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“I Can’t Erase All the Blood from My Mind”

Palestinian Armed Groups’ October 7 Assault on Israel

“I Can’t Erase All the Blood from My Mind”

Palestinian Armed Groups’ October 7 Assault on Israel

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Printed in the United States of America

ISBN: 979-8-88708-143-4

Cover design by Ivana Vasic

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JULY 2024

ISBN: 979-8-88708-143-4

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- Summary.....1**
 - Overview of the October 7 Assault..... 1
 - Methodology4
 - Violations of International Humanitarian Law4
 - Violations on October 76
 - Palestinian Armed Groups Responsible for Abuses 10
 - Hamas’s Response to Allegations of Abuse 12
 - Civilian Deaths in Crossfire..... 13
 - Recovering the Bodies..... 13
 - Aftermath of the Assault..... 14
- Recommendations17**
- Methodology..... 22**
- Glossary of Palestinian Armed Groups Involved in the October 7 Assault..... 29**
- Background..... 36**
- Abuses During the October 7 Assault 43**
 - Planning of the Assault48
 - Local Forces that Fought to Repel the Assault –Kitot Konehut (“Rapid Response Teams”)..... 57
 - Supernova Music Festival..... 58
 - Accounts from Survivors 59
 - Footage of Abuses64
 - Aftermath of the Attack66
 - Sexual and Gender-Based Violence67
 - Kibbutz Be’eri 71
 - Accounts from Survivors 72
 - Killings..... 77
 - Pillage and Looting79
 - Taking of Hostages80

Footage of Abuses	81
Aftermath of the Attack	83
Israeli Armed Forces' Response	86
Kibbutz Kfar Aza.....	88
Accounts from Survivors	89
Footage from the Attack	93
Taking of Hostages	94
Response of the Rapid Response Team.....	95
Israeli Armed Forces' Response	96
Sexual Violence.....	99
Ofakim	100
Kibbutz Nir Oz.....	104
Response of the Rapid Response Team.....	106
Accounts from Survivors	108
Footage of Abuses	111
Sderot	114
Early morning attacks	115
Attack on the police station.....	120
Killings on the intersection of Highway 34 and Route 232	123
Killings on the intersection of Menachem Begin and Jerusalem Roads.....	124
Kibbutz Alumim	125
Experiences of Nepali and Thai Workers and Students.....	127
Israeli Armed Forces' Response	132
Moshav Netiv Ha'asara.....	132
Zikim Beach.....	134
Kibbutz Holit.....	137
Kibbutz Kissufim	139
Kibbutz Nahal Oz	141
Kibbutz Mefalsim	147
Kibbutz Nir Am.....	153
Moshav Yesha and Moshav Mivtahim	156
Kibbutz Re'im	158
Kibbutz Nir Yitzhak.....	160
Kibbutz Nirim.....	164
Kibbutz Ein HaShlosha	169
Kibbutz Sufa	172
Kibbutz Kerem Shalom	175
Kibbutz Erez	178

Kibbutz Magen.....	180
Kibbutz Sa'ad	183
Kibbutz Yad Mordechai	185
Sexual and Gender-Based Violence	186
Israeli Government Statements and Responses.....	188
International Responses	190
Additional Information Regarding Possible Sexual and Gender-Based Violence	192
Barriers to Documenting Sexual Violence.....	196
Collection of Evidence.....	198
Israeli Government Management of Evidence at Attack Sites.....	201
Palestinian Armed Groups Taking Part in the Assault	204
The Qassam Brigades.....	205
Armed Groups' Presence During the Assault	206
Coordination Between Armed Groups.....	208
Fighters' Dress, Weapons, and Equipment	210
Summary of Violations Committed on October 7 by Palestinian Armed Groups.....	211
Criminal Liability.....	211
Crimes Against Humanity Framework	213
War Crimes Framework	218
War Crimes on October 7	220
Attacks Against Civilians and Civilian Objects	220
Deliberate Killings	221
Torture and Cruel Treatment	224
Hostage Taking.....	224
Ill-Treatment of Hostages on October 7	227
Crimes Related to Acts of Sexual and Gender-Based Violence	229
Mutilation and Despoiling of Bodies	230
Use of Human Shields on October 7.....	231
Pillage and Destruction of Property.....	233
Attacks Against Medical Infrastructure.....	234
Crimes Against Humanity on October 7	235
Acknowledgments.....	236
Annex: English Translation of Hamas's Response Letter, April 14, 2024	238

