted genital mutilation using knives.[12]

Challenges faced by the mission team

a) Access to survivors/victims of CRSV and witnesses

48. The mission team also faced several additional challenges and limitations in its endeavor to gather information on incidents of sexual violence. There was a lack of access to first-hand testimonies of survivors/victims of sexual violence. While the number of survivors/victims of sexual violence of 7 October remains unknown, a small number of those who are undergoing treatment are reportedly experiencing severe mental distress and trauma. Despite concerted efforts to encourage them to come forward, the mission team was not able to interview any of these survivors/victims. The mission team notes that many of the communities where the attacks took place are small and interconnected, and that some of the individuals impacted by the attacks have strong religious beliefs, which may contribute to limiting firsthand reporting of sexual violence.

49. The mission team met with a small number of survivors and/or witnesses of the 7 October attacks who provided information on instances of sexual violence. The general level of trauma coupled with sensitivities around sexual violence was highlighted as an adverse factor keeping many survivors/victims and witnesses from speaking out. The mission team also noted the reluctance of some survivors/victims and/or witnesses to come forward, questioning the

[12] On forensic pathology, there are situations in conflict globally where there is no forensic evidence of rape or other forms of sexual violence that are reported to the UN Security Council, human rights bodies, and prosecuted in courts of law. It is therefore essential that the Organization does not unwittingly take the position that such information is necessary to make findings regarding sexual violence. In the case of the 7 October attacks, most imagery was collected for identification purposes only. There are many individuals, including the public at large in Israel and globally, who have seen authentic graphic imagery showing multiple injuries. Their concerns are genuine and often well-intended. However, many of these individuals do not have the requisite expertise to draw conclusions as to whether sexual violence is occurring or has occurred based on the images that they are seeing.

narrow focus of the mission on sexual violence given the magnitude and the brutality of the other serious crimes committed.

50. Another factor impeding the access to more survivors and/or witnesses of the attacks with potential information is the fact that many civilians from the attacked kibbutzim were internally displaced after 7 October 2023, and many individuals that attended the Nova music festival are scattered throughout Israel, with some having moved to or returned to third countries. As of the last government update in November 2023, 98.3% of the population (20,604 individuals) that lived within 0-4 km of the Gaza perimeter fence were displaced; at 4-7 km 78.4% (15,000 individuals) were displaced; and from the city of Sderot 81.9% of the population (31,170 individuals) were displaced.[13] Some first responders from the military forces are also currently on deployment and could not be interviewed.

51. While the mission team met with a number of released hostages, it noted their well-founded fears about the risk of revealing their stories, which may result in their identification and further harm to them as well as to those still in captivity. The mission team further noted the fact that the identities of some of them have been publicly disclosed in both national and international media, often with their names and photos, which has contributed to some choosing to remain silent.

52. Moreover, trust in national governmental institutions or international organizations, such as the United Nations, are at an all-time low amongst many survivors and/or witnesses of the 7 October attacks, making them reluctant to come forward, in addition to the high media scrutiny of those who do opt to share their accounts publicly.

b) Limited and/or poor quality of forensic evidence on instances of CRSV

53. The analysis of forensic evidence was hindered by the limited availability of professionally gathered forensic material, the dispersal of the material and insufficient sharing among various state agencies, limited organization of the photos and videos as well as their inadequate classification. Additionally, the process of classifying material including linking individuals with specific photos and videos is still an ongoing exercise by the relevant authorities. Certain descriptions or claims of genital mutilation could not be adequately assessed due to the limited availability, organization and/or quality of photos and videos. Instances of inaccurate and unreliable forensic interpretations by non-professionals also represented a challenge.

c) Other challenges

54. The gathering and verification of information by the mission team took place over only two and a half weeks. In view of the complexity and scope of the violations which occurred in the context of the 7 October attacks, a much longer timeframe is required to gather all relevant and available information and examine the full scope and extent of violations in all locations.

[13] Information provided by the Israeli government 'Command Center', coordinating the response for evacuees.

