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ISRAEL'S GENOCIDE AGAINST PALESTINIANS IN GAZA

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# EXECUTIVE SUMMARY

**“Here in Deir al-Balah, it’s like an apocalypse. There is no room for you to pitch a tent; you have to set it up near the coast... You have to protect your children from insects, from the heat, and there is no clean water, no toilets, all while the bombing never stops. You feel like you are subhuman here.”**

Mohammed, a 42-year-old father of three, speaking in June 2024 about his experience of displacement from Rafah to Deir al-Balah governorate.

On 7 October 2023, Israel embarked on a military offensive on the occupied Gaza Strip (Gaza) of unprecedented magnitude, scale and duration. Since then, it has carried out relentless aerial and ground attacks, many of them with large explosive weapons, which have caused massive damage and flattened entire neighbourhoods and cities across Gaza, along with their life-supporting infrastructure, agricultural land, and cultural and religious sites and symbols deeply engrained in Palestinians’ collective memory. Israel’s military offensive has killed and seriously injured tens of thousands of Palestinians, including thousands of children, many of them in direct or indiscriminate attacks, often wiping out entire multigenerational families. Israel has forcibly displaced 90% of Gaza’s 2.2 million inhabitants, many of them multiple times, into ever-shrinking, ever-changing pockets of land that lacked basic infrastructure, forcing people to live in conditions that exposed them to a slow and calculated death. It has deliberately obstructed or denied the import and delivery of life-saving goods and humanitarian aid. It has restricted power supplies that, together with damage and destruction, led to the collapse of the water, sanitation and healthcare systems. It has subjected hundreds, if not thousands, of Palestinians from Gaza to incommunicado detention and acts of torture and other cruel, inhuman or degrading treatment that had apparently resulted in at least 53 deaths by August 2024. The unlawful acts inflicted on Palestinians simultaneously, for months without respite, have had a profound, cumulative impact on the mental and physical health of Gaza’s entire population: those who survived

were left weakened, hungry or traumatized, with likely permanent effects on their mental and physical health.

Such is the treatment that Israel has inflicted upon Palestinians in Gaza in retaliation for the Hamas-led attacks on southern Israel on 7 October 2023. Early that morning, Hamas fighters indiscriminately fired a barrage of rockets into Israel and, joined by fighters from other Palestinian armed groups, breached the border fence that surrounds Gaza. Hamas and other armed groups attacked civilian and military targets, carrying out deliberate mass killings, summary killings and other abuses, causing suffering and physical injuries. They destroyed civilian property by burning houses, making them uninhabitable and causing the internal displacement of civilians. They abducted 223 civilians, Israeli and foreigners, including children, and captured 27 Israeli soldiers. Some of their actions constituted war crimes under international law. With approximately 1,200 people killed, over 800 of them civilians, including at least 36 children, these were the deadliest single-day attacks in Israel's history. Amnesty International's detailed findings about the crimes perpetrated by Hamas and other Palestinian armed groups in the context of their attacks on Israel on 7 October 2023 are the focus of a forthcoming publication.

This report focuses on the Israeli authorities' policies and actions in Gaza as part of the military offensive they launched in the wake of the Hamas-led attacks on 7 October 2023 while situating them within the broader context of Israel's unlawful occupation, and system of apartheid against Palestinians in Gaza, the West Bank, including East Jerusalem, and Israel. It assesses allegations of violations and crimes under international law by Israel in Gaza within the framework of genocide under international law, concluding that there is sufficient evidence to believe that Israel's conduct in Gaza following 7 October 2023 amounts to genocide.

Given that the report is based on Amnesty International's field and desk research into violations perpetrated by Israel in Gaza between 7 October 2023 and early July 2024, it focuses on this nine-month period. However, it reflects overarching data until early October 2024 and key international developments until the end of November 2024.

To make a determination on genocide, Amnesty International first examined whether Palestinians in Gaza constitute part of a protected group under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), that is a national, ethnical, racial or religious group. It then focused on three out of the five prohibited acts under the Genocide Convention: "killing members of the group"; "causing serious bodily or mental harm to members of the group"; and "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part". It finally examined whether Israel committed these acts with the specific "intent to destroy, in whole or in part, [the] group, as such".

To this end, Amnesty International interviewed 212 people as part of its research. They included Palestinian victims, survivors and witnesses of air strikes, displacement, detention, the destruction of farms, homes and agricultural land, as well as individuals who faced the impact of Israel's restrictions on humanitarian aid. Amnesty International also spoke with members of local authorities in Gaza, Palestinian healthcare workers and representatives of

non-governmental organizations (NGOs) and UN agencies involved in the humanitarian response in Gaza.

Amnesty International complemented these interviews with its analysis of an extensive range of visual and digital evidence, including satellite imagery, video footage and photographs posted on social media or obtained directly by its researchers. It authenticated and, where possible, geolocated video footage and photographs. It reviewed an extensive collection of media reports, statements, reports and data sets published by UN agencies and humanitarian organizations operating in Gaza, as well as Palestinian and Israeli human rights groups. It reviewed statements by senior Israeli government and military officials and official Israeli bodies, including spokespersons of the Israeli military and the Coordination of Government Activities in the Territories (COGAT), a unit within Israel's Ministry of Defense tasked with administering civilian matters in the Occupied Palestinian Territory (OPT). Amnesty International also examined submissions made to and decisions taken by the Israeli Supreme Court as well as publicly available material relating to South Africa's case against Israel at the International Court of Justice (ICJ). Despite its repeated attempts to engage with the Israeli authorities through information and meeting requests, the organization received no substantive answer to any of its letters sent between 30 October 2023 and 16 October 2024.

## **OVERVIEW OF ISRAEL'S OFFENSIVE**

Hours after the 7 October 2023 attacks, Israel conducted a first wave of retaliatory air strikes on Gaza. Prime Minister Benjamin Netanyahu vowed that the offensive would continue "with neither limitations nor respite" until Israel destroyed Hamas's military and governing capabilities and brought all hostages back to Israel. He translated his words into actions. In the first two months of the offensive alone, the Israeli air force carried out about 10,000 air strikes in Gaza. Many used large explosive weapons with wide area effects on densely populated residential areas, including in the vicinity of hospitals and other critical infrastructure. The impact of such attacks on one of the most densely populated places on earth, with about 6,300 people per square kilometre, was devastating.

On 13 October 2023, the Israeli military issued its first mass "evacuation" order, instructing some 1.1 million people – the entire population living north of Wadi Gaza – to move to the area south of Wadi Gaza "for their safety and protection", and failing to take measures to ensure the displaced population's access to basic necessities. The order applied to hundreds of thousands of people who were already displaced and were sheltering in UN schools, as well as all patients and staff working in 23 hospitals and medical facilities in the area. Humanitarian organizations, which had used Gaza City as their hub for years, were also subjected to the order and forced to leave behind warehouse supplies, equipment and vehicles, and to re-establish a humanitarian infrastructure from scratch in Rafah.

Meanwhile, senior Israeli military and government officials intensified their calls for the destruction of Palestinians in Gaza, using racist and dehumanizing language that equated Palestinian civilians with the enemy to be destroyed.

In a widely publicized statement made at a press conference on 12 October 2023, President Isaac Herzog held all Palestinians in Gaza responsible for Hamas's attacks: "It's an entire

nation out there that is responsible. It's not true this rhetoric about civilians not aware, not involved." While he maintained that his words had been misinterpreted, the slogan "there are no uninvolved civilians" was later scrawled near settlements in the occupied West Bank, demonstrating the statement's spread. In another illustrative example, on 11 November 2023, Minister of National Security Itamar Ben-Gvir posted a video clip from a show on Israeli TV in which he said that Palestinians who expressed support for Hamas and its actions were considered "terrorists" and must also be destroyed. He added this comment: "To be clear, when they say that Hamas needs to be eliminated, it also means those who sing, those who support and those who distribute sweets, all of these are terrorists. And they should be eliminated!"

Within weeks of Israel's offensive, genocide and legal scholars, UN experts, as well as civil society organizations, warned that Palestinians in Gaza may be at risk of genocide. On 29 December 2023, South Africa instituted proceedings against Israel before the International Court of Justice (ICJ) over alleged breaches by Israel of its obligations under the Genocide Convention in relation to Palestinians in Gaza. This prompted the court to issue a series of legally binding provisional measures over the following months to guarantee the right of Palestinians in Gaza to be protected from acts of genocide. Yet, Israel failed to implement them. Despite expressing concern over Israel's conduct, and in the face of the ICJ's orders, the international community failed to take sufficient action to modify or stop Israel's actions. When the UN Security Council eventually adopted a three-phase ceasefire plan in June 2024, after an earlier resolution called for a time-limited ceasefire during the month of Ramadan in March 2024, it was too little too late.