Summary

Early in the morning of October 7, 2023, Sagi Shifroni, 41, like many Israelis living near the Gaza Strip that day, was awakened by sirens. When the attack on Kibbutz Be’eri began, he dashed in his sleepwear with his 5-year-old daughter to his home’s “safe room” or *mamad*. His wife years earlier had persuaded him to remove the door’s outside handle, so when Palestinian fighters broke into his house at about 11 a.m., they were unable to open the safe room door. Shifroni told Human Rights Watch:

I heard glass breaking and a few seconds later I heard shots fired at the door of the safe room. The door was not bulletproof, so the bullets came through. The whole room filled with the smell of gunpowder and broken cement. ... My daughter asked me if they were trying to kill us and I told her, ‘Yes, but they won’t manage.’ They tried to knock the door down for a few minutes but couldn’t. They tried to shoot the hinges.

Shifroni said smoke started seeping through the door:

It was pretty clear that we couldn’t stay here. If we stayed, we would be dead. At this point I decided to get out, it was more like an instinct. I opened the door of the safe room a bit and saw the whole house was on fire, so I turned to the window and opened it. I saw that the whole patio area outside was also on fire.

Shifroni smashed the window glass and pushed the metal shutters open. He wrapped his daughter in a blanket and told her to hold a pillow to her nose and mouth and breathe through it. Then he jumped out, holding her in his arms. His arms, shoulders, back, and face got severely burned. Only at midnight was he able to get to a hospital to treat his burns.

Overview of the October 7 Assault

On the morning of October 7, Palestinian armed groups carried out numerous coordinated attacks including on civilian residences and gatherings and on Israeli military bases in the

so-called “Gaza Envelope,” the populated area of southern Israel bordering the Gaza Strip. The armed groups attacked at least 19 *kibbutzim* and five *moshavim* (cooperative communities), the cities of Sderot and Ofakim, two music festivals, and a beach party. Community security called *kitot konenut*, or rapid response teams, and local police tried to resist the attackers until Israeli military forces arrived, often several hours after the assault had begun. The fighting lasted much of that day and, in some cases, longer.

The assault took place on the Jewish holiday of Simchat Torah, when many soldiers were on leave. Palestinian armed groups began the assault with barrages of indiscriminate rockets and projectiles toward Israel. Fighters breached the physical barrier separating Gaza and Israel and then attacked nearby communities. Early in the attacks, the fighters disrupted and destroyed communications and surveillance equipment, leaving Israeli forces unable to develop an accurate picture of the situation.

The largest number of deaths occurred during the attack on the Supernova Music Festival, where at least 364 civilians were killed. Across many attack sites, fighters fired directly at civilians, often at close range, as they tried to flee, and at people who happened to be driving vehicles in the area. They hurled grenades and shot into safe rooms and other shelters and fired rocket-propelled grenades (RPGs) at homes. They set some houses on fire, burning and suffocating people to death, and forcing out others who they then captured or killed. They took hundreds hostage for transfer to Gaza or summarily killed them.

Agence France-Presse (AFP), which cross-referenced numerous data sources to verify the number of people killed, has assessed that 815 of a total of 1,195 people killed were civilians, including 79 foreign nationals. Among them were at least 282 women and 36 children. The Palestinian armed groups took hostage 251 civilians and Israeli security forces personnel and brought them back to Gaza following the attack.¹ Those abducted

¹ The news wire Agence France-Presse (AFP) provided Human Rights Watch detailed statistics on the number and breakdown of victims according to its analysis based on information collected from various Israeli government lists of victims, public sources, and its own reporting. AFP defined civilians as all victims that it was able to obtain and verify a name and age of, that were not included on the lists of dead servicemembers published by the Ministries of Defense and Interior. The data has not been made public but is available for clients of the wire service. Additional substantiation of the death toll derived from, “How Hamas Attacked Israel Minute-by-minute,” *Haaretz*, April 18, 2024, <https://www.haaretz.com/israel-news/2024-04-18/ty-article-static-ext/.premium/what-happened-on-oct-7/000018e-c1b7-dc93-adce-eff753020000?lts=1713443129910> (accessed May 31, 2024).

either remain as hostages in Gaza, have been released, or have been killed or died in the ensuing fighting. These are included in the overall death toll.