55. As a result of the aforementioned challenges, it must be noted that the information gathered by the mission team was in a large part sourced from Israeli national institutions. This is due to the absence of United Nations entities operating in Israel, as well as the lack of cooperation by the State of Israel with relevant United Nations bodies with an investigative mandate. Nevertheless, the mission team took every step, in line with UN methodology, to mitigate issues of source reliability before drawing conclusions within the scope of this report.

C. Findings on incidents and patterns of CRSV

56. Intrinsic challenges faced by national authorities as well as those encountered by the mission team, impacted the gathering, analysis and verification of information on conflict-related sexual violence. The true prevalence of sexual violence during the 7 October attacks and their aftermath may take months or years to emerge and may never be fully known, given that sexual violence remains a chronically underreported crime in every conflict-affected setting, due *inter alia* to trauma, stigma and fear faced by survivors. As in other conflict-affected contexts, there remains a significant likelihood that the findings of the mission team, in terms of verified violations, only partially reflect the crimes actually committed. A more comprehensive assessment of the occurrence of conflict-related sexual violence in the context of the 7 October attacks would require a fully-fledged investigation by competent bodies with adequate time and capacity.

1. Findings on CRSV during the 7 October attacks and its aftermath

Nova Music Festival and surrounding areas

57. The Nova music festival, an outdoor event in an open field about 5 km from the Gaza perimeter fence, attracted around 3,500 attendees, mainly young individuals. Information reviewed by the mission team indicates that the festival was a site of grave violations including brutal mass murders, with several hundreds of bodies recovered from the site in addition to many abductions. Bodies were also found with extensive burn damage.

58. Based on the examination of available information, including credible statements by eyewitnesses, there are reasonable grounds to believe that multiple incidents of rape, including gang rape, occurred in and around the Nova festival site during the 7 October attacks. Credible information was obtained regarding multiple incidents whereby victims were subjected to rape and then killed. There are further accounts of individuals who witnessed at least two incidents of rape of corpses of women. Other credible sources at the Nova music festival site described seeing multiple murdered individuals, mostly women, whose bodies were found naked from the waist down, some totally naked, with some gunshots in the head and/or tied including with their hands bound behind their backs and tied to structures such as trees or poles.

Road 232 and Other "Escape Routes"

59. Faced with the attacks, Nova music festival goers and other residents reportedly fled along various escape routes including Road 232 and the surrounding fields. Along Road 232, numerous bodies with severe injuries such as multiple gunshot wounds and destructive burn damage were found, including in and around damaged or burned vehicles, as well as piled in several bomb shelters.

60. There are reasonable grounds to believe that sexual violence occurred on and around Road 232. Credible information based on corroborating witness accounts describes an incident involving the rape of two women. The mission team received other accounts of rape, including gang rape, which could not be verified during the time provided and would require further investigation. Along this road, several bodies were found with genital injuries, along with injuries to other body parts. Discernible patterns of genital mutilation could not be verified at this time but warrant future investigation. Many bodies along Road 232 also suffered destructive burn damage and conclusions as to conflict-related sexual violence (including genital mutilation) related to these incidents could not be drawn. The mission team was also able to ascertain that multiple bodies of women and a few men were found totally or partially naked or with their clothes torn, including some bound and/or attached to structures, which – though circumstantial – may be indicative of some forms of sexual violence.

Kibbutz Re'im

61. Nova music festival goers also attempted to escape to the south and sought shelter in and around kibbutz Re'im, about 2 km southwest of the Nova music festival site. There are reasonable grounds to believe that sexual violence occurred in kibbutz Re'im, including rape. This included the rape of a woman outside of a bomb shelter at the entrance of kibbutz Re'im, which was corroborated by witness testimonies and digital material. Within the kibbutz itself, in one area close to the entrance, the bodies of at least two women were found inside a home, on the floor and naked, with gunshot wounds to their heads. Witness testimony gathered for this area is consistent with possible sexual violence, however, these could not be verified in the time provided and would require further investigation.