On 6 May 2024, Israeli forces went ahead with a long-threatened ground operation in Rafah despite a consensus among humanitarian organizations and repeated warnings by many states, including Israel's staunchest allies, that it would have cataclysmic implications for Palestinian civilians and the humanitarian response. Not only did Rafah provide shelter for over 1 million Palestinians after they were displaced following a series of mass "evacuation" orders by the Israeli military, but it also served at that point as the main hub for the humanitarian response. The operation drew near-unanimous international condemnation and prompted the ICJ to issue new provisional measures ordering Israel to "immediately halt its military offensive". Israeli officials knew precisely the devastation the ground operation in Rafah would inflict on Palestinian civilians.

The offensive on Rafah was launched a week after Minister of Finance Bezalel Smotrich, a member of Israel's security cabinet, explicitly called for the city's destruction by referring to a well-known Biblical story of absolute vengeance in which an entire nation – the people of Amalek – is ordered to be destroyed: "There are no jobs half done. Rafah, Deir al-Balah, Nuseirat, destruction! Blot out the memory of [the people of] Amalek from under heaven," he said at a public event on 29 April 2024. In fact, Minister of Finance Smotrich and Minister of National Security Ben-Gvir, who also made some of the most explicit calls for the destruction of Palestinians in Gaza, threatened to quit the government coalition if Prime Minister Netanyahu abandoned plans to attack Rafah. Minister of Finance Smotrich's statement came months after Prime Minister Netanyahu first referred to the story of the total destruction of the people of Amalek in the first week of Israel's ground offensive in late October and early

November 2023. He used it to garner support for what was, at the time, a new and highly destructive phase of the conflict. As Israel's highest office-holder, who oversaw the offensive on Gaza, Prime Minister Netanyahu would have most certainly known that his words would be understood by soldiers, particularly those affiliated with the settler movement and religious nationalist parties led by the two ministers, as calls for the destruction of Palestinians in Gaza.

Following the operation, almost the entirety of Rafah's population, residents and displaced people, were forced to look for new temporary shelters in the governorate of Khan Younis, which had been made nearly uninhabitable due to the large-scale destruction caused by Israeli attacks and fighting with Palestinian armed groups, and in the Israeli-designated "humanitarian zone" of Al-Mawasi and "expanded humanitarian area" of Deir al-Balah, where newly displaced families struggled to find space to set themselves up amid tightly packed tents. Those forced out of Rafah were not able to return, and neither were those forced out of the area north of Wadi Gaza. The Rafah crossing, largely destroyed by Israeli forces, closed, cutting off Gaza's lifeline to Egypt.

By 7 October 2024, the Gaza-based Ministry of Health had recorded 42,010 Palestinian fatalities in Gaza, the vast majority of which were of Palestinians killed during Israel's offensive, and 97,590 other Palestinians injured since 7 October 2023. The actual toll of those killed during the offensive may be higher and will only become apparent once the conflict is over, including when rescue teams are able to count the dead and retrieve missing bodies from under the rubble. The armed conflict in Gaza has seen some of the highest known death tolls among children (13,319 by 7 October 2024), journalists, as well as health and humanitarian workers of any recent conflict in the world.

The level and speed of damage to and destruction of homes and infrastructure across all sectors of economic activity has similarly not been seen in any other conflict in the 21st century, with remote sensing experts noting that it was "much faster and more extensive" than anything they had mapped before. About 62% of all homes in Gaza were damaged or destroyed by January 2024, affecting approximately 1.08 million people, according to a joint Interim Damage Assessment published by the World Bank, the EU and the UN in March 2024. By July 2024, around 63% of the total structures in Gaza had been damaged or destroyed, according to a UN Satellite Centre (UNOSAT) satellite imagery-based assessment. Amnesty International estimated that there was, on average, one damaged or destroyed building every 17 metres in Gaza by then. Meanwhile, some 625,000 students missed out on an entire academic year, with an estimated 85% of schools having sustained some form of damage.

In May 2024, the announcement by the Prosecutor of the International Criminal Court (ICC) that he had applied to the court for arrest warrants against Israeli Prime Minister Netanyahu and Minister of Defense Yoav Gallant over their alleged criminal responsibility for war crimes and crimes against humanity prompted Israel's Military Advocate General to publicly confirm that the military police had opened criminal investigations into 70 incidents where the commission of a criminal offence was suspected. This included allegations of deaths under torture, killings and other incidents of violence. However, as far as Amnesty International has



been able to confirm from publicly available sources, by 30 September 2024, there had been only one indictment of an Israeli soldier in relation to the torture of Palestinian detainees, demonstrating a near-total lack of accountability in line with a well-documented long-standing pattern of impunity.

Finally, instead of complying with the ICJ advisory opinion issued in July 2024, which concluded that Israel's 57-year-old occupation and annexation of Palestinian territory is unlawful and called on Israel to withdraw all of its military forces and remove civilian settlements and settlers, Israel entrenched its military presence in Gaza by establishing and maintaining a linear military zone that it referred to as the "Netzarim Corridor" on either side of an existing east-west road south of Gaza City, which cut off the area north of Wadi Gaza from the area south of it. The zone threatened to perpetuate displacement and the fragmentation of Gaza.

## **GENOCIDE UNDER INTERNATIONAL LAW**

Genocide is a crime under international law, whether committed in times of peace or armed conflict. It is prohibited and criminalized under the Genocide Convention, which Israel ratified in 1950, and the Rome Statute.

Under Article II of the Genocide Convention, five specific acts constitute the underlying criminal conduct of the crime of genocide, including: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group. Each of these acts must be committed with a general intent to commit the underlying act. However, to constitute the crime of genocide, these acts must also be committed "with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such..." This specific intent is what distinguishes genocide from other crimes under international law.

Regardless of whether individual Palestinians are citizens of Israel living in Israel, are living under Israeli military rule in the OPT or are Palestinian refugees, they overwhelmingly identify as Palestinian and have deep and shared political, ethnic, social and cultural ties. Palestinians share a common language and have similar customs and cultural practices, despite having different religions. They, therefore, constitute a distinct "national", "ethnic" and "racial" group protected under the Genocide Convention, as established by the ICJ's preliminary finding in its order of 26 January 2024.

An intent to destroy a group "in part" is sufficient to establish the requisite specific intent for the crime of genocide. In determining what constitutes "part" of the group, international jurisprudence has adopted a requirement of substantiality rather than a specific numeric threshold. This standard requires that the perpetrator must intend to destroy at least a "substantial part" of the group in question, which must be "significant enough to have an impact on the group as a whole". In applying it to Israel's offensive, Amnesty International considers that Palestinians in Gaza constitute a "substantial part" of the whole group of Palestinians, in line with the ICJ's preliminary finding mentioned above. In 2023, Palestinians

living in Gaza comprised approximately 40% of the nearly 5.5 million Palestinians living in the OPT.

Importantly, the perpetrator does not need to succeed in destroying the targeted group, either in whole or in part, for genocide to be established. International jurisprudence recognizes that “the term ‘in whole or in part’ refers to the *intent*, as opposed to the actual destruction”. Equally important, finding or inferring specific intent does not require finding a single or sole intent. A state’s actions can serve the dual goal of achieving a military result and destroying a group as such. Genocide can also be the means for achieving a military result. In other words, a finding of genocide may be drawn when the state intends to pursue the destruction of a protected group in order to achieve a certain military result, as a means to an end, or until it has achieved it. Amnesty International does not consider international jurisprudence, including that of the ICJ, to preclude either instrumental or dual intent, as long as genocidal intent is clearly assessed to be the state’s intent based on the totality of the evidence. Allowing for dual or instrumental intent is the only way to ensure that genocide remains prohibited during times of war. International law places certain conduct, including genocide, outside the permissible methods of war, meaning there are acts which can never be justified by military necessity.

Amnesty International considered the possible commission of genocide by Israel from the perspective of state responsibility, and did not engage in an analysis of the possible criminal responsibility of individuals.

## **KILLINGS AND SERIOUS INJURIES**

**“My body survived but my spirit died with my children, it was crushed under the rubble with them.”**

Ahmad Nasman, whose parents, sister, wife and three children were killed in an Israeli air strike on 14 December 2023.

To constitute the act of “killing members of the group” as prohibited under the Genocide Convention, killings must be intentional. Within the context of armed conflict, “killing” may include causing the deaths of civilians through direct attacks on civilians and civilian objects, as well as through indiscriminate attacks which deliberately target the civilian population alongside military objectives. Meanwhile, the act of “causing serious bodily or mental harm to members of the group” requires the infliction of harm so serious as to threaten or contribute to the physical or biological destruction of the group. Although the harm does not need to be permanent or irreversible, international jurisprudence has required it to cause “grave and long-term disadvantage to a person’s ability to lead a normal and constructive life.”

Amnesty International has focused on the acts of “killing members of the group” and “causing [them] serious mental and bodily harm” perpetrated by Israel in the context of its aerial attacks. It reviewed the results of investigations it had conducted into 15 air strikes that took place in northern, central and southern Gaza between 7 October 2023 and 20 April 2024. These air strikes hit 12 homes and other residential buildings, a church, a street and a

public market – all of them located in densely populated urban areas. They killed at least 334 civilians, including at least 141 children, and wounded hundreds of others. The organization concluded that they constituted direct attacks on civilians and civilian objects or deliberately indiscriminate attacks, and likely amount to war crimes.