National and international media outlets detailed many of the atrocities that took place on October 7. Some reports minimized the extent of the abuses, while others included allegations of abuses that were later proven incorrect.

Hamas, the Palestinian movement that has governed the Israeli-occupied Gaza Strip since 2007, stated that its armed wing, the Izz al-Din al-Qassam Brigades (the “Qassam Brigades”), led the assault on October 7. Survivor accounts and publicly available digital material from that day show that many of the fighters wore a combination of black or green uniforms or camouflage, some of which resembled Israeli military uniforms. Some wore distinctive headbands or insignia that identified them as members of Hamas or another armed group. Other armed group members wore civilian attire, although some may have been civilians from Gaza who joined the assault.

Most of the victims of the attacks were Jewish Israelis. However, fighters also killed, wounded, or took hostage Israeli dual nationals, Palestinian citizens of Israel, Palestinians from Gaza, and foreign workers, including Chinese, Filipino, Nepali, Sri Lankan and Thai nationals, and at least one national each from Cambodia, Canada, Eritrea, Germany, Mexico, Sudan, Tanzania, and the United Kingdom.

This report aims to capture the nature and extent of violations of international humanitarian law, known as the laws of war, and serious international crimes committed by Palestinian armed groups across numerous attack sites on October 7. The report also examines the role of different Palestinian armed groups involved, and their coordination before and during the attacks.

Human Rights Watch has extensively reported elsewhere on violations of the laws of war by Israeli forces and Palestinian armed groups in Gaza and on grave human rights abuses and conditions in Gaza, including since October 7.²

² All reports are available at <https://www.hrw.org/middle-east/north-africa/israel/palestine>.

Methodology

Human Rights Watch conducted research in October and November 2023 in Israel, and remote research through June 2024. The research included interviews in person and remotely with 144 people including: 94 survivors of the October 7 attacks; family members of survivors, hostages and those killed; first responders who collected human remains from the attack sites; medical experts who examined the human remains and provided forensic advice to the Israeli authorities; officials from the municipalities affected by the attacks; journalists who visited the attack sites after Israeli forces secured the areas; analysts of Palestinian political and armed groups; and international investigators. Human Rights Watch verified over 280 photographs and videos posted on social media platforms or shared directly with Human Rights Watch, including those recorded by fighters' body cameras, cellphone cameras, dashboard cameras, and closed-circuit television (CCTV) cameras from the attack sites. Human Rights Watch also examined satellite images and analyzed dozens of audio recordings, most shared on armed groups' Telegram channels.

Violations of International Humanitarian Law

This report details numerous incidents of violations of international humanitarian law—the laws of war—by Palestinian armed groups on October 7, 2023; it does not include violations since then. These include deliberate and indiscriminate attacks against civilians and civilian objects; willful killing of persons in custody; cruel and other inhumane treatment; sexual and gender-based violence; hostage taking; mutilation and despoiling (robbing) of bodies; use of human shields; and pillage and looting.

International humanitarian law recognizes the Israeli occupation of the West Bank and Gaza as an ongoing armed conflict. The hostilities between Israel and Hamas and other Palestinian armed groups are governed by international humanitarian law for non-international armed conflicts, which are rooted in international treaty law, most notably Common Article 3 to the Geneva Conventions of 1949, and customary international humanitarian law. These rules concern the methods and means of combat and fundamental protections for civilians and for combatants no longer participating in hostilities and apply to both states and non-state armed groups.

The foremost principle of international humanitarian law is that parties to a conflict must distinguish at all times between combatants and civilians. Civilians may never be the

target of attack. Attacks that deliberately target civilians or fail to discriminate between combatants and civilians, or that would cause disproportionate harm to the civilian population compared to the anticipated military gain, are prohibited.

Members of the organized fighting forces of a non-state party may be targeted during an armed conflict. There is no requirement that members of non-state armed groups wear uniforms or other identifying insignia.

Civilians lose their immunity from attack when and only for such time as they are directly participating in hostilities. The International Committee of the Red Cross (ICRC) “Interpretive Guidance on Direct or Participation in Hostilities” provides that civilians who participate in “individual self-defense” are not directly participating in hostilities. That is, civilians who use necessary and proportionate force to defend themselves against unlawful attack do not become lawful military targets. Otherwise, states the Guidance, “this would have the absurd consequence of legitimizing a previously unlawful attack.”³

Common Article 3 provides a number of fundamental protections for civilians and captured or incapacitated combatants. Violence against such persons—notably murder, cruel treatment, and torture—is prohibited, as well as outrages against their personal dignity and degrading or humiliating treatment, and the taking of hostages.