Kibbutz Be'eri

62. Kibbutz Be'eri is located within the Gaza periphery along Road 232. Interviews of survivors of the attack and intervening first responders, alongside reviewed audiovisual material, attested that the kibbutz was severely affected by the 7 October attacks, with fighting spanning over the course of two days. The kibbutz suffered a significant number of casualties with reportedly over 10% of its population killed, including children, and some 50 people taken hostage to Gaza during the attacks. The location had been identified as a priority for the mission team due to serious reports of conflict-related sexual violence.

63. The mission team conducted a site visit to Be'eri and witnessed first-hand the magnitude of destruction within the kibbutz with rows of houses burnt, riddled with bullets and many reduced to rubble.

64. The mission team examined several allegations of sexual violence. It must be noted that witnesses and sources with whom the mission team engaged adopted over time an increasingly cautious and circumspect approach regarding past accounts, including in some cases retracting statements made previously. Some also stated to the mission team that they no longer felt confident in their recollections of other assertions that had appeared in the media.

65. At least two of the allegations of sexual violence previously reported were determined by the mission team to be unfounded, due to either new superseding information or inconsistency in the information gathered, including first responder testimonies, photographic evidence and other information. These included the allegation of a pregnant woman whose womb had reportedly been ripped open before she was killed, with her fetus stabbed while still inside her. Another such account was the interpretation initially made of the body of a girl found separated from the rest of her family, naked from the waist down. It was determined by the mission team that the crime scene had been altered by a bomb squad and the bodies moved, explaining the separation of the body of the girl from the rest of her family. Allegations of objects found inserted in female genital organs also could not be verified by the mission team due in large part to the limited availability and low quality of imagery.

66. The mission team received credible information about bodies found naked and/or tied, and in one case gagged, in some of the kibbutz' destroyed houses and their surroundings. While verification of sexual violence against these victims was not possible, circumstantial evidence – notably the pattern of female victims found undressed and bound – may be indicative of some forms of sexual violence.

67. Overall, the mission team was unable to establish whether sexual violence occurred in kibbutz Be'eri. Further investigation may determine whether incidents of sexual violence occurred.

Kibbutz Kfar Aza

68. During the attacks on kibbutz Kfar Aza, located about three kilometers from the Gaza perimeter fence, approximately 50 residents out of its population of around 700 were killed, when hundreds of militants entered the kibbutz, armed with military grade weaponry. Most killings were reported to have occurred in the 12 hours before the IDF were deployed to the area. Dozens of houses were burned. Fighting between militants and IDF forces in and around the kibbutz was reported to have ended only on 10 October, complicating the recovery of bodies. The mission team collected information from first responders who reported discovering bodies of women naked with their hands tied behind their backs and gunshot wounds to the head. While verification of sexual violence against these victims was not possible at this point, available circumstantial information – notably the recurring pattern of female victims found undressed,

bound, and shot – indicates that sexual violence, including potential sexualized torture, or cruel, inhuman and degrading treatment, may have occurred.

Nahal Oz Military Base

69. Nahal Oz military base operated as a hub for signals intelligence and monitoring of the Gaza perimeter fence. A significant number of male and female soldiers stationed in this base were killed in the 7 October attacks. Seven young women undertaking their mandatory military service were abducted from Nahal Oz military base and taken to Gaza.

70. The mission team reviewed reports concerning a case of rape which could not be verified at this point. It also reviewed reports of sexual violence, including one case of genital mutilation of one male soldier and several female soldiers during the attack on the military base, which likewise could not be established. The photos from the identification process of 41 killed soldiers from Nahal Oz military base were scrutinized by the mission team. After excluding corpses with destructive burn damage and one corpse with very limited photos, the photos of 20 men and 9 women remained for analysis. Among these soldiers, while the forensic analysis reviewed injuries to intimate body parts, no discernible pattern of targeted injuries to intimate body parts could be identified in either sex. Specifically, 7 soldiers (4 men and 3 women) did exhibit gunshot wounds around the genitalia and/or buttocks, though along with multiple gunshot wounds to other body parts such as the trunk and legs. As such, the review was inconclusive with regards to patterns of genital mutilation. One discernible pattern emerged: 24 out of the 29 soldiers displayed apparent, often multiple, gunshot wounds to the head.