Amnesty International's in-depth investigation found that all 15 locations that were struck were civilian objects, and that it was Israel which had launched the air strikes. Amnesty International did not find any evidence that any of the strikes were directed at a military objective. A review of all available evidence showed that all those killed were civilians not taking a direct part in hostilities.

These attacks were conducted in ways that were designed to cause a very high number of fatalities and injuries among the civilian population. This is evidenced through Israel's use of explosive weapons with wide area effects, the timing and location of the attacks and the lack of an effective warning, in one case, or of any warnings at all, in all others.

In several cases, Amnesty International's analysis of weapons fragments showed that Israel used large bombs, such as US-manufactured Joint Direct Attack Munitions (JDAM). At least five of the attacks struck homes and other residential buildings between 11pm and 4am when their residents were likely to be sleeping. In addition, 11 of the 15 attacks were carried out on homes and other buildings south of Wadi Gaza, where people living north of Wadi Gaza were ordered to flee following the mass "evacuation" order of 13 October 2023. These locations, known for their population density, were even more overcrowded than usual due to the influx of displaced people, with many homes hosting extended families.

In one illustrative case, Abdallah Shehada, a 69-year-old retired surgeon, was killed after an Israeli air strike destroyed his home in Rafah. The attack, which occurred at 11.45am on 14 December 2023, killed 30 other civilians: 11 children, eight men and 11 women. At least 10 others were wounded. Some 45 people had been residing in the three-storey building. Among them were 20 members of the Nasman family who were displaced from Gaza City to the south and sought safety at their relative's house.

The oldest victim of the attack was Hamdi Abu Daff, a displaced 86-year-old man, while the youngest was Ayla Nasman, aged only three months. Ayla Nasman's grandparents, mother and two siblings, aged five and four, were all killed in the attack. Her father, Ahmad Nasman, a physiotherapist, was among the few members of the extended Nasman family to survive the attack. He said that it took him four days to retrieve Ayla's body from the rubble; the blast had decapitated his five-year-old child, Arwa.

While Amnesty International's investigation has focused only on a small fraction of Israel's aerial attacks, they are indicative of a pattern of repeated direct or indiscriminate attacks by the Israeli military in Gaza over the nine-month period under review. The Israeli authorities argue that their military forces lawfully targeted Hamas and other Palestinian armed groups throughout Gaza, including when they were operating in and near critical infrastructure and other objects indispensable to the survival of the civilian population, and that the resulting unprecedented death and destruction were the outcome of Hamas' co-location among

Palestinian civilians. Amnesty International's 15 specific investigations do not support that defence.

Crucially, even where Israeli forces targeted what could be considered military objectives, Israel's attacks use of explosive weapons with wide area effects, especially aerial bombs of 250 pounds (110kg) to 2,000 pounds (900kg), on residential buildings and in the proximity of hospitals in one of the world's most densely populated areas likely constitute indiscriminate and/or disproportionate attacks. Amnesty International recognizes that Hamas and other Palestinian armed groups endangered Palestinian civilians through their conduct by operating from, or in the vicinity of, densely populated residential areas, and violated their obligation to take all feasible precautions to protect civilians and civilian objects under their control against the effects of attacks. However, such conduct by these groups does not release Israel from its own obligations under international humanitarian law to spare civilians and avoid attacks that would be indiscriminate or disproportionate.

The tens of thousands of air strikes that Israel has launched on Gaza have resulted in unprecedented numbers of killings and injuries among the Palestinian population. Of the 40,717 fatalities that the Gaza-based Ministry of Health fully identified by 7 October 2024, children, women and older people constituted just under 60%. The remaining 40% were men under 60, with no independent source able to establish how many of those were fighters and how many were civilians.

Additionally, of the total number of injured people, already in late July 2024, approximately 22,500 were facing life-changing injuries requiring long-term rehabilitation, according to the World Health Organization (WHO). By 30 September 2024, the Gaza-based Ministry of Health had registered 1,200 conflict-related amputations but estimated that the actual number of amputees would be around 4,500, given a significant reporting lag resulting from the collapse of the healthcare system; the WHO had also recorded some 2,000 cases of major burns and 2,000 spinal cord and severe traumatic brain injuries. Medical professionals consider that many of those injured will face trauma and mental health issues for years to come.

Amnesty International concluded that the direct or indiscriminate attacks carried out by Israel constitute the acts of "killing members of the group" and "causing serious bodily or mental harm to members of the group", as prohibited under Articles II(a) and (b) of the Genocide Convention, respectively, in that these strikes caused deliberate and unlawful deaths of and injuries to Palestinian civilians. Amnesty International assesses the underlying intent of these and other strikes below, taking into account the full scale, intensity and scope of Israel's campaign, as well as other relevant factors.

## **INFLECTING CONDITIONS OF LIFE CALCULATED TO BRING ABOUT DESTRUCTION OF PALESTINIANS**

**“As other hospitals in the south went out of service, we became the only hospital equipped with incubators, and most of the Gaza Strip was displaced here [in Rafah]. At times, we had to place five newborns and young children in one incubator and following the spread of neonatal sepsis like wildfire, we had to ask mothers to cradle their babies on the floor.”**

Mohammed Salama, director of the Neonatal Intensive Care Unit at the Emirates Red Crescent hospital in Rafah, 9 May 2024.

The act of “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction”, as prohibited under Article II(c) of the Genocide Convention, refers to methods of destruction that do not immediately kill members of the group, but which, ultimately, are able to lead, over time, to their physical or biological destruction. Such acts can include but are not limited to subjecting the group to a subsistence diet, reducing essential medical services below a minimum requirement, systematically expelling members of the group from their homes, and “generally creating circumstances that would lead to a slow death”, such as the lack of proper food, water, shelter, clothing or sanitation. In the absence of direct evidence of the underlying intent with which conditions of life were imposed – in other words, whether they were calculated to bring about physical destruction – international jurisprudence has ruled that consideration may be given to “the objective probability of these conditions leading to the physical destruction of the group.” In evaluating such a probability, the following factors may be considered: the actual nature of the conditions of life, the length of time that members of the group were subjected to them, and the characteristics of the group, such as its vulnerability, including children in particular.

Israel’s actions, omissions and policies following 7 October 2023 brought Gaza’s population to the brink of collapse. Merely two months after the start of the offensive, hunger was estimated to be at crisis, emergency or catastrophic levels for more than 2 million of its residents, according to the world’s foremost expert group assessing the risks of famine, the Integrated Food Security Phase Classification (IPC). Not only did the number of people facing hunger double from estimates prior to 7 October 2023, hunger became much more severe.

Palestinians living north of Wadi Gaza, an area which Israel cut off from humanitarian assistance almost entirely at the time, were particularly affected. People reported not eating for entire days and nights in 80% of households, according to one survey. By February 2024, many were resorting to eating wild plants and animal fodder. Where food was available, it was rarely fresh or nutritious, and most often inaccessible, partly because of skyrocketing prices.

The consequences for children, as well as pregnant and breastfeeding women, were particularly severe, with expected long-term effects on their health and that of their children. Young children, in particular, would have “a diminished future”, according to one nutrition expert. By January 2024, UN agencies found that more than 15% of children under two were wasting in northern Gaza, and about 5% of children of the same age were acutely

malnourished in Rafah, where – at the time – aid was more accessible. Severely malnourished and dehydrated children were being admitted at Kamal Adwan hospital in Beit Lahia, including some who could not “move or cry because of the severity of the weakness from malnutrition and dehydration”. By April 2024, 26 children, the majority of whom were aged two or under, had died from malnutrition and malnutrition-related complications, according to the hospital’s records. Coupled with the stress of displacement and relentless attacks, malnutrition resulted in many women being unable to breastfeed their newborn babies.

The number of people living in crisis, emergency or catastrophic food insecurity in Gaza changed over time in the year following 7 October 2023, but regardless of any short-term improvements, the IPC consistently found that the vast majority of the population of Gaza was facing severe food insecurity and that the risks of famine in Gaza were very real. Acute malnutrition had become 10 times higher in Gaza than it had been before the offensive.

Similarly, diseases spread in Gaza at alarming rates. Yet again, young children were particularly affected. By late April 2024, the WHO was reporting a sharp rise in infectious and communicable diseases and had recorded hundreds of thousands of cases of acute respiratory illness, acute diarrhoeal illness, scabies and acute jaundice syndrome. In May 2024, the director of the Neonatal Intensive Care Unit (NICU) at the Emirates Red Crescent hospital in Rafah told Amnesty International that the unit’s mortality rates increased to 12% from 2.5%-3% prior to 7 October 2023. There was a sharp rise in admissions, including for sepsis.