War Crimes and Crimes Against Humanity

Serious violations of the laws of war that are committed with criminal intent—deliberately or recklessly—are war crimes. War crimes, listed in the “grave breaches” provisions of the Geneva Conventions and as customary law, include a wide array of offenses, including deliberate, indiscriminate, and disproportionate attacks harming civilians and civilian objects, torture and other ill-treatment, hostage-taking, and using human shields, among others. Individuals also may be held criminally liable for attempting to commit a war crime, as well as assisting in, facilitating, aiding, or abetting a war crime.

³ International Committee of the Red Cross (ICRC) “Interpretive Guidance on Direct Participation in Hostilities” <https://casebook.icrc.org/case-study/icrc-interpretive-guidance-notion-direct-participation-hostilities#:~:text=All%20feasible%20precautions%20must%20be,be%20protected%20against%20direct%20attack> (accessed May 31, 2024).

Certain crimes, such as murder, can amount to crimes against humanity, when committed as part of a “widespread or systematic attack directed against a civilian population.” The Rome Statute of the International Criminal Court (ICC) defines such an “attack” as a course of conduct involving the multiple commission of acts listed as crimes against humanity, pursuant to or in furtherance of state or organizational policy to commit such an “attack”—that is, the multiple criminal acts committed. Such a policy includes the state or organization actively promoting or encouraging such an attack, or in certain situations, its deliberate failure to take action.

Criminal responsibility may fall on persons responsible for war crimes or crimes against humanity, including those planning or instigating or assisting the commission of the crimes. In addition, commanders and civilian leaders may be prosecuted for war crimes or crimes against humanity as a matter of command responsibility when they knew or should have known about the commission of war crimes or crimes against humanity by persons within their chain of command and took insufficient measures to prevent them or punish those responsible.

States have an obligation to investigate and fairly prosecute individuals within their territory implicated in war crimes or crimes against humanity.

Violations on October 7

Violations of International Humanitarian Law and War Crimes

Killings

The laws of war prohibit deliberate or indiscriminate attacks on civilians and the killing of civilians or captured combatants in custody, which are war crimes.

Palestinian fighters repeatedly attacked civilians and summarily executed individuals in their custody. The killings of civilians appear planned because of the many similarities in how killings took place across the attack sites: the armed groups directed many of their attacks at residential areas, fighters began to shoot civilians immediately after the assault began at 6:30 a.m., and the armed groups’ audio recordings and videos of the assault posted on their Telegram channels were indicative of a modus operandi. The Hamas leadership issued some statements after the assault saying its fighters had been instructed to spare women, children and older people, something contradicted by events.

Some statements also made no mention of men who, if civilians, are also protected from attack.

Fighters also often extensively damaged people's property, including by smashing and vandalizing, as well as by burning some buildings to the ground, putting civilians inside at grave risk.

Torture and Ill-treatment

Palestinian fighters committed acts of torture and ill-treatment against individuals they had captured, including those being taken as hostages. Committing torture and other ill-treatment is a violation of the laws of war and a war crime.

Verified videos show fighters hitting and kicking those they took into custody. In one video, a fighter is dragging a woman by the hair. Another depicts a female hostage with visible injuries being pulled out of the trunk compartment of a vehicle by a fighter who drags her by her hair and, together with another man, forces her as she resists into the vehicle's back seat. One verified video posted to the South First Responders Telegram channel shows men wearing Qassam Brigades headbands taking a man from a bomb shelter at a bus stop near Kissufim.⁴ Fighters direct the man toward a car parked next to the bus stop and one hits the man repeatedly with the butt of a rifle. A second fighter approaches with zip ties and proceeds to kick the man twice in the head before another fighter gets him to stop.

Crimes Involving Acts of Sexual and Gender-Based Violence

Rape and other severe forms of sexual violence are crimes under international law. Acts of sexual and gender-based violence may also constitute the war crime of outrages upon personal dignity. Human Rights Watch found evidence of acts of sexual and gender-based violence by fighters including forced nudity, and the posting without consent of sexualized images on social media. Human Rights Watch was not able to gather verifiable information through interviews with survivors of or witnesses to rape during the assault on October 7. Human Rights Watch requested access to information on sexual and gender-based violence in the possession of the Israeli government, but this request was not granted.

