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**Annual report of the United Nations High Commissioner
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High Commissioner and the Secretary-General**

Written statement* submitted by European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2025]

* Issued as received, in the language of submission only.

Requesting That The U.N. Investigate COI's False Accusations Of Sexual Violence Against Israeli Security Forces

1. INTRODUCTION

On March 13, 2025, the United Nations' Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (COI or Commission) released its report titled “‘More than a human can bear’: Israel’s systematic use of sexual, reproductive and other forms of gender-based violence since 7 October 2023.”

Despite this inflammatory and inaccurate title (including the sectional headings) and blanket accusations of sexual violence throughout the report, the report does not provide any evidence of sexual or reproductive violence committed by Israeli armed forces.

2. BACKGROUND

Crimes of a sexual nature include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization,(1) trafficking for sexual exploitation,(2) mutilation of sexual organs,(3) sexual exploitation (such as obtaining sexual services in return for food or protection),(4) forced abortions,(5) enforced contraception,(6) sexual assault,(7) forced marriage,(8) forced inspections of virginity, sexual harassment (such as forced public nudity),(9) or any other form of sexual violence of comparable gravity.(10)

The COI's report provides no examples or evidence of such instances. Instead, it lists instances of destruction of hospitals or the roads leading to them, or the scarcity of maternity equipment, sanitary pads, and healthy food for women as examples of sexual, reproductive, or gender-based violence. Such examples, as sad as they are, do not even remotely constitute sexual, reproductive, or gender-based violence. Below are just a few examples of false accusations from the COI's report.

3. VIOLATIONS

The COI alleges that any attack on a hospital or a road leading to a hospital is “reproductive violence” because hospitals have maternity wards and their destruction has an adverse effect on women. This not only disregards that Hamas terrorists often carry out their activities from hospitals, turning them into military targets, but this does not constitute reproductive violence.

The Commission further calls the shortage of menstrual pads(11) and healthy food for pregnant women “reproductive violence.”(12) One example of “reproductive violence” the Commission cites is a pregnant woman who had to eat canned tuna due to the lack of flour to make bread, or lack of milk or eggs.(13) Another example of “reproductive violence” the Commission provides is a woman who was no longer able to produce breastmilk due to stress and anxiety brought on by the hostilities.(14) One woman reported to the Commission that “due to the lack of menstrual pads, she had to use children’s nappies on one occasion or a piece of cloth.”(15) The Commission unashamedly alleges that these unfortunate secondary consequences of war constitute “reproductive violence.” Additionally, the Commission ignores the fact that it is not Israel who is responsible for the lack of supplies in Gaza. Hamas and other terrorist organizations in Gaza initiated the war, and they steal supplies intended for civilians in Gaza.(16)

As evidence of “Israel’s systematic use of sexual and gender-based violence,” the COI alleges that “Israeli officials have used sexual violence committed [by Hamas terrorists] on Israeli women on 7 October to mobilize support for the [Israeli Defense Forces (IDF)] military operations in the Gaza Strip and . . . violence as a means of terrorizing the Israeli

population . . .”(17) Calling Hamas’s systematic sexual violence committed on October 7 “Israel’s systematic use of sexual violence”—simply because Israel has pointed out the horrific sexual violence committed on October 7 by terrorists from Gaza—is not only grossly unethical, it is shockingly appalling.

As examples of the gender-based impact of displacement, the COI alleges that “[t]he lack of food, safe shelter, privacy and educational opportunities, will lead families to resort to harmful coping mechanisms such as early marriage.”(18) According to the Commission, Israel is committing gender-based violence because Palestinian families will marry their daughters early due to the difficulties of war. The COI further alleges that “[g]ender-based violence, including intimate partner violence, remains a threat for many women in Gaza.”(19) According to the Commission, Israel is guilty of gender-based violence when Palestinian men beat their female partners.

Other specious examples provided by the COI of gender-based violence by Israel included the fact that “[m]any women were also separated from their husband or widowed, leading to shifts in household dynamics that forced them to step into roles traditionally filled by men, such as being the principal income earner.”(20) According to the Commission, Israeli forces are guilty of gender-based violence because women in Gaza who lost their men (many of whom were terrorists who committed the horrific acts on October 7) might have to work outside the home.