Risks of infection and waterborne diseases were exacerbated for those whose immune systems were weakened by malnutrition, multiple waves of displacement and trauma. Risks were greatest in displacement settings, which included schools, hospital yards and makeshift tented camps unsuitable for human living. Huge overcrowding, coupled with the lack of adequate shelter as well as basic washing and sanitation facilities, fuelled the spread of diseases. In March 2024, UNICEF reported that, on average, 340 people shared one toilet and 1,290 shared a shower across Gaza. That same month, a rapid water, sanitation and hygiene (WASH) assessment found “some type of visible waste, including solid waste, human feces or stagnant water” in 93% of the sites it assessed across the Rafah governorate. Yet, the Israeli authorities continued to block humanitarian access to landfills and failed to send electricity into Gaza, thus obstructing the water and sanitation response. Displaced Palestinians living in such dehumanizing conditions repeatedly said in media interviews they were dying “a slow death”.

These disastrous conditions were caused by the cumulative impact of Israel’s damage to and destruction of critical infrastructure and other objects indispensable to the survival of the civilian population in Gaza, the mass repeated forced displacement of Palestinians in unsafe and inhumane conditions, and the denial and obstruction of the delivery of essential services and life-saving supplies into and within Gaza. These violations of international law occurred repeatedly and simultaneously during the nine-month period, compounding each other’s harmful effects.

## **DAMAGE AND DESTRUCTION**

**“We can’t see the future of agriculture in Gaza after the war... All of it is destroyed... The story isn’t about any one fisherman or woman working in a farm, it is that the heritage of the people was stolen. They stole the ability to produce food.”**

Moayyad Ahmad, member of the Union of Agricultural Work Committees, 6 May 2024.

Between 7 October 2023 and July 2024, essential parts of the food production system and hundreds of thousands of residential homes, as well as water, sanitation and hygiene infrastructure, hospitals and other healthcare facilities, roads and energy infrastructure, were severely damaged or destroyed, affecting Palestinians’ ability to access food, housing, water, health and other essentials. By inflicting a significant part of this damage and destruction, cutting off the supply of electricity and maintaining restrictions on fuel required to operate much of this infrastructure and impeding the entry of equipment and parts needed for their repair, Israel created an unprecedented humanitarian crisis.

By June 2024, UNOSAT found that approximately 63% of the permanent crop fields and arable land in Gaza showed a significant decline in health and density. The Food and Agriculture Organization (FAO) attributed this extensive destruction to “razing, heavy vehicle movement, bombing, and shelling”. Amnesty International’s findings in the “buffer zone” adjacent to Gaza’s border fence with Israel were consistent with this assessment. By extensively analysing satellite imagery and videos posted online by Israeli soldiers, Amnesty International found that the Israeli military used bulldozers and manually laid explosive charges to significantly expand the “buffer zone” to roughly 16% of Gaza’s total area. In doing so, Israeli forces destroyed some of Gaza’s most fertile agricultural land in addition to more than 90% of the buildings within this area.

While Israel claimed that the destruction was necessary, accusing Hamas of placing rocket launchers and tunnel shafts in agricultural areas, the extensive destruction of property and agricultural land was carried out after Israeli forces had acquired operational control over the areas, meaning that it was not caused as part of the hostilities between the Israeli military and Hamas and other Palestinian armed groups, and that it was apparently not justified by imperative military necessity.

According to the joint Interim Damage Assessment published by the World Bank, EU and UN in March 2024, nearly 84% of health facilities and 57% of water infrastructure across Gaza had sustained damage or destruction by January 2024. Wastewater management systems effectively collapsed after extensive damage to and destruction of sewage stations and kilometres of pipes. As a result, sewage often flooded streets across Gaza, posing public health concerns, including the risk of waterborne diseases.

Meanwhile, in addition to the damage or destruction to Gaza’s health facilities, other deliberate actions by Israeli forces contributed to the effective collapse of Gaza’s healthcare system. They included the mass “evacuation” orders that applied to hospitals and other medical facilities and repeated raids on hospitals that resulted in the detention, killing or injury of staff. Hospitals, which were grappling with skyrocketing needs due to the many

thousands of conflict-related injuries, as well as rising rates of severe malnutrition, dehydration and disease, were forced to shut down or limit services. This led, in many cases, to exacerbated injuries and an increased number of amputations, as doctors were unable to provide adequate medical care that could save the limbs of those wounded. Those with pre-existing health conditions were left without adequate medical care or any care at all. By 2024, disruptions to critical healthcare resulted in deaths among Palestinians, which could have been easily prevented, according to humanitarian organizations.

## **DISPLACEMENT**

Between 7 October 2023 and 30 September 2024, Amnesty International identified at least 59 distinct “evacuation” orders issued on COGAT’s Facebook page to Palestinian civilians across Gaza, triggering the largest wave of displacement of Palestinians by Israel since 1948, when Israel ethnically cleansed hundreds of Palestinian towns and villages and forced hundreds of thousands of people from their homes in what became known to Palestinians as the Nakba or catastrophe. These orders were sweeping, often incomprehensible to the local population, misleading and arbitrary. As a result, they created panic and chaos, endangering the lives of civilians and forcing them to flee in precarious conditions. For a population out of which 70% are either themselves refugees or descendants of those displaced in 1948, the orders also had a deeply traumatizing effect.

During the nine-month period covered by this report, such “evacuation” orders squeezed civilians into ever-shrinking pockets in central and southern Gaza, including in the Israeli-designated “humanitarian zones” of Deir al-Balah and Al-Mawasi, and other unsanitary, undignified and unsafe locations, which lacked the most basic conditions for the survival of civilians. They obliged civilians to move from one area to another “like pawns in a chess game”, forcing them to move again almost as soon as people had learned how to cope in their displacement setting. As the spaces targeted by “evacuation” orders expanded, internally displaced people ran out of land where they could set up their tents, forcing some to sleep next to solid waste dumps or next to sewage pipelines. All the while, Israel failed to abide by its obligations as the occupying power to ensure the safety and well-being of displaced Palestinians, including their access to basic necessities, such as safe and adequate shelter, food, medicine, water and sanitation facilities, in the areas to which people were displaced. Rather than protecting the civilian population, as claimed by the Israeli authorities, these repeated orders contributed to the infliction of conditions of life calculated to destroy Palestinians in Gaza and violated the prohibition of mass forcible transfer.

By January 2024, some 1.7 million Palestinians, comprising approximately 75% of Gaza’s population, were internally displaced, according to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Of these, over 1 million were crammed into the governorate of Rafah, quintupling its population. By early July 2024, Israel had forcibly displaced around 1.9 million Palestinians, or around 90% of Gaza’s population, at least once. Many of them had been displaced multiple times, some on up to 10 occasions. By the end of August 2024, 84% of Gaza’s area was subjected to “evacuation” orders, according to UN estimates.



Israel refuted accusations that the first mass “evacuation” order of 13 October 2023 contributed to inflicting conditions of life calculated to destroy Palestinians in Gaza. It claimed that it had airdropped countless leaflets, posted warnings in Arabic on official social media accounts, made thousands of telephone calls and broadcast warnings over the radio. It also argued that the military had not launched its ground invasion until three weeks after beginning to issue “evacuation” orders to civilians in the area north of Wadi Gaza. In reality, however, for tens of thousands, including people with reduced mobility or no family networks south of Wadi Gaza, leaving was very challenging or simply impossible. Further, while Israeli forces did not begin their ground invasion until late October 2023, they were already conducting massive aerial attacks on the area north of Wadi Gaza before the ground invasion began.

Throughout the nine months under review, Israel would regularly redraw the boundaries of the unilaterally designated “humanitarian zones” without giving residents adequate warning. For example, the boundaries of Al-Mawasi appeared differently on at least three different maps posted by the military on its social media accounts between 18 and 30 October 2023 alone, creating confusion among civilians and exacerbating the feeling that nowhere in Gaza was safe.

In December 2023, the Israeli military started using an interactive map of Gaza that divided it into more than 600 numbered blocks and was accessible through a QR code, as its main tool to order mass “evacuations”. The information published through the map was often confusing and contradicted orders distributed through leaflets or social media posts. Frequent telecommunications blackouts and low electricity supply meant that it was inaccessible for many.

People were often “instructed” to relocate to areas that would be subjected to new “evacuation” orders days or weeks later, and which had already sustained substantial damage or destruction, or areas that lacked the infrastructure to support life, let alone cope with the mass influx of people. In early 2024, the Israeli military started its air strikes on “humanitarian zones”. Before the strikes, the Israeli authorities suddenly excluded areas that were previously part of such zones by making changes to their maps, but did not give residents adequate prior warning. For many, the system by which Gaza was divided into blocks was completely incomprehensible as it was at odds with the spatial conception of their surroundings.

As of 30 September 2024, Palestinians who were displaced from the area north of Wadi Gaza to the south of it had not been allowed to go home. Meanwhile, approximately 400,000 Palestinians were living in the area north of Wadi Gaza, and were unable or, for fear of permanent displacement, unwilling to flee south. They were cut off from the rest of Gaza’s population by the military zone referred to by Israel as the “Netzarim Corridor”.