⁴ South First Responders (@SouthFirstResponders) post to Telegram channel, November 8, 2023, (accessed June 21, 2024).

The office of the UN Special Representative of the Secretary-General on Sexual Violence in Conflict visited Israel on the invitation of the government. The team interviewed people who reported witnessing rape and other sexual violence, concluded that there were “reasonable grounds to believe that conflict-related sexual violence occurred during the October 7 attacks in multiple locations across Gaza periphery, including rape and gang rape, in at least three locations.”⁵

The UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel (UN Commission of Inquiry) conducted an investigation into crimes including those committed during the October 7 assault. In the commission’s June 2024 report it wrote that it had “documented cases indicative of sexual violence perpetrated against women and men in and around the Nova festival site, as well as the Nahal Oz military outpost and several *kibbutzim*, including Kfar Aza, Re’im and Nir Oz,”⁶ and “found indications that members of the military wing of Hamas and other Palestinian armed groups committed gender-based violence (GBV) in several locations in southern Israel on 7 October.”⁷

The extent to which acts of sexual and gender-based violence were committed during the October 7 assault will likely never be fully known: many victims may have been killed; stigma and trauma often deter survivors from reporting; and Israeli security forces and other responders largely did not collect relevant forensic evidence from the attack sites or the recovered bodies.⁸

⁵ Official visit of the Office of the SRSg-SVC to Israel and the occupied West Bank 29 January—14 February 2024 Mission Report, *Office of Special Representative of the Secretary-General on Sexual Violence in Conflict*, March 2023, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 21, 2024).

⁶ Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (COI) – Advance unedited version (A/HRC/56/26), para 25.

⁷ *Ibid* para 24.

⁸ Carrie Keller-Lynn, “Amid War and Urgent Need to Id Bodies, Evidence of Hamas’s October 7 Rapes Slips Away,” *The Times of Israel*, November 9, 2023, <https://www.timesofisrael.com/amid-war-and-urgent-need-to-id-bodies-evidence-of-hamass-october-7-rapes-slips-away/> (accessed February 27, 2024). There is only one public account reportedly from a survivor of sexual violence committed during the October 7 assault. Laura-Maï Gaveriaux, “Ils ont arrêté lorsqu’ils m’ont crue morte » : le calvaire d’Esther, violée et mutilée par les terroristes du Hamas” *Le Parisien*, November 26, 2023, <https://www.leparisien.fr/international/israel/israel-le-calvaire-desther-violee-et-mutilee-par-les-terroristes-du-hamas-26-11-2023-MK5HBAQRRZHENBBFEFOI6NDVWI.php> (accessed February 12, 2024).

Taking of Hostages

Hostage-taking has been defined by the International Committee of the Red Cross as “the seizure, detention or otherwise holding of a person (the hostage) accompanied by the threat to kill, injure or continue to detain that person in order to compel a third party to do or to abstain from doing any act as an explicit or implicit condition for the release, safety or well-being of the hostage.” Hostages can include civilians and captured military personnel. Hostage-taking is a violation of the laws of war and a war crime.

The Hamas leadership has said that taking hostages was core to their assault plans. The Qassam Brigades and other armed groups took 251 people hostage on October 7, including 40 who were taken from the Supernova Music Festival, and 39 children. As of July 1, 116 hostages were still in Gaza, at least 42 of them dead.

The Qassam Brigades and other armed groups have released multiple videos showing hostages asking to be released and demanding action from the Israeli government to secure their release. The broadcast of these videos of people in captivity are forms of inhumane treatment that constitute the war crime of “outrages upon personal dignity.”

Pillage, Looting and Destruction of Property

Pillage has been defined as the forcible taking of private property. Pillage, as well as destruction of property without military justification, are war crimes.

Palestinian fighters and unarmed people, some of whom may have been civilians from Gaza, stole from homes during the October 7 assault. In some cases, they demanded money and other possessions from civilians sheltering inside their houses.

