Israeli authorities, Palestinian armed groups are responsible for war crimes, other grave violations of international law, UN Inquiry finds

June 12, 2024

Office of the High Commissioner for Human Rights

<https://www.ohchr.org/en/press-releases/2024/06/israeli-authorities-palestinian-armed-groups-are-responsible-war-crimes>

Israeli authorities are responsible for war crimes and crimes against humanity committed during the military operations and attacks in Gaza since 7 October 2023, the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, said in a new [**report**](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-26-auv.docx) today. The Commission also found that Palestinian armed groups are responsible for war crimes committed in Israel.

The Commission’s report – the UN’s first in-depth investigation of the events that took place on and since 7 October 2023 – is based on interviews with victims and witnesses conducted remotely and during a mission to Türkiye and Egypt, thousands of open-source items verified through advanced forensic analysis, hundreds of submissions, satellite imagery and forensic medical reports. Israel obstructed the Commission’s investigations and prevented its access to Israel and the Occupied Palestinian Territory.

“It is imperative that all those who have committed crimes be held accountable,” said Navi Pillay, Chair of the Commission. “The only way to stop the recurring cycles of violence, including aggression and retribution by both sides, is to ensure strict adherence to international law.”

“Israel must immediately stop its military operations and attacks in Gaza, including the assault on Rafah, which has cost the lives of hundreds of civilians and again displaced hundreds of thousands of people to unsafe locations without basic services and humanitarian assistance,” Pillay said. “Hamas and Palestinian armed groups must immediately cease rocket attacks and release all hostages. The taking of hostages constitutes a war crime.”

In relation to Israeli military operations and attacks in Gaza, the Commission found that Israeli authorities are responsible for the war crimes of starvation as a method of warfare, murder or wilful killing, intentionally directing attacks against civilians and civilian objects, forcible transfer, sexual violence, torture and inhuman or cruel treatment, arbitrary detention and outrages upon personal dignity.

The Commission found that the crimes against humanity of extermination, gender persecution targeting Palestinian men and boys, murder, forcible transfer, and torture and inhuman and cruel treatment were also committed.

The immense numbers of civilian casualties in Gaza and widespread destruction of civilian objects and infrastructure were the inevitable result of a strategy undertaken with intent to cause maximum damage, disregarding the principles of distinction, proportionality and adequate precautions. The intentional use of heavy weapons with large destructive capacity in densely populated areas constitutes an intentional and direct attack on the civilian population.

The report found that statements made by Israeli officials – including those reflecting the policy of inflicting widespread destruction and killing large numbers of civilians – amounted to incitement and may constitute other serious international crimes. Direct and public incitement to genocide is a crime under international law whenever perpetrated, even by persons with no direct authority for the conduct of the hostilities. Incitement to discrimination, hostility or violence is a serious violation of international human rights law and may amount to an international crime.

Although Israel issued hundreds of evacuation orders to people in north Gaza and other locations, the Commission found that they were at times insufficient, unclear and conflicting, and did not provide adequate time for safe evacuations. Furthermore, the evacuation routes and the areas designated as safe were consistently attacked by Israeli forces. All of this, the Commission determined, amounted to forcible transfer.

The Commission determined that Israel’s imposed a “total siege” which amounts to collective punishment against the civilian population. Israeli authorities have weaponized the siege and used the provision of life-sustaining necessities, including by severing water, food, electricity, fuel and humanitarian assistance, for strategic and political gains. The siege has disproportionately impacted pregnant women and persons with disabilities, with serious harm inflicted on children leading to preventable child deaths from starvation including newborns.

The report found that specific forms of sexual and gender-based violence constitute part of Israeli Security Forces’ operating procedures. It made the finding due to the frequency, prevalence and severity of the violations, which include public stripping and nudity intended to humiliate the community at large and accentuate the subordination of an occupied people.

In the West Bank, the Commission found that Israeli forces committed acts of sexual violence, torture and inhuman or cruel treatment and outrages upon personal dignity, all of which are war crimes. Furthermore, the Commission found that the government of Israel and Israeli forces permitted, fostered and instigated a campaign of settler violence against Palestinian communities in the West Bank.

In relation to the attack of 7 October in Israel, the report found that the military wing of Hamas and six other Palestinian armed groups, are responsible for the war crimes of intentionally directing attacks against civilians, murder or wilful killing, torture, inhuman or cruel treatment, destroying or seizing the property of an adversary, outrages upon personal dignity, and taking hostages, including children.

The indiscriminate firing of thousands of projectiles towards Israeli towns and cities resulting in death and injury of civilians are also violations of international humanitarian and human rights law.

Members of Palestinian armed groups, in some instances aided by Palestinians in civilian clothing, deliberately killed, injured, tortured, took hostages, including children, and committed sexual and gender-based violence against civilians and against members of the Israeli Security Forces, some of whom were *hors de combat* and should not have been targeted.

The Commission identified patterns indicative of sexual violence and concluded that these were not isolated incidents but perpetrated in similar ways in several locations primarily against Israeli women.

In its recommendations, the report calls on the Government of Israel to immediately implement a ceasefire, end the siege of Gaza, ensure the delivery of humanitarian aid and cease the targeting of civilians and civilian infrastructure. The Commission calls on Israel to comply fully with its legal obligations set forth in the International Court of Justice orders on provisional measures issued on 26 January 2024, 28 March 2024 and 24 May 2024 and, in particular, allow the Commission access to Gaza to conduct investigations. It also recommended that all State Parties to the Rome Statute cooperate fully with the International Criminal Court.

The report calls on the Government of the State of Palestine and the de-facto authorities in Gaza to immediately cease all rocket attacks on Israel, unconditionally release all hostages, and thoroughly and impartially investigate violations and prosecute those responsible for crimes, including those committed on and since 7 October by members of Palestinian non-State armed groups in Israel.

The Commission’s [**report**](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-26-auv.docx) will be presented to the Human Rights Council’s 56th session on 19 June 2024 in Geneva. Two additional detailed reports providing expanded findings accompany this release. The first [**report**](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-3.pdf) presents the Commission’s findings on the 7 October attack in Israel, and the second [**report**](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-4.pdf) presents the Commission’s findings on Israel’s military operations and attacks in Gaza until the end of 2023.