



SEXUAL VIOLENCE AS A WEAPON OF WAR

SEXUAL VIOLENCE COMMITTED BY HAMAS ON THE OCTOBER 7 MASSACRE

On October 7 2023, Hamas, a recognised terrorist organisation, invaded Israel from the air, land and sea in a series of coordinated attacks in which more than 1,100 victims were murdered. Following the initial infiltration, the border remained open for many hours and other terrorist groups as well as unaffiliated civilians crossed over from Gaza and committed acts of violence, murder, torture and rape.



Many of the victims were subjected to various forms of torture and mutilation, as well as acts of sexual violence. Tragically, the majority of those who were sexually assaulted were also executed. Evidence of these atrocities includes survivor testimonies, camera footage, including footage taken and broadcasted by the terrorists themselves. Despite overwhelming evidence, there have been several attempts to deny these heinous acts.

In February 2024, Pramila Patten, the Special Representative of the Secretary-General on Sexual Violence in Conflict, led a mission to Israel to analyse and verify reports of sexual violence during the October 7 attack. Her report states there was evidence of rape and gang-rape during the October 7 attack, at the Nova Music Festival and in the Kibbutzim (Israeli villages) along the border. The report also states that sexual violence was perpetrated against hostages held in Gaza and is still ongoing.



Living Survivors of October 7 Sexual Violence

Amongst the countless victims of October 7th, a significant number of the bodies were found to have evidence of sexual violence. A number of individuals, women and men, have come forward as survivors of sexual assaults committed on October 7. Their identities and the specific details of their assault were not made public. Given the traumatic nature of surviving both sexual assault and the threat of execution, Israel insists the survivors have the autonomy to decide if and when they wish to share their stories. This approach acknowledges the importance of personal choice and the need to support individuals as they navigate their recovery. In July 2024, one of the survivors came forward and shared his testimony.

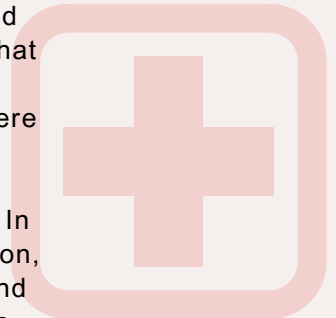


Massacre Survivors Eyewitness Accounts

Many of the survivors of the October 7 massacre, particularly those present at the Nova music festival that was attacked, witnessed acts of sexual violence followed by executions while hiding in nearby bushes and trees. They reported seeing and hearing instances of rape and gang rape carried out by the terrorists. It is important to note, that the reason there are more eyewitnesses from the Nova festival is that in the Kibbutzim the assaults happened indoors, while in the festival the attacks were carried out outdoors, with the hiding survivors often hearing and seeing the abuse and murder of others.

First Responders' Testimonies and Documentation

First responders including the Israel Defence Force (IDF), police, ZAKA Search & Rescue, Magen David Adom (MDA) and United Hatzalah medical teams that arrived at the scenes of the attacks found bodies showing signs of sexual violence - some victims were found bound, unclothed, and exhibiting physical injuries consistent with sexual violence, such as injuries and bleeding genitalia and evident semen. In some cases, there was evidence of severe mutilation, including gunshot wounds and cutting of breasts and genitals as well as and foreign objects inserted into genitals.



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Forensic Facilities

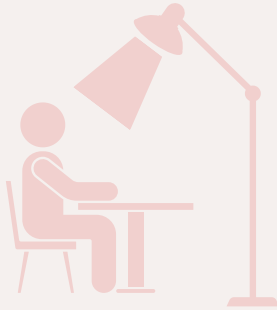
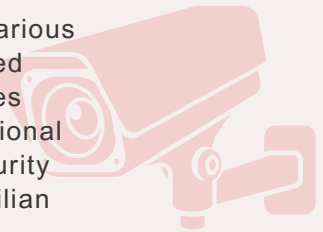
Due to the unprecedented number of casualties, the bodies of the victims were transported to Shura IDF base, which served as the main identification site for bodies recovered, both of victims and of Hamas terrorists. Those involved in the handling and identification process observed signs of sexual assault and execution on many of the bodies of the victims, including physical injuries to genitals and semen.



Due to the very large number of bodies, the hot weather and the limited number of refrigerated storage facilities, it was decided that the first priority was the identification of the bodies, so that families of the missing could be informed as soon as possible of the fate of their loved ones - if they were murdered or abducted to Gaza. This resulted in little photographic and forensic evidence of the bodies.

Captured Footage

Evidence of the attacks was documented through various forms of captured footage. Hamas terrorists recorded their actions using body cameras, and in some cases broadcasted their horrific actions in real time. Additional evidence of sexual violence was obtained from security cameras, including military surveillance, private civilian recordings, municipal systems, vehicle dashboard cameras, and agricultural monitoring equipment.



Interrogations of Captured Terrorists

In their interrogations, captured Hamas terrorists who were not aware of the public denials of sexual attacks by Hamas leadership, spoke openly and proudly of their involvement in sexual violence as they did of the murders. They showed no remorse and stated that they had religious authorisation for their actions and that it was a part of their mission to rape, murder and document as many atrocities as possible.

Sexual Attacks of Hostages

Israeli hostages who returned from captivity in Gaza, reported they, or other hostages who are still held captive, were sexually assaulted by their captors, including Amit Sussana who bravely testified how she was attacked in captivity.



Forensic Evidence and Challenges

The collection of forensic evidence, such as rape kits, was not conducted due to several factors. The primary purpose of rape kits is to identify perpetrators, which is usually applicable to criminal proceedings rather than international war crimes. International law does not require invasive procedures to establish such crimes; testimonies and medical examinations are deemed sufficient. Additionally, logistical constraints - including the need to prioritise the identification of bodies, the heat, the way bodies were collected which caused cross-contamination, and the sheer number of rape kits that would have been needed—made the collection of such evidence impractical.

Ongoing Criminal Investigation

Civil criminal investigations by Israeli Police are still ongoing. Authorities are interviewing witnesses and collecting evidence to build legal cases against those responsible. Captured terrorists from Hamas and other affiliated groups, as well as unaffiliated individuals who infiltrated the border and were captured are also being interrogated. All individuals involved are expected to face criminal trials. Thousands of testimonies have been gathered, contributing to a comprehensive understanding of the events and aiding in the pursuit of justice for the victims.



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