Crimes Against Humanity

Human Rights Watch has found that the Palestinian armed groups involved in the assault on October 7 committed a widespread attack directed against a civilian population, according to the definition required for crimes against humanity. This is based on the numerous civilian sites that were targeted for the commission of crimes. The attack directed against the civilian population was also systematic, based on the planning that went into the crimes. Human Rights Watch has further found that the criminal acts of the killing of civilians and the taking of hostages were all central aims of the planned attack,

and not actions that occurred as an afterthought, or as a plan gone awry, or as isolated acts, for example solely by the actions of unaffiliated Palestinians from Gaza, and as such there is strong evidence of an organizational policy to commit multiple acts of crimes against humanity.

Given, therefore that on October 7, 2023, there was an attack directed against a civilian population and that the murder of civilians and the taking of hostages—imprisonment in violation of fundamental rules of international law—were part of it, these amount to crimes against humanity.

Based on the evidence set out in this report, Human Rights Watch calls for the investigation of other crimes against humanity, including persecution against any identifiable group on racial, national, ethnic or religious grounds; rape or any other form of sexual violence of comparable gravity; and extermination. These would amount to crimes against humanity if criminal acts meeting the respective definitions of the crimes were committed, and these crimes were committed as part of the “attack” directed against a civilian population.

Palestinian Armed Groups Responsible for Abuses

Evidence collected and analyzed by Human Rights Watch, including statements by witnesses, statements by Hamas officials, and verified video and social media content, demonstrates that the October 7 assault was organized and planned well in advance. The consistent patterns of behavior of the fighters during the attacks and their armaments, vehicles and attire, also indicated a high degree of planning and organization.

Human Rights Watch was able to confirm the participation of various Palestinians armed groups based on headbands the fighters wore to indicate their group affiliation and based on posts that armed groups issued on their Telegram channels claiming responsibility for their actions, including acts of abuse.

Human Rights Watch found strong evidence of the participation of at least five Palestinian armed groups from Gaza in the attacks: Hamas’s armed wing, the Qassam Brigades; the Palestinian Islamic Jihad’s armed wing, the Quds Brigades; the Democratic Front for the Liberation of Palestine’s armed wing, the National Resistance Brigades or Omar al-Qasim

Forces; the Popular Front for the Liberation of Palestine’s armed wing, the Martyr Abu Ali Mustafa Brigades; and the Aqsa Martyrs Brigades, formerly linked to the Fatah political faction.

These groups’ participation was largely confirmed through a detailed analysis of the attackers visible in videos taken during the attacks, including CCTV and body camera footage, some wearing colored headbands linked to specific armed groups, as well as an identification of the Telegram social media channels belonging to specific armed groups on which the footage of abuse was posted, with captions claiming responsibility for the acts shown.

All of these groups were members of a “Joint Operations Room” in Gaza that during escalations in hostilities engage in training, planning and carrying out armed operations against Israel.

The Qassam Brigades led the attack and was the most active armed group on October 7. The group carried out 10 of the 13 breaches of the physical barrier separating Gaza and Israel that Human Rights Watch documented. Their presence is visible in at least 14 different locations across southern Israel, where verified videos show the Qassam Brigades’ fighters taking hostages and killing civilians and members of the Israeli security forces.

Logos and Headbands of the Palestinian Armed Groups that Human Rights Watch Confirmed Participated in the October 7, 2023 Assault



The footage analyzed also shows that the Qassam Brigades and the other armed groups involved in the assault coordinated with, and integrated into it, some individuals who appear to be Palestinian civilians from Gaza who committed abuses in conjunction with these forces.

Hamas’s Response to Allegations of Abuse

Hamas responded on April 14, 2024 with a nine-page letter that is attached as an annex and cited throughout this report to questions submitted by Human Rights Watch on February 28. The main assertions made in the letter are that: its armed wing, the Qassam Brigades, planned the operation, which it called “Operation Al-Aqsa Flood,” and led the October 7 assault; “Hamas is committed to respecting international and human rights law”; “the Qassam Brigades was clear in directing its members and fighters not to target civilians”; and it has a “military doctrine not to target civilians.”

It blamed unaffiliated Palestinians from Gaza, who it said crossed through the breached border opportunistically, for committing some of the abuses: “People rushed out, along with Palestinian groups that were not participating in the military operation, resulting in chaos in the field and, thus, changing the plan to conduct an operation against military targets.” It added that after the initial, planned attack occurred, “the subsequent stage, in which Gaza residents and armed forces rushed in without coordination with Hamas, led to many mistakes.”