Despite conditions quickly becoming unfit for human life, the Israeli authorities refused to consider any arrangements that would have protected displaced civilians and ensured their basic needs. They could have allowed civilians displaced from the area north of Wadi Gaza to return to their homes, particularly after they announced that they had successfully dismantled Hamas in northern Gaza in early 2024. They could have allowed the temporary

relocation of Palestinian civilians from Gaza to other parts of the OPT, that is, the West Bank, including East Jerusalem. They could have also allowed civilians to enter Israel, especially since over 70% of Gaza's population are refugees or descendants of refugees displaced in 1948 and, as such, are entitled under international law to return to lands in Israel from which they or their ancestors were displaced.

### **DENIAL AND OBSTRUCTION OF ESSENTIAL SERVICES**

In addition to causing an unprecedented humanitarian crisis by inflicting significant damage and destruction and exacerbating humanitarian needs by displacing 90% of Gaza's population, Israeli authorities took actions and adopted policies that resulted in the denial and obstruction of essential services and life-saving supplies to Palestinians in Gaza.

They did so by adopting a total siege policy in the immediate aftermath of the 7 October 2023 attacks on Israel; maintaining a suffocating, unlawful blockade, including by refusing to open sufficient access points to Gaza, and imposing tight and onerous restrictions on what could enter Gaza; cutting off and tightly controlling access to energy sources, particularly fuel; and failing to facilitate meaningful access within Gaza, including the area north of Wadi Gaza, so humanitarian organizations could deliver essential services and life-saving supplies there. They publicly linked the resumption of humanitarian access and delivery of essential services to the release of hostages and the total destruction of Hamas, and expressly referred to the impact of their actions on Gaza's population, indicating that the result was both understood and intended.

In an example of dehumanizing language, part of over a hundred statements analysed by Amnesty International to demonstrate genocidal intent, on 10 October 2023, then Minister of Energy and Infrastructure Israel Katz explicitly stated that Israel's decision to ban the entry of fuel was intended to inflict conditions of life calculated to bring about the physical destruction of Palestinians in Gaza:

**“So far we have transferred 54,000 cubic metres of water and 2,700 megawatts of electricity to Gaza per day. It's over. Without fuel, even the local electricity will shut down within days and the pumping wells will stop within a week. This is what should be done to a nation of murderers and butchers of children. What was will not be.”**

Following the Hamas-led attacks of 7 October 2023, Israel imposed a total siege on Gaza. After the Rafah crossing on the border between Gaza and Egypt closed, this meant that no fuel, no cooking gas, no food, no medical supplies and no people were able to enter Gaza. Israel also cut off the water and electricity supplies, knowing full well that Gaza would become even more reliant on fuel to deliver essential services. After significant pressure from the USA and others, the Israeli authorities signalled they would not prevent aid entering from Egypt, but key features of the total siege policy remained in place. The Israeli authorities indicated on 18 October 2023 that they would maintain at least three crucial restrictions, namely: limiting the pledge to allow in food, water and medicine to civilians in southern Gaza, implying that restrictions would remain on aid reaching those civilians who remained in the area north of Wadi Gaza; preventing the entry of other supplies, like fuel, from entering Gaza;

and maintaining the closure of entry points from Israel into Gaza, including all land access into northern and central Gaza.

Over time, Israel agreed to open additional access points into Gaza from its territory, in response to huge international pressure, but by then, the entire humanitarian response was centred around Rafah. At no point did it ensure a predictable and consistent set of routes into Gaza, which humanitarian organizations repeatedly called for. Meanwhile, continued lengthy, arbitrary and onerous vetting procedures for trucks caused considerable delays and meant that levels of aid entering Gaza were grossly insufficient.

It was not until early April 2024, six months into the offensive, that Israel finally committed to opening a crossing into the north of Gaza, making the port of Ashdod available to deliveries, and ensuring that existing crossings were open for more hours, even though humanitarian organizations had been calling for such measures for months. Rather than a significant change of policy, this move appeared to be designed to appease the international community following an international outcry at the killing by Israeli forces on 1 April 2024 of a group of mostly foreign humanitarian workers working for World Central Kitchen. The fact that the killing occurred four days after the ICJ issued its second set of provisional measures, which ordered Israel to take all necessary measures to “ensure the unhindered provision at scale... of urgently needed basic services and humanitarian assist”, only added more pressure. In May 2024, Israel opened both the Eastern and Western Erez crossings in the north of Gaza, but according to COGAT’s data, aid transiting through these access points represented a tiny fraction of the overall aid entering Gaza. Neither crossing remained consistently open.

While these measures led to some improvements to humanitarian access, they were neither sustained nor did they significantly alter the situation on the ground. Then, by launching its ground operation in Rafah on 6 May 2024, Israel deliberately imperilled the humanitarian response again and caused another wave of mass displacement without ensuring the basic necessities of life for those displaced. After Israeli forces took control of the Rafah crossing, Egypt announced that it would not coordinate with Israel because of security concerns, and the Rafah crossing was closed. After that, people and goods could only enter and exit Gaza through Israel.

In July 2024, two months after the start of the ground operation in Rafah, a senior humanitarian official told Amnesty International: “I no longer tell people we are on our knees as a humanitarian operation. We are beyond that. We are collapsed. Anything that happens is a death twitch...”

The small flow of people able to leave Gaza for medical treatment was also disrupted, affecting thousands of patients. Following the Hamas-led attacks of 7 October 2023, Israeli and Egyptian authorities agreed to allow some people to medically evacuate through Rafah to Egypt, after Israel completely suspended issuing permits for Gaza’s residents to access medical care in Israel or the West Bank. The closure of the Rafah crossing meant that Israel subsequently had exclusive control over the medical evacuations process. In the four months following the closure, only 229 patients were evacuated, most of them children, out of thousands who had requested approval.

The Israeli authorities strenuously rejected “any allegations according to which Israel is purposefully starving the civilian population in Gaza”. They blamed the widespread hunger and disease in Gaza on Hamas and other Palestinian armed groups, accusing them of taking aid intended for Gaza’s civilians, and on humanitarian organizations, alleging they were incapable of distributing the aid Israel allowed into Gaza. Humanitarian organizations acknowledged that the dire security situation hampered effective aid distribution but said that the Israeli military failed to provide the required security guarantees, on the one hand, and that the minimal and unpredictable volume of aid increased people’s desperation, leading to instances of “self-distribution”, on the other. There is no doubt that some life-saving assistance was diverted following attacks on aid convoys by organized gangs within Gaza. But they occurred primarily after Israel’s attacks on Gaza’s institutions, including the police, led to a breakdown of governance. In any case, such acts do not release Israel from its unconditional obligation, as the occupying power, and its obligation as a party to the armed conflict, to agree to and facilitate humanitarian assistance to enter and be distributed throughout the occupied territory.

In addition to restrictions on access points, lengthy and arbitrary inspection procedures imposed by Israel had a huge impact on the amount of aid that could enter Gaza. Trucks entering Gaza from Egypt had to be unloaded and reloaded multiple times, causing weeks-long delays. Humanitarian officials reported frequent and arbitrary rejections or delays imposed by the Israeli authorities on imports of goods, including life-saving supplies. While there was no blanket ban on the import of particular medical supplies or equipment, Israeli authorities rejected the import of hundreds of medical supplies and equipment, as the health system was overwhelmed and collapsing. This included anaesthesia machines, oxygen cylinders, refrigerators to store medicines, vitamin power drinks, water purification capsules and a respirator, according to a list reviewed by Amnesty International in early 2024.

While it became easier to bring food into Gaza than other life-saving goods, like shelter equipment and materials needed for the water, sanitation and hygiene response, from late October 2023, lengthy inspection processes meant that, in practice, it was difficult to bring in large volumes, particularly food that was fresh and nutritious. The import of products necessary to revive the devastated agricultural sector was also affected. In one case documented by Amnesty International, Israel delayed the entrance of fodder to Gaza for more than four months.

Israeli authorities maintained that no limits were placed on the amount of aid that could enter Gaza, and that they did not limit the entrance of food. They claimed that, at various points following 7 October 2023, more food trucks entered Gaza, on average, than before the offensive.

Although the Israeli military promised in April 2024 that the daily average of trucks carrying food, water, and shelter supplies into Gaza would go up to around 500 a day, at no point did they fulfil this commitment. Amnesty International’s quantitative analysis of truck data showed that the number of trucks actually allowed into Gaza never came close to this number. At its highest point during the nine-month period under review, in April 2024, the number of trucks entering Gaza reached merely 189 or 220 trucks a day, according to

UNRWA and COGAT data, respectively. Amnesty International also found that Prime Minister Netanyahu's claims in July 2024 that sufficient amounts of food were allowed in to provide Palestinians with more than 3,000 calories a day were misleading. In four of the months between October 2023 and June 2024, the daily average number of food trucks entering Gaza was below 75 food trucks.

Crucially, during no month between October 2023 and June 2024, using either UNRWA or COGAT data, did the reported number of trucks carrying imports into Gaza come even close to reaching the daily average of 327 trucks (excluding those carrying fuel) that entered in the year preceding Israel's offensive, according to Amnesty International's analysis. The pre-October 2023 baseline reflected only what Israel allowed into Gaza under its unlawful blockade rather than the actual needs of Gaza's population at the time. Considering that, after 7 October 2023, needs drastically increased due to the extent of the large-scale damage and destruction, mass forced displacement, as well as rising rates of malnutrition, disease and conflict-related injuries, many more supplies were needed to sustain civilian life than the restricted amounts allowed prior to the offensive.

