

# Sexual Violence as a Weapon of Genocide



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## Background

Since the beginning of its illegal occupation in 1967, Israel has detained over 1 million Palestinians, who are tried in Israeli military courts with a conviction rate close to 100%. Israel also detains Palestinians with no charge or trial for an indefinite period under so-called “administrative detention”. This policy of mass arbitrary arrest is one of the tools used to maintain Israel's illegal occupation, apartheid regime and settler-colonial project.

To date, over 10,400 Palestinians have been arbitrarily arrested since October, 2023. The conditions of Palestinian prisoners have significantly deteriorated since the beginning of the Israeli genocide in Gaza, and imprisoned Palestinians are being subjected to torture, starvation, violent cell raids, including with tear gas, deliberate medical negligence, denial of food, water, sanitary pads and sanitation, as well as denial of lawyers and family visits.

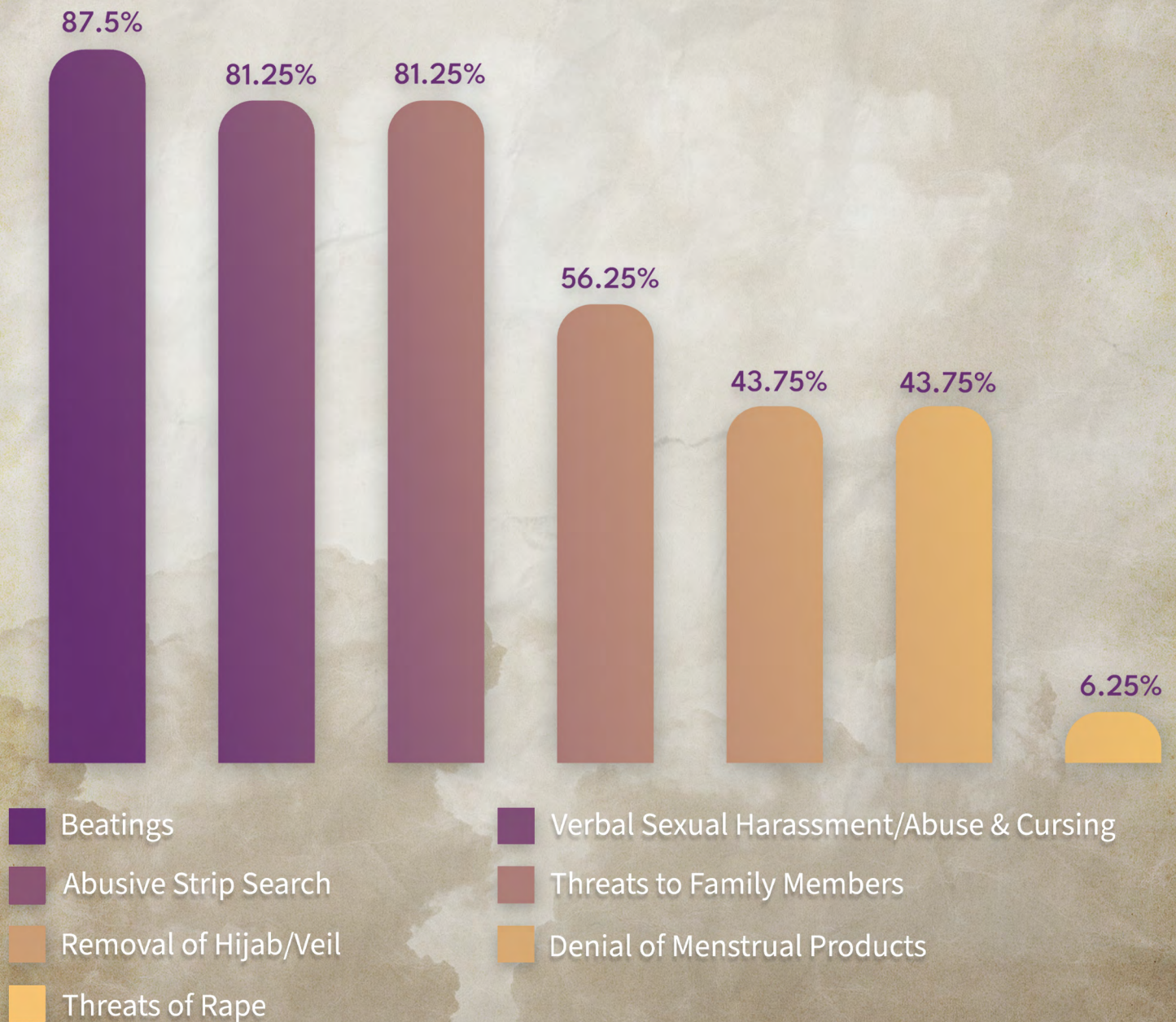
Despite the absolute prohibition of torture and ill-treatment under international law, Israeli occupation forces and prison authorities employ various torture and ill-treatment techniques against almost all Palestinian political prisoners and detainees, including women and children, leaving grave physical and psychological damage. Israeli prison authorities, occupation forces and interrogators feel emboldened to commit such acts of torture with full impunity, knowing that neither the complicit Israeli legal system nor the international community will hold them accountable.