The Commission further alleges that “[a]bout 12,000 women have been made widows in Gaza since October 2023.”(21) It states that “[w]idowed women lack protection in accessing rights to child custody and guardianship, as well as control over inheritance from a deceased spouse.”(22) Apart from not even remotely constituting sexual or gender-based violence, these examples ignore the fact that the men who are targeted by the IDF are terrorists engaged in an armed conflict with Israel. Many of them were the ones who attacked, brutally raped, and butchered Israeli men, women, and children on October 7. The Commission has essentially labeled an alleged number of 12,000 male casualties as innocent civilian casualties without any evidence. Once again, the COI’s faulty accusations demonstrate a lack of understanding of the laws of war, or of common sense. More importantly, any women in Gaza who have become widows is not a result of “gender-based violence” but of war—a war which was initiated by men from Gaza.

The COI also unashamedly blames Israel for the gender-based discrimination by Palestinian men against Palestinian women. It states that “[p]rotracted conflict and displacement result in gendered impacts due to the exacerbation of pre-existing structural gender-discrimination. Women from Gaza have told the Commission about controlling behaviors from male family members that restricted their agency.”(23) The COI further states that Palestinian women are forced by their fathers to wear a veil throughout the conflict.(24) According to the Commission, Israel’s military operation in Gaza has caused this oppression of Palestinian women by their fathers. These issues, the Commission alleges, constitute “Israel’s systematic use of sexual, reproductive and other forms of gender-based violence.”

4. REQUEST

The COI’s report shows that its members do not care about the actual victims of sexual, reproductive, and gender-based violence. They have one agenda: to demonize Israel—yet they continue to fail to provide an iota of evidence to support their absurd allegations. In light of the COI’s unethically biased and grossly faulty reports, its mandate should be terminated, and its members investigated and reprimanded for gross unethical conduct.

- (1) Rome Statute of the International Criminal Court, art. 7(1)(g), opened for signature July 17, 1998, 2187 U.N.T.S. 90 (1999).
- (2) G.A. Res. 55/25, art. 3 (Nov. 15, 2000).
- (3) Prosecutor v. Bagosora, Case No. ICTR-96-7, Judgment (Trial Chamber), ¶ 976 (Dec. 18, 2008).
- (4) MEGAN BASTICK ET AL., SEXUAL VIOLENCE IN ARMED CONFLICT: GLOBAL OVERVIEW AND IMPLICATIONS FOR THE SECURITY SECTOR 19 (2007).
- (5) BASTICK, *supra* note 4, at 19; WHO, *supra* note 4, at 149.
- (6) BASTICK, *supra* note 4, at 19.
- (7) See Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War art. 27, 12 Aug. 1949, 75 U.N.T.S. 306 [hereinafter GC IV]; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) art. 75(2)(b), June 8, 1977, 1125 U.N.T.S. 37 [hereinafter AP I]; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) art. 4(2)(e), June 8, 1977, 1125 U.N.T.S. 612 [hereinafter AP II]; Rome Statute, art. 8(2)(e)(vi); Statute of the International Tribunal for Rwanda (ICTR Statute) art. 4(e) (Nov. 8, 1994); Statute of the Special Court for Sierra Leone (SCSL Statute), art. 3(e) (Jan. 16, 2002); UN Transitional Administration in East Timor (UNTAET), Regulation on the Establishment of Panels with Exclusive Jurisdiction Over Serious Criminal Offences, § 6.1(e)(vi), U.N. Doc. UNTAET/REG/2000/15 (June 6, 2000).
- (8) BASTICK, *supra* note 4, at 49; WHO, *supra* note 4, at 149.
- (9) Prosecutor v. Akayesu, Case No. ICTR-96-4-T, Judgment, ¶¶ 688, 693 (Sept. 2, 1998); Prosecutor v. Kunarac, Case No. IT-96-23, 23/1-T, Judgment, ¶¶ 766-74 (Intl. Crim. Trib. for the Former Yugoslavia Feb. 22, 2001).
- (10) Rome Statute, art. 7(1)(g).
- (11) Indep. Int’l Comm’n of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, “More than a human can bear”: Israel’s systematic use of sexual, reproductive and other forms of gender-based violence since 7 October 2023, ¶ 75, A/HRC/58/CRP.6 (Mar. 13, 2025) [hereinafter COI Report].
- (12) *Id.* ¶ 65.
- (13) *Id.*
- (14) *Id.* ¶ 66.
- (15) *Id.* ¶ 77.
- (16) Caught on camera: Hamas terrorists steal humanitarian aid, beat civilians, I24NEWS, Dec. 11, 2023.
- (17) COI Report, ¶ 79.
- (18) *Id.* ¶ 141.
- (19) *Id.*
- (20) *Id.* ¶ 142.
- (21) *Id.* ¶ 143.
- (22) *Id.*
- (23) *Id.* ¶ 144.
- (24) *Id.* ¶¶ 144-45.