Israel cut off the supply of electricity into Gaza as part of its total siege. After blocking the import of fuel for weeks, it began to allow some fuel to enter Gaza in mid-November 2023. However, it tightly controlled both the amount of fuel that could enter Gaza and who could use it. They only authorized UNRWA to import it, leaving other humanitarian actors, hospitals, bakeries and municipalities dependent on whatever fuel UNRWA was able to bring into Gaza. While the amount of fuel approved by the Israeli authorities to enter Gaza fluctuated over time, far less fuel entered Gaza after 7 October 2023 than before that date. The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated that, between January and June 2024, only 14% of fuel that used to enter Gaza every month prior to October 2023 was actually allowed in, even though more fuel was needed given Israeli cuts to the electricity supply. According to documents shared with Amnesty International, some requests for new or increased fuel use by humanitarian organizations went unanswered by the Israeli authorities for more than two months. These restrictions, combined with extensive damage to and destruction of infrastructure and the displacement of many critical staff, led to a significant reduction of essential services, hugely exacerbating a chronic electricity deficit that predated the offensive and was caused largely by Israel's occupation and apartheid policies and Israeli bombing of critical infrastructure in previous offensives.

Israeli officials maintained that the restrictions they imposed on fuel were necessary to prevent Hamas from diverting it, including to power its rockets. The extent to which Hamas authorities diverted any official fuel imports for military purposes is unclear. Even if fuel was being looted or diverted, this does not justify Israel's continued decision not to provide other energy sources that would allow essential services to operate, most obviously by sending electricity into Gaza through existing or new feeder lines. In April 2024, Israel claimed that nine of the 10 high-voltage lines that transported electricity from Israel into Gaza had been damaged by rocket fire, but did not explain what prevented it from repairing the lines and restoring the electricity supply. Israel also did not explain why, if the damage was caused by rocket fire, government officials announced that Israel was cutting off electricity supply until the hostages were returned.

In early July 2024, eight months after cutting off the electricity supply to Gaza and after huge pressure from its Western allies, Israeli officials announced that Israel would allow the direct supply of electricity to a UN-managed water desalination plant in Khan Younis, thus preventing Hamas from exploiting the energy supply. By 30 September 2024, the Israeli authorities had yet to take this step even though people involved in the project told Amnesty International that the required repairs had been completed. In making the announcement, however, the Israeli authorities demonstrated that there were humanitarian measures available to them to supply power, which they deliberately chose not to adopt.

In parallel with maintaining access restrictions into Gaza, the Israeli authorities also actively, deliberately and repeatedly prevented enough aid and other essential supplies from reaching certain areas of Gaza, particularly those north of Wadi Gaza. Even though the Israeli authorities announced in early January 2024 that they had successfully dismantled Hamas in northern Gaza, they continued restricting humanitarian access to the north. They did so by delaying or refusing requests which were necessary for convoys to cross checkpoints that Israel had established in the military zone it referred to as the “Netzarim Corridor”. They also repeatedly refused to open checkpoints within Gaza earlier and for more hours. They also harassed and delayed, sometimes for hours, humanitarian workers waiting to pass through checkpoints. They also routinely delayed or denied humanitarian missions that aimed to deliver fuel. In January 2024, only 10% of such requests were accepted. The impact on hospitals, as well as water and sanitation facilities, was devastating. Access restrictions to northern Gaza also affected humanitarian organizations’ ability to help critically ill patients who had been cleared for evacuation out of Gaza through the Rafah crossing.

After 7 October 2023, Israel significantly expanded its effective control over Gaza. Nonetheless, despite its obligations as the occupying power, as well as a party to the armed conflict, Israel not only failed to provide for the basic needs of Palestinians living there but also made it nearly impossible for the humanitarian community to provide the necessary volume and diversity of aid and essential services to support civilian life, in contravention of international humanitarian law and international human rights law.

Considering the actual nature of the conditions of life, the fact that Palestinians in Gaza were subjected to them for the entire nine-month period examined, and the specific vulnerability of Gaza’s entire population, which had been pushed into unemployment, poverty and high dependence on humanitarian assistance by Israel’s apartheid and occupation policies even before 7 October 2023, Amnesty International concludes that Israel created conditions in Gaza that would lead to Palestinians’ slow death. It further concludes, as described below, that Israel not only foresaw but intended to inflict conditions of life on Palestinians in Gaza calculated to bring about their destruction. Amnesty International concludes that Israel perpetrated the act of “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part”, as prohibited under Article II(c) of the Genocide Convention.

## **SPECIFIC INTENT**

In determining whether prohibited acts were perpetrated with the requisite specific intent to destroy Palestinians in Gaza, as such, Amnesty International followed international jurisprudence according to which evidence on genocidal intent must be approached and considered holistically. According to the jurisprudence, genocidal intent may be assessed based on direct evidence or, in its absence, inferred from indirect or circumstantial evidence, including: the general context in which prohibited acts were committed; the existence of a pattern of conduct; the scale and allegedly systematic nature of the prohibited acts; and the scale, nature, extent and degree of casualties and harm against the protected group. In addition, genocide need not be the sole intent: it can co-exist with military goals or be the means to achieve military goals.

Having established that Israel committed acts that are prohibited under the Genocide Convention against Palestinians in Gaza, part of a protected group, between 7 October 2023 and early July 2024, Amnesty International analysed the overall pattern of Israel's conduct in Gaza to determine whether it revealed genocidal intent to destroy Palestinians in Gaza. It reviewed Israeli violations of international law together and cumulatively, taking into account their recurrence and their simultaneous occurrence, compounding each other's harmful impact. The organization also considered the scale and severity of the casualties and destruction repeated over time, in spite of continuous warnings by the UN and Israel's own allies, as well as the multiple binding orders of the ICJ. Finally, it analysed direct evidence of Israel's intent through the statements of Israeli officials with direct responsibilities over the management of the offensive on Gaza, including members of the war and security cabinets as well as senior military officials.

Amnesty International found that the following pattern of conduct indicated genocidal intent: repeated direct attacks on civilians and civilian objects and deliberately indiscriminate strikes over the nine-month period, wiping out entire Palestinian families, repeatedly launched at times when these strikes would result in high numbers of civilian casualties; the repeated use of weapons with wide area effects in densely populated residential neighbourhoods; the speedy, massive and comprehensive destruction of civilian objects and infrastructure, be they homes, shelters, health facilities, water and sanitation infrastructure, agricultural land or other objects essential to the survival of the civilian population; the repeated destruction of civilian objects and infrastructure and of cultural and religious sites, including through bulldozing and controlled demolitions, after Israel had gained military control over them; the sweeping, often incomprehensible, misleading and arbitrary "evacuation" orders, repeated over the nine-month period under review, and directed at an extremely large number of people, which caused their repeated mass forced displacement under unsafe and inhumane conditions with no way out of Gaza; the torture and incommunicado detention of Palestinians from Gaza; and the continuous refusal to allow adequate humanitarian aid and other essentials to reach people in Gaza in the face of international condemnation and legally binding orders by the ICJ.

Critically, it analysed the actual nature of the conditions of life imposed on Palestinians in Gaza and the length of time that they were subjected to them, also taking into consideration

the population's pre-existing vulnerability. Israel's offensive occurred in the context of a 57-year-old occupation. It occurred in the context of Israel's apartheid system against Palestinians, including Palestinians in Gaza, which subjects all Palestinians within Israel and the OPT to an institutionalized regime of oppression and domination. It occurred following four other major Israeli offensives in Gaza since 2008 that massively debilitated Gaza's life-sustaining infrastructure through widespread damage and destruction and made Israeli authorities acutely aware of their direct and reverberating effects on essential services and key infrastructure. It also occurred in the context of Israel's 17-year-old unlawful blockade of Gaza.

Prior to 7 October 2023, according to the UN Conference on Trade and Development (UNCTAD), 80% of Gaza's population was dependent on aid, primarily as a result of the blockade, which had created a chronic humanitarian crisis. Gaza depended on the import of essentials, including food, electricity, water, medicine and fuel, to meet civilian needs. After the start of their offensive on Gaza, the Israeli authorities drastically tightened the existing blockade and imposed further restrictions that controlled the flow of aid and other essentials into Gaza, drastically reduced the availability of energy sources needed to power essential services, and obstructed humanitarian access to large swathes of Gaza, particularly northern Gaza. At times, Israel allowed some humanitarian aid into Gaza in response to international pressure, but this never significantly affected the overall conditions of life imposed on the Palestinians in Gaza.