While sexual violence against Palestinian women and men has long been a tactic of torture at Israeli military checkpoints, during raids on their own homes and inside prisons, it has rapidly increased since the start of the genocide in Gaza. Palestinian women are often hesitant to share such stories, in fear of the associated social stigma, something which Israel exploits, and also due to the belief that Israel's crimes will go unpunished.

## MIFTAH's findings

Over the past year, MIFTAH, through its field coordinators in the occupied West Bank and the Gaza Strip, collected 16 testimonies from former Palestinian women detainees. These testimonies have detected a systematic patterns of sexual violence.

**1 additional testimony of rape has been excluded from this report upon the request of the survivor.**



## Legal Dimension

The testimonies collected describe a series of grave human rights violations that are against multiple principles of international law, including treaties like the Geneva Conventions, international humanitarian law (IHL), and international human rights law (IHRL).

### ➤ Torture and Cruel, Inhuman or Degrading Treatment or Punishment

- Several testimonies describe severe beatings, physical abuse, and other forms of cruel treatment:

The **Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)** prohibits any act of torture or cruel treatment, especially by public officials or those acting in an official capacity. Torture is also strictly prohibited under the **Geneva Conventions (Article 3)**, which outlines basic rights for individuals in conflict, including the treatment of detainees.

### ➤ Sexual Violence and Humiliation

- Most of the testimonies involve sexual harassment and violence, which violate the dignity of the individuals involved:

Sexual violence is explicitly prohibited under international law, including **Article 27 of the Fourth Geneva Convention**, which states that women must be protected against rape, enforced prostitution, or any form of indecent assault. These actions also violate the **Rome Statute of the International Criminal Court (ICC)**, which lists sexual violence as a crime against humanity.

### ➤ Degrading Detention Conditions

- The testimonies frequently mention extremely poor and degrading prison conditions including the denial of hygiene products and the cutting off of water:

Under **Article 3 of the Geneva Conventions and The International Covenant on Civil and Political Rights (ICCPR)**, detainees must be treated humanely, and conditions of detention should not amount to cruel, inhuman, or degrading treatment. This includes access to sanitary facilities and basic human dignity. These actions also violate the **Rome Statute of the International Criminal Court (ICC)**, which includes the deprivation of access to essential goods such as water as a war crime.

## Conclusion:

Although the exact number of sexual assault victims will never be known, the testimonies collected reveal a clear and systematic Israeli policy of sexual violence and abuse against Palestinians as a tactic of torture. These testimonies also reveal a trend of weaponizing Palestinian customs such as modesty and honor against women.

Despite clear findings of systematic sexual abuse of Palestinian female prisoners, there has been no real international response to these crimes. This, coupled with the social stigma that occurs surrounding crimes of this nature prolong a survivor's suffering.

Perpetrators of such heinous crimes must be held to account. As long as Israel continues to act with no consequences amid the lack of international accountability, it will continue to feel emboldened to commit war crimes and gross human rights violations with full impunity. It is long overdue for the international community to move past the rhetoric and impose concrete steps of international accountability to put an end to such heinous crimes.

## Recommendations:

- Hold Israel accountable with concrete steps of international accountability, including political and economic sanctions;
- Impose a two-way arms embargo on Israel and end joint military trainings and cooperation;
- Hold Israeli soldiers or settlers with dual citizenship accountable by their respective states;
- Support the International Court of Justice and the International Criminal Court;
- Support international investigations into the situation in Palestine, such as the UN Commission of Inquiry;
- Implement the UNSCR 1325 and the Women, Peace and Security agenda.







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