2. Sexual Violence Against Hostages Taken to Gaza

71. The mission team reviewed incidents of alleged sexual violence related to hostages in Gaza. Based on the first-hand accounts of released hostages, the mission team received clear and convincing information that sexual violence, including rape, sexualized torture, and cruel, inhuman and degrading treatment occurred against some women and children during their time in captivity and has reasonable grounds to believe that this violence may be ongoing.

72. Based on first-hand accounts of released hostages there are reasonable grounds to believe that female hostages were also subjected to other forms of sexual violence.

3. Other findings not linked to specific locations

73. The mission team also gathered and reviewed information based on photos and videos of 7 October attacks that could not yet be linked to a specific location of the attacks. The mission team was able to determine that at least 100 bodies had destructive burn damage, preventing any findings of what may have occurred to those individuals, including any assessment of sexual violence.

74. In the medicolegal assessment of available photos and videos, no tangible indications of rape could be identified. Further investigation may alter this assessment in the future. Nevertheless, considering the nature of rape, which often does not result in visible injuries, this possibility cannot be ruled out based solely on the medicolegal assessment. Therefore, the mission team concluded that circumstantial indicators, like the position of the corpse and the state of clothing, should also be considered when determining the occurrence of sexual violations, in addition to witness and survivor testimony.

75. In the medicolegal assessment undertaken by the mission team of available photos and videos of crime scenes, a few corpses with conspicuously spread legs were observed. These postures could not be adequately explained by, for instance, "postmortem pugilistic posturing" due to burn damage. The reviewed photos and videos further revealed a minimum of twenty corpses with partially or fully exposed intimate body parts such as breasts and genitalia, resulting from the absence, displacement, or tearing of clothing. Also, at least ten distinct corpses displayed indications of bound wrists and/or tied legs.

76. The reviewed photos and videos revealed widespread mutilation of bodies, involving both attempted and actual decapitation, numerous gunshot wounds, and various other forms of extensive violence. The medicolegal assessment of available photos and videos revealed multiple corpses with injuries, predominantly gunshot wounds, including to intimate body parts such as breasts and genitalia. Because in most instances additional injuries were also seen on other body parts, no discernible pattern of genital mutilation could be established. Given the incomplete overview of evidence at this stage, subsequent investigation, including cross-linking of injury patterns with geographical information, may provide additional insights. Destructive burn damage in at least 100 corpses further impeded the assessment of targeted genital mutilation.

77. The digital evidence discovered during independent open-source review appeared authentic and unmanipulated. While the mission team reviewed extensive digital material depicting a range of egregious violations, no digital evidence specifically depicting acts of sexual violence was found in open sources. Nonetheless, some digital material of circumstantial elements such as naked or partially naked bodies may be indicative of some forms of sexual violence. The mission team took note of the averments of the Israeli authorities that some of the incriminating online materials, including those specifically depicting acts of sexual violence, had been removed or restricted by various platforms or by the offenders themselves. While it is possible that digital evidence may have been posted and then removed from official channels and social media profiles, possibly due to concerns by the various groups that it may be incriminating, it is the view of the mission team that, had clear digital evidence of sexual violence or orders to commit sexual violence been circulated in the mainstream, it would have likely been discovered given the volume of the information posted online and further recirculated, making the removal of all trace of such material unlikely.[14]

[14] Claims were made in the public domain that directives, including pamphlets with instructions on pronouncing phrases in Hebrew such as 'Open your legs' or 'Take off your pants' and a manual on 'How to take captives', were allegedly found by IDF on bodies of deceased militants. However, the mission team was not able to substantiate any of them.

D. Attribution

78. Hamas and other Palestinian armed groups, including but not limited to the Palestinian Islamic Jihad and Popular Resistance Committees, have claimed responsibility for the attacks of 7 October 2023. In its report "Our Narrative: Operation Al-Aqsa Flood", Hamas has however denied claims of harm against civilians, including the commission of rape. Given the mission was not investigative, it did not gather information and/or draw conclusions on attribution of alleged violations to specific armed groups. Such attribution would require a fully-fledged investigative process.