Israel's unlawful conduct throughout its military offensive resulted in unprecedented harm to Palestinians in Gaza that resulted in the massive scale of killings and serious injuries over an extremely short time, "unimaginable" destruction that rendered Gaza "uninhabitable", and caused, at lightning speed, malnutrition, hunger and the outbreak of multiple diseases. Israel must have been aware of the "objective probability" that these conditions of life would lead to the physical destruction of Palestinians in Gaza. It not only understood the impact of these acts but intended their outcome, as demonstrated by the repeated patterns of unlawful acts over time and the persistence of these acts in the face of international condemnation and UN warnings and in defiance of ICJ orders.

Acts prohibited under the Genocide Convention took place alongside other violations of international law that indicate genocidal intent, such as the incommunicado detention, torture, and other ill-treatment of Palestinians from Gaza, as well as the widespread destruction of cultural, historical and religious sites, including in circumstances after Israel had already gained military control over them and where there was no apparent military necessity.

### **DESTRUCTION OF CULTURAL AND RELIGIOUS SITES**

While the destruction of historical, cultural and religious property or heritage is not considered a prohibited act under the Genocide Convention, the ICJ has established that such destruction can provide evidence of intent to physically destroy the group when carried out deliberately.

Cultural and religious sites across Gaza were destroyed on an unprecedented scale. The joint Interim Damage Assessment published by the World Bank, EU and UN in March 2024



found that 17 universities and about 63% of all heritage sites across Gaza had been destroyed or damaged. They included major landmarks, archaeological sites, religious institutions and monuments. Many were of great importance to Palestinian national identity, collective memory and social fabric.

Amnesty International verified 43 videos documenting 34 attacks on mosques. Of these, 12 mosques were destroyed through controlled demolitions, though the actual level of destruction may be much higher. Already by March 2024, one open-source investigation had identified damage or destruction to 100 mosques and 21 cemeteries.

Under international humanitarian law, Israel must refrain from attacking sites of great importance to cultural heritage unless imperatively required by military necessity. The Israeli military justified the destruction of some mosques and universities on the grounds that they had been employed for military purposes by Hamas or other Palestinian armed groups or that they contained military infrastructure. However, in four of the cases it documented through a review of videos posted by soldiers online and an analysis of satellite imagery, Amnesty International demonstrated that Israeli forces were in control of the sites at the time, suggesting that there was no imperative military necessity for their destruction. Rather, this destruction of Palestinian cultural and religious sites appears to have been considered the very purpose and goal of Israeli soldiers' actions.

The sites included two buildings forming part of Al-Azhar University's Al-Mughraqa campus and Israa University's Al-Zahra campus, both located in the south of Gaza City, south of the military zone known as the "Netzarim Corridor"; Al-Dhilal mosque and an adjacent cemetery in Bani Suheila, Khan Younis; and Al-Istiqlal mosque in Khan Younis. With the exception of the cemetery in Bani Suheila, which was destroyed with bulldozers, all were destroyed in controlled demolitions with manually laid explosives between December 2023 and January 2024. In a video published on social media on 7 December 2023, which showed the controlled demolition of Al-Azhar University's Al-Mughraqa campus, Israeli soldiers were singing and cheering. One of them is heard saying: "Take this! Happy Hannukah, people of Israel. There once was a university".

### **DEHUMANIZATION OF PALESTINIANS AND STATEMENTS ON DESTRUCTION OF PALESTINIANS**

Bearing in mind that genocide is the culmination of a process often accompanied by the othering and dehumanization of the protected group and that the use of derogatory language towards the group can provide evidence of genocidal intent, Amnesty International examined Israeli officials' use of dehumanizing, racist and derogatory rhetoric against Palestinians prior to the offensive, showing how this long-standing use of such language, coupled with a failure to effectively investigate and prosecute anti-Palestinian incitement and advocacy of hatred, had resulted in an environment where anti-Palestinian incitement and advocacy of hatred was allowed to spread unchecked. By 2023, the levels of hate speech and incitement had reached alarming heights, reflecting a deeply ingrained and escalating racism towards Palestinians within Israeli society. Following 7 October 2023, such rhetoric escalated significantly, further permeating Israeli society.

Israel's unlawful acts were often announced, called for and urged in the first place by officials in Israel's war and security cabinets, who called for the destruction of Palestinians in Gaza in

public and widely circulated statements. Many of the unlawful acts identified by Amnesty International were preceded by officials urging their implementation. Amnesty International analysed 102 statements made by Israeli government officials, high-ranking military officers, and members of the Knesset made between 7 October 2023 and 30 June 2024 which dehumanized Palestinians, or called for, or justified genocidal acts or other crimes under international law against them. Of these, it identified 22 statements that were specifically made by members of Israel's war and security cabinets, who included Prime Minister Netanyahu, then Minister of Defense Gallant and other government ministers, by high-ranking military officers and by Israel's president between 7 October 2023 and 30 June 2024. These statements appeared to call for, or justify, genocidal acts.

Also, the language used by Israeli officials was frequently repeated, including by soldiers in Gaza, apparently explaining the rationale for their behaviour. This is evidenced by Amnesty International's analysis of 62 videos, audio recordings and photographs posted online showing Israeli soldiers in which they made calls for the destruction of Gaza or the denial of essential services to people in Gaza, or celebrated the destruction of Palestinian homes, mosques, schools and universities, including through controlled demolitions, in some cases without apparent military necessity. Of these, 31 called orally or in writing for the annihilation, destruction, burning or "erasure" of Gaza, or used other similar rhetoric. The existence of a large number of these public videos and statements highlights not only systemic impunity but also the creation of an environment that emboldens, if not tacitly rewards, such behaviour.

### **INTENT TO DESTROY PALESTINIANS**

The existence of military objectives – including the eradication of Hamas – in no way undermines or belies the existence of genocidal intent. The Israeli authorities argue that their military forces lawfully targeted Hamas and other Palestinian armed groups throughout Gaza and that the resulting unprecedented destruction and denial of aid were the outcome of Hamas' co-location among Palestinian civilians and its diversion of aid, respectively. However, even where Hamas fighters were located near or within densely populated areas, Israel was obligated to take all feasible precautions to spare civilians and avoid attacks that would be indiscriminate or disproportionate. Amnesty International, numerous other human rights organizations and UN experts have found that Israel repeatedly failed to do so. Israel committed multiple war crimes and other crimes under international law for which there can be no justification based on Hamas' actions. Amnesty International has also not found evidence that the possible diversion of aid by Hamas explained the actions Israel took in blocking, restricting and impeding the entry and delivery of aid and other items necessary for life into and within Gaza.

Amnesty International likewise considered and rejected the argument that Israel is acting recklessly, without specific intent to destroy Palestinians in Gaza. Many of Israel's unlawful acts are, by definition, intentional, including arbitrary and unlawful detention and torture. Similarly, Israel's denial and restriction of humanitarian aid was precise and deliberate, with no indication of recklessness. Israel's repeated mass "evacuation" orders of Gaza's population to areas that lacked the basic infrastructure to support life, coupled with its failure

to allow the temporary relocation of civilians to other parts of the OPT or to enter Israel, were clearly designed to confine Palestinians to an ever smaller and more inhospitable area of Gaza, with insufficient humanitarian aid and other essentials, and thus to intentionally cause mass displacement under inhuman and unliveable conditions.

In addition, Amnesty International considered arguments advanced by some observers that Israel did not intend the destruction of Palestinians; instead, it wanted to destroy Hamas and simply did not care if it needed to destroy Palestinians in the process. This is either another articulation of the recklessness argument rejected above, or it is suggesting that Israel believes it must destroy Palestinians in order to destroy Hamas and simply does not care sufficiently about Palestinian life to reject that course. In other words, the destruction of Palestinians is instrumental to destroying Hamas. Yet, instrumental intent, destroying Palestinians in order to destroy Hamas, is still genocidal intent.

Moreover, this disregard for Palestinian life is itself evidence of genocidal intent as it indicates a view by the Israeli government and military officials that Palestinians' lives are not worth considering. Viewing those targeted as subhuman is a consistent feature of genocide. In this respect, Israel's long-standing dehumanization of Palestinians under apartheid and occupation policies, and its separation policy towards Gaza specifically, which oppresses Palestinians and treats them as an inferior racial group undeserving of basic human rights and necessities, had laid the ground for the genocidal acts that followed 7 October 2023.

Finally, Amnesty International recognizes that Israel's policy towards Gaza may have been driven by different motives held by various officials in the government. Ultimately, as long as genocidal intent is clear, the underlying motive of individual officials does not matter – whether it be security, revenge, a resolve to remain in power, the desire to show overwhelming strength in the region, or the pursuit of Gaza's resettlement.

The evidence presented in the report clearly shows that the destruction of Palestinians in Gaza, as such, was Israel's intent, either in addition to, or as a means to achieve, its military aims. There is only one reasonable inference that can be drawn from the evidence presented: genocidal intent has been part and parcel of Israel's conduct in Gaza since 7 October 2023, including its military campaign.

## **CONCLUSION AND RECOMMENDATIONS**

Amnesty International has found sufficient basis to conclude that Israel committed, between 7 October 2023 and July 2024, prohibited acts under the Genocide Convention, namely killing, causing serious bodily or mental harm and deliberately inflicting on Palestinians in Gaza conditions of life calculated to bring about their physical destruction in whole or in part. Amnesty International has also concluded that these acts were committed with the specific intent to destroy Palestinians in Gaza, as such, who form a substantial part of the Palestinian population, which constitutes a group protected under the Genocide Convention.