Several Hamas leaders have spoken publicly about the October 7 assault, including praising the operation overall that day but distancing the group from abuses committed. An English-language document titled “Our Narrative... Operation Al-Aqsa Flood,” issued by the Hamas Media Office on January 21, 2024, states that the attacks only targeted Israeli military sites and fighters avoided harming civilians, and cites chaos on the breached fence areas.

Human Rights Watch has found that based on the information presented in this report, the Hamas claim that on October 7 its forces did not seek to harm Israeli civilians is false—rather, it was part of the plan from the outset. Accounts from survivors along with photographs and verified videos from the attacks show Palestinian fighters seeking out civilians and killing them across the attack sites from the first moments that the assault

began, indicating that the intentional killing and hostage-taking of civilians was planned and highly coordinated.

Civilian Deaths in Crossfire

A number of the civilian casualties on October 7 occurred during the fighting between Israeli armed forces and Palestinian fighters.⁹ Some of those killed and injured appear to have been killed or injured while in the custody of Palestinian forces, who were holding them as hostages.

There were ongoing government probes into the role the Israeli armed forces played in contributing to the civilian death toll at the time of writing.

Israeli media reports indicate that Israeli forces responding to the assault injured or killed some civilians during attacks on Palestinian fighters in and around the fences separating Gaza and Israel.¹⁰ In one case that the Israeli military investigated, it concluded that its forces killed an Israeli civilian who had been taken hostage near the Gaza and Israel border.¹¹

Human Rights Watch is aware of at least two incidents in which Palestinian fighters appear to have used civilians as human shields. Using human shields is a violation of the laws of war and a war crime.

Recovering the Bodies

The scale and intensity of the Palestinian armed group attacks and the subsequent fighting, the taking of scores of hostages to Gaza, and the number of bodies and wounded dispersed across a large area complicated the task for Israeli authorities of promptly

⁹ Ilana Kuriel, “‘They Took Me in The Fields to Gaza, I Was Covered in Blood, I Made Myself Dead’: Naamit Survived the Nir Oz Massacre,” *Ynetnews*, October 10, 2023, <https://www.ynet.co.il/News/Article/Skuyf2mzt> (Accessed February 13, 2024).

¹⁰ Ronen Bergman, Yoav Zeyton, “The First Hours of Black Saturday,” *Ynetnews*, January 12, 2024, <https://www.ynet.co.il/yediot/7-days/time-of-darkness> (accessed February 12, 2024); Ronen Bergman, Yoav Zeyton, “The order: prevent terrorists from returning to Gaza “at all costs”, even if they have hostages with them,” *Ynetnews*, January 10, 2024, <https://www.ynet.co.il/news/article/yokra13754368> (accessed February 21, 2024); Yaniv Kubovich, “IDF Ordered Hannibal Directive on October 7 to Prevent Hamas Taking Soldiers Captive,” *Haaretz*, July 7, 2024, <https://www.haaretz.com/israel-news/2024-07-07/ty-article-magazine/.premium/idf-ordered-hannibal-directive-on-october-7-to-prevent-hamas-taking-soldiers-captive/00000190-89a2-d776-a3b1-fdbe45520000> (accessed July 9, 2024).

¹¹ Findings of the conduct of the Air Force during the kidnapping of the late Efrat Katz on October 7,” *The Israel Defense Forces (IDF) Official Page*, May 4, 2024, <https://www.idf.il/190673> (accessed June 13, 2024).

recovering and identifying the victims. The initial number of civilians pronounced as killed was later lowered, which Israeli authorities attribute to the confusion in identifying the recovered human remains and determining whether they were victims or attackers.

On October 7, Israeli authorities did not prioritize the gathering of forensic evidence. This has made it more difficult to know with precision the scale and nature of the abuses committed. Members of ZAKA, an umbrella group of voluntary community emergency response teams in Israel, arrived at sites soon after the attacks in some cases as they were ongoing and the military had arrived. ZAKA members collected many of the bodies from the attack sites. Their priority was to, in accordance with Jewish law, preserve Jewish human remains, identify the dead, and allow families to bury their loved ones quickly and with dignity in accordance with Jewish law. Remains were placed in body bags and transported to the Shura Military Base, after which the authorities handed them over to the families for burial.