IV. Visit to the occupied West Bank

79. In the occupied Palestinian Territory and in line with the agreed parameters for the visit, the team visited Ramallah on 1 and 7 February 2024 to engage with the Palestinian Authority and civil society organizations, to hear their views concerning the situation, including allegations of conflict-related sexual violence by the Israeli security forces and settlers, with a view to raising relevant concerns with the Israeli Authorities. Considering ongoing hostilities, the mission team did not visit Gaza. In the occupied West Bank, the mission team engaged with the Palestinian Authority, including the Ministries of Foreign Affairs, Detainees and Ex-Detainee Affairs, Women's Affairs, Social Development, and Labor. The mission team also met with the Palestinian Independent Commission for Human Rights, conducted four meetings with civil society representatives and non-governmental organizations. It also met with and interviewed four recently released detainees. The mission team did not seek to gather information and/or to verify allegations in the context of the occupied Palestinian Territory in order not to duplicate the ongoing work of other UN entities in this regard, which will inform the forthcoming annual Report of the Secretary-General on Conflict-Related Sexual Violence. The scope of the mission did not encompass a visit to Gaza, where several other UN entities are present and operating, including some that monitor and address sexual violence.

80. During meetings, stakeholders in the occupied West Bank described a dramatic deterioration of the human rights situation following the 7 October attacks, with the launch of law enforcement operations by the Israeli government being accompanied by mass arrests and a spike in settler violence. As of February 2024, according to the Israel Prison Service, there are nearly 9,000 Palestinians in Israeli custody, including 3,484 administrative detainees (39 per cent) held without trial.[15]

81. Stakeholders indicated that the detention of Palestinian men and women has been compounded by alleged instances of cruel, inhuman and degrading treatment, including increased instances of various forms of sexual violence in the form of invasive body searches of

[15] OCHA Hostilities in the Gaza Strip and Israel | Flash Update #121 (19 Feb 2024) available at https://reliefweb.int/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-121.

detainees which include unwanted touching of intimate areas and forced unveiling of women wearing Hijab; beatings, including in the genital areas; threats of rape against women and threats of rape against female family members (wives, sisters, daughters) in the case of men; and inappropriate strip search and prolonged forced nudity of detainees, including during interrogation and during transfer to other detention facilities. Other concerns raised included the taking and circulating of pictures of women detainees on personal phones of soldiers and investigators and depriving women of menstruation products. These interlocutors also reported sexual harassment and threats of rape, during house raids – including at night – and at checkpoints. They also highlighted intimidation, including threats of rape, if conditions of detention were reported or publicly disclosed after liberation. While no instances of rape were reported, Palestinian women's organizations consistently stressed that in addition to intimidation and insecurity, the high level of stigmatization, conservative cultural norms and the power imbalance in the context of occupation impedes reporting of sexual violence.

82. Both Israeli and Palestinian civil society organizations reported to the mission team that since 7 October 2023, the detaining authorities have severely limited the access of independent humanitarian bodies to detention facilities to monitor the conditions of detention and address any abuses. They also stressed that information regarding the whereabouts of Palestinians from Gaza detained in Israel was difficult to obtain and raised concerns that, due to ongoing hostilities and humanitarian crisis, there is very limited information on whether sexual violence may be occurring in Gaza.

83. The mission team raised the allegations it had heard in the occupied West Bank of cruel, inhuman and degrading treatment and sexual violence in Israeli detention facilities, with the Israeli Ministry of Justice and the Military Advocate General. In response, they explained the existing mechanisms for complaints, which are available for prisoners, as well as the protocols for the treatment of prisoners that prohibit sexual violence, including threats of rape. They stressed that to date, no complaints of sexual violence by members of the Israeli Defense Forces have been received. Information received from various human rights organizations and public sources indicates that since 2001, out of 1,400 complaints filed with the Ministry of Justice for alleged acts of torture (including, but not limited to, sexual violence and sexual harassment), only three criminal investigations have been opened, with no indictments resulting. On 23 February 2024, the Office of the SRSG-SVC received a letter from the Government of Israel on its policies and oversight mechanisms during arrests and detention.

