

AMNESTY INTERNATIONAL

INTERNAL DOCUMENT

LINES OF RESPONSE

6 December 2023

Allegations of sexual violence by Hamas fighters and other armed actors who entered southern Israel during 7 October attacks

Background context:

Over recent weeks, the media has reported shocking allegations of rape, genital mutilation and other forms of sexual violence during the 7 October attack by fighters of Hamas and other armed groups on southern Israel

On 26 November Physicians for Human Rights-Israel [published](#) a position paper referring to media reports and information received by the Association of Rape Crisis Centers in Israel about accounts of sexual and gender-based violence during the attacks but did not include any direct testimony from survivors. UN Women has [expressed alarm](#) at "the numerous accounts of gender-based atrocities and sexual violence during those attacks" and called for the accounts to be investigated.

Amnesty International is investigating these reports as part of our ongoing research into the 7 October attacks.

The Israeli authorities have disclosed information on cases of alleged sexual violence in private briefings with selected diplomats and media and the Israeli police briefed parliament about reports of sexual violence they had received.

Hamas has [denied](#) the accusations that its fighters engaged in sexual violence during the attacks dismissing these as "unfounded lies" that aim to "demonize" Palestinians.

Separately, accounts of sexual violence against Palestinian prisoners have also been [reported](#), which Amnesty International is also investigating.

LINES FOR RESPONSE

What is Amnesty International's reaction to reports of sexual violence that have been reported during the attacks by Hamas and other armed groups in southern Israel?

The reports that Hamas and other armed groups used sexual violence, including rape, during the attack in southern Israel on 7 October are horrific and must be thoroughly and independently investigated.

Rape and other forms of sexual violence committed in connection with an armed conflict constitute war crimes. When committed as part of a widespread or systematic attack against a civilian population, such acts may constitute crimes against humanity. It is crucial to secure justice and reparation for victims and survivors of such crimes and to ensure suspected perpetrators are prosecuted in fair trials.

Has Amnesty International been able to verify any such attacks?

Amnesty International is investigating the reports of sexual violence by armed groups as part of our ongoing investigations to determine the range of crimes under international law committed by Hamas and other armed groups during the 7 October attacks.

Investigations to establish facts and responsibilities in such cases require dedicated tools in particular for the collection of difficult to access first-hand testimonies from survivors and witnesses and of forensics. These investigations require specialized research design and expertise in order to adhere to survivor-centred research ethics and methodology, manage risks of retraumatisation, and set-up referral and support systems. It can take time to gather such evidence and identify primary sources, including witnesses and survivors who may be able to safely speak about their experiences. The vicarious trauma of researchers and reviewers also requires the setting up of safeguards tools.

Why has Amnesty International published a report this week focusing on allegations of sexual violence in Iran while ignoring similar allegations in Israel?

Amnesty International is absolutely not ignoring these allegations. We are investigating these claims but our methodology requires speaking to primary sources which can take time, as it was the case in our investigation in Iran. We also urge Israel to allow human rights organizations, the UN Commission of Inquiry, and OHCHR staff entry to Israel and the Occupied Palestinian Territories to carry out investigations into these and other alleged violations in Israel and the OPT.

The report published by Amnesty International about Iran on 6 December, which highlights shocking evidence of rape and other forms of sexual violence, amounting to torture and other ill-treatment, used by intelligence and security forces as a weapon to crush the “Woman Life Freedom” uprising of September-December 2022, is the product of a year of rigorous investigations into crimes under international law and other gross human rights violations committed by the Iranian authorities during and in the aftermath of the uprising. Research for this report was carried out over a period of eight months (January-August 2023) and focused on the commission of rape and other forms of sexual violence against protesters while they were arbitrarily detained between September and December 2022 in connection with the uprising. The 120-page report documents in detail the harrowing ordeals of 45 survivors (26 men, 12 women and seven children) and exposes how rape and other forms of sexual violence, amounting to torture and other ill-treatment, were used with impunity to punish and intimidate protesters for challenging the political and security establishment and gender-based discrimination.