Aftermath of the Assault

Within days of the Palestinian armed groups' attacks, Israeli authorities cut off essential services, including water and electricity, to Gaza's population and blocked the entry of all but a trickle of fuel and humanitarian aid, acts that amount to war crimes.¹² Immediately after the attacks in southern Israel, Israeli forces began an intense aerial bombardment and a later ground incursion, which have continued until the present, reducing large parts of Gaza to rubble.¹³ Israeli forces have been responsible for an undetermined number of unlawfully indiscriminate attacks and displaced the vast majority of Gaza's population. More than 37,900 Palestinians, most of them civilians were killed between October 7 and July 1, according to Gaza's Health Ministry.¹⁴ The October 7 assault cannot justify the

¹² "Israel: Unlawful Gaza Blockade Deadly for Children," Human Rights Watch news release, October 18, 2023, <https://www.hrw.org/news/2023/10/18/israel-unlawful-gaza-blockade-deadly-children>; "Israeli Authorities' Cutting of Water Leading to Public Health Crisis in Gaza," Human Rights Watch dispatch, November 16, 2023, <https://www.hrw.org/news/2023/11/16/israeli-authorities-cutting-water-leading-public-health-crisis-gaza>; "Gaza's Blocked Relief

Israeli Government Continues to Obstruct Desperately Needed Humanitarian Aid," Human Rights Watch news release, October 30, 2023, <https://www.hrw.org/news/2023/10/30/gazas-blocked-relief>.

¹³ Escalation in the Gaza Strip and Israel | Flash Update #1 as of 18:00, 7 October 2023, Situation Overview, *OCHA*, <https://www.unocha.org/publications/report/occupied-palestinian-territory/escalation-gaza-strip-and-israel-flash-update-1-1800-7-october-2023> (accessed June 2, 2024).

¹⁴ Palestinian Ministry of Health/Gaza post to Facebook, July 1, 2024, <https://www.facebook.com/MOHGaza1994/posts/798315762473368> (accessed July 3, 2024).

atrocities and war crimes committed by Israeli forces in Gaza, just as no act, policy or crime attributable to Israeli authorities can justify the unlawful killing, ill-treatment, hostage-taking, and other crimes that the Qassam Brigades and other Palestinian armed groups carried out in Israel on October 7.

For the survivors of the October 7 attacks, their communities remain in tatters. Rotem Holin from Kfar Aza, who had moved with her two young children to a hotel repurposed as a temporary shelter, described the impact of the attack on her kibbutz in late October:

We lived through hell and 32 hours of not knowing what's happening to our families and friends and neighbors. Now we will need to build ourselves new homes- there is nothing left. I can't even think of living near Gaza because I can't imagine living through this again. We never thought it would happen. Every person who you see [in the hotel] is broken. They have all probably lost one of their best friends or a family member. Everyone is going from funeral to funeral, and looking at name after name of people killed, and name after name of people taken to Gaza. Our brains haven't even fully processed this loss. We have to tell our kids that they have friends and teachers who are never coming back. My son recently told me that the father of one of his friends was shot dead, and another friend's mother, the same.¹⁵

All parties to the armed conflict in Gaza and Israel should fully abide by international humanitarian law. The Palestinian armed groups in Gaza should immediately and unconditionally release civilians held hostage. They should take appropriate disciplinary measures against armed group members responsible for war crimes, and should transfer for prosecution any individuals facing warrants from the ICC.

Turkey, Iran, Qatar and other countries that have relations with Hamas, its armed wing, and the other armed groups involved in the assault should seek the immediate release of the remaining civilian hostages. Countries providing arms to the Palestinian armed groups

¹⁵ Human Rights Watch interview with Rotem Holin, Shefayim, October 20, 2023.

who participated in the assault, including Iran, should suspend arms transfers so long as these groups continue to commit violations of the laws of war that go unpunished.

To facilitate independent documentation of abuses by all parties, Israeli and Palestinian authorities and armed groups should cooperate with and provide unhindered access to all of Israel and the Occupied Palestinian Territory to the UN Commission of Inquiry; the ICC; relevant UN special procedures; and independent human rights organizations.

Recommendations

Since the October 7 assault and Israel’s ongoing military operations in Gaza, Human Rights Watch has issued numerous reports containing recommendations to the Israeli authorities and the international community.¹⁶ The recommendations included in this report stem from Human Rights Watch’s research into the October 7 assault and violations of international law.

To Hamas, the Qassam Brigades and Other Palestinian Armed Groups Participating in the October 7 Assault

- Publish a complete list of all the people being held hostage and bodies they are withholding;
- Immediately release all civilians held hostage;
- So long as they hold