Accordingly, Amnesty International concludes that following 7 October 2023, Israel committed and is committing genocide against Palestinians in Gaza. Further investigations by the ICJ and the UN Independent International Commission of Inquiry on the Occupied

Palestinian Territory, including East Jerusalem, and Israel, are required to examine Israel's responsibility under the Genocide Convention and indicate appropriate remedies.

Although this report focused on a nine-month period, Israel's policies, actions and omissions do not appear to have changed in any significant way. In fact, since Amnesty International completed its research, Israel's offensive in Gaza expanded. In August, September and October 2024, more people in Gaza were displaced, more people were killed and injured in Israel's attacks, and more people were detained amidst concerns of torture and other ill-treatment. Once again, Israeli forces ordered Palestinian civilians living north of Wadi Gaza to leave the area while continuing their relentless bombardment, and, once again, the area was cut off from aid, with many facing starvation.

Amnesty International recognizes that there is resistance and hesitancy among many, mainly other states, in finding genocidal intent when it comes to Israel's conduct in Gaza. This resistance has impeded justice and accountability with respect to past conflicts around the world and should be avoided in the future. Amnesty International concedes that identifying genocide in armed conflict is complex and challenging, because of the multiple objectives that may exist simultaneously. Nonetheless, it is critical to recognize genocide when it occurs in the context of armed conflict, and to insist that war can never excuse it.

To stop the commission of prohibited acts, prevent any such acts in the future, and ensure accountability and full reparation, Amnesty International is making a range of recommendations to the Israeli authorities, third states, the UN and regional organizations, the Office of the Prosecutor of the ICC, and the Palestinian authorities. It has provided an overview of its main recommendations below.

As a priority, Israel must take the necessary actions to urgently end the commission of prohibited acts under the Genocide Convention against Palestinians in Gaza and to prevent the further commission of any such acts by any of its state organs. It must also engage fully with any international investigations into genocide as well as proceedings before the ICJ, including by complying with all provisional measures issued by this court since 26 January 2024. Amnesty International is also calling on Israel to urgently improve the humanitarian situation in Gaza in line with its obligations as the occupying power, as well as its obligations as a party to the armed conflict, and to reverse all policies and actions that have resulted in the rapid deterioration of conditions of life in Gaza. This must start by allowing the unhindered passage into and within Gaza of sufficient, safe and affordable quantities of essential goods and materials necessary for the reconstruction and repair of damaged and destroyed civilian property and infrastructure. Israel must also immediately open all available aid routes and access points and ensure that the basic needs of people living in Gaza are met. It must enable access to essential services, through the sufficient and continuous supply of electricity and fuel. Amnesty International is calling on Israel to allow all Palestinians forcibly displaced since 7 October 2023 to return to their areas of residence or any other areas of their choosing in Gaza, including to areas located north of Wadi Gaza. Similarly, all civilians residing in the area located north of Wadi Gaza must be allowed free passage to the area located south of it if they so wish, without any undue restrictions on their movement. Until homes are rebuilt, Israel must ensure access to temporary dignified

housing. Israel must allow all patients in need of urgent medical treatment not available in Gaza access to healthcare in other parts of the OPT or abroad, and allow their return after their treatment.

Amnesty International renews its call on Israel, Hamas and other Palestinian armed groups to agree to an immediate, sustained ceasefire. Similarly, only drastic systemic change will ultimately put an end to Israeli crimes under international law, provide victims with full and effective reparations and reduce the risk of genocidal acts in the future. This requires Israel to end its unlawful occupation of Gaza and the rest of the OPT in line with the ICJ's advisory opinion of 19 July 2024 and to dismantle its apartheid system, including the 17-year-old blockade that controls and oppresses Palestinians in Gaza.

Strong and sustained international action is required to ensure that Israel implements these recommendations. In line with their obligation to prevent and punish acts of genocide, Amnesty International calls on all states, particularly those with influence over Israel, including its strongest allies such as the USA, the UK, Germany, and certain other EU member states, to take urgent steps to bring an end to all Israeli conduct in Gaza which may amount to genocide. As a first step, they must ensure that Israel duly implements all provisional measures ordered by the ICJ since 26 January 2024. In line with the ICJ's advisory opinion of 19 July 2024, states must not render aid or assistance in maintaining the unlawful situation created by Israel's continued occupation of the OPT, reinforced through apartheid.

States must also urgently oppose any attempts by Israel to establish a permanent military presence in Gaza, alter its borders and demographic make-up or shrink its territory, including through any expanded buffer zones or the construction of permanent checkpoints inside Gaza. To stop fuelling violations of international law, they must immediately suspend the direct and indirect supply, sale or transfer, to Israel of all weapons and other military equipment, and stop the provision of training and other military and security assistance. Amnesty International is also calling on states to adopt adequate policies to ensure that private legal entities registered in their jurisdiction cease the provision of military services, technology and supplies used by Israel in its military operations in Gaza.

States can and should also take actions to ensure justice and accountability for any alleged crimes under international law, including war crimes, crimes against humanity and genocide, perpetrated in Gaza since 7 October 2023 by exercising domestic, universal or other forms of extraterritorial criminal jurisdiction, pressuring Israel to allow entry into Gaza of members and staff of any international investigative or UN-mandated mechanism, supporting the investigation of the Office of the Prosecutor of the ICC into crimes allegedly committed in Israel and the OPT, including through executing any ICC arrest warrants.

Amnesty International calls on the Office of the Prosecutor of the ICC to urgently consider the commission of the crime of genocide by Israeli officials since 7 October 2023 in the ongoing investigation into the situation in the State of Palestine and to promptly investigate and prosecute apartheid as a crime against humanity. The Office of the Prosecutor should also publicly condemn attacks on NGOs that are targeted for their work on international justice. In line with the Office of the Prosecutor's Policy on Complementarity and Cooperation, where

appropriate, Amnesty International is also calling on the Office to consider cooperating and sharing information with national authorities concerning crimes under international law committed in Israel and the OPT to ensure that states investigate and prosecute such crimes where they have jurisdiction.

In light of the unprecedented number of deaths and injuries of Palestinians in Gaza and the deadly attacks perpetrated by Hamas and other Palestinian armed groups in southern Israel, Amnesty International is renewing its call on the UN Security Council to impose a comprehensive arms embargo on Israel, Hamas and other and Palestinian armed groups operating in Gaza. The UN Security Council should also impose targeted sanctions, such as asset freezes, against Israeli and Hamas officials most implicated in crimes under international law, including those committed in the context of Israel's ongoing offensive on Gaza. Finally, the UN Security Council should take steps to advance the withdrawal by Israel from the OPT, in line with the ICJ's advisory opinion of 19 July 2024 and the UN General Assembly resolution of 18 September 2024 demanding that Israel end its unlawful presence and policies in the OPT within 12 months.

To break with the cycle of abuse, Amnesty International is also making a set of recommendations to Hamas, including to immediately and unconditionally release civilian hostages and ensure all captives are treated humanely and visited by the International Committee of the Red Cross (ICRC) and other international monitors. Meanwhile, authorities of the State of Palestine should expedite the opening of investigations into all allegations of crimes under international law and other serious human rights violations committed by members of Palestinian armed groups, with a view to bringing those reasonably suspected of individual criminal responsibility to trial in proceedings that meet international standards, without recourse to the death penalty.



**AMNESTY INTERNATIONAL  
IS A GLOBAL MOVEMENT  
FOR HUMAN RIGHTS.  
WHEN INJUSTICE HAPPENS  
TO ONE PERSON, IT  
MATTERS TO US ALL.**

# **'YOU FEEL LIKE YOU ARE SUBHUMAN'**

## **ISRAEL'S GENOCIDE AGAINST PALESTINIANS IN GAZA**

On 7 October 2023, Israel began an offensive on the occupied Gaza Strip. Since then, it has killed and injured tens of thousands of Palestinians and forcibly displaced 90% of Gaza's inhabitants. It has deliberately obstructed or denied the import and delivery of life-saving goods and humanitarian aid. It has restricted power supplies. Together with massive damage, destruction and displacement, this has led to the collapse of the water, sanitation, food production and healthcare systems in Gaza.

Amnesty International investigated this pattern of conduct and analysed public statements by Israeli decision-makers that dehumanized Palestinians or called for their destruction in Gaza. It did so within the context of Israel's unlawful occupation and blockade of Gaza and its system of apartheid against Palestinians, as well as the Hamas-led attacks on Israel that preceded the offensive.

Amnesty International has found that Israel committed prohibited acts under the Genocide Convention, namely killing, causing serious bodily or mental harm, and deliberately inflicting on Palestinians in Gaza conditions of life calculated to bring about their physical destruction. It considers that Israel committed these acts with the specific intent to destroy Palestinians in Gaza, as such. It concludes that Israel has committed genocide in Gaza.