V. Conclusions

84. Overall, based on the totality of information gathered from multiple and independent sources at the different locations, there are reasonable grounds to believe that conflict-related sexual violence occurred at several locations across the Gaza periphery, including in the form of rape and gang rape, during the 7 October 2023 attacks. Credible circumstantial information, which may be indicative of some forms of sexual violence, including genital mutilation, sexualized torture, or cruel, inhuman and degrading treatment, was also gathered.

85. With regards to the hostages, the mission team found clear and convincing information that some hostages taken to Gaza have been subjected to various forms of conflict-related sexual violence and has reasonable grounds to believe that such violence may be ongoing.

86. The mission team was unable to establish the prevalence of sexual violence and concludes that the overall magnitude, scope, and specific attribution of these violations would require a fully-fledged investigation. A comprehensive investigation would enable the information base to be expanded in locations which the mission team was not able to visit and to build the required trust with survivors/victims of conflict-related sexual violence who may be reluctant to come forward at this point.

87. Regarding the occupied Palestinian Territory, while its scope did not extend to verification, the mission team received information from institutional and civil society sources as well as through direct interviews, about some forms of sexual violence against Palestinian men and women in detention settings, during house raids and at checkpoints. Though the mission team did not visit Gaza, the Office of the SRSG-SVC will continue to monitor the situation for any relevant allegations of CRSV in the context of the ongoing hostilities. The relevant UN entities present in the occupied Palestinian Territory will provide UN-verified information for reporting to the Security Council on allegations of CRSV, which will be complemented by the information obtained by the mission team.

VI. Recommendations

88. The mission team makes the following recommendations:

a) Continue to encourage the Government of Israeli to grant, without further delay, access to the Office of the High Commissioner for Human Rights and the Independent International Commission of Inquiry on the occupied Palestinian Territory, including East Jerusalem and Israel, to carry-out fully-fledged investigations into all alleged violations that would deepen the preliminary findings contained in the present report.

b) Urge Hamas and other armed groups to immediately and unconditionally release all individuals held in captivity and to ensure their protection including from sexual violence, in line with international law.

c) Call on all relevant and competent bodies, national and international, to bring all perpetrators, regardless of rank or affiliation, to justice based on individual, superior and command responsibility, in accordance with due process of law and fair trial standards.

d) Encourage the Government of Israel to consider signing a Framework of Cooperation with the Office of the SRSG-SVC to strengthen capacity on justice and accountability for CRSV crimes as well as security sector engagement, training, and oversight to prevent and address CRSV.

e) Strengthen the capacity of the United Nations to monitor and report on incidents, patterns and trends of CRSV in both Israel and the occupied Palestinian Territory through the establishment of the Monitoring, Analysis and Reporting Arrangements on CRSV (MARA), convened by dedicated technical specialists, namely Women's Protection Advisors (WPAs), deployed to the region to ensure prevention, protection and coordinated multi-sectoral assistance to survivors/victims.

f) Encourage relevant actors to uphold information integrity and ethical, trauma-informed representations of conflict-related sexual violence, including by respecting and safeguarding the dignity and identity of survivors/victims and witnesses of sexual violence, as sensationalizing headlines, media pressure and scrutiny, exposure of identity, political instrumentalization and pressure, and/or fear of reprisal can result in the suppression, silencing and discrediting of survivors/victims and witnesses, further compound trauma and increase the risk of social stigmatization.

g) Urge all parties to the conflict to adopt a humanitarian ceasefire, and to ensure that expertise on addressing conflict-related sexual violence informs the design and implementation of all ceasefire and political agreements and that the voices of women and affected communities are heard in all conflict resolution and peacebuilding processes.

END.

New York, 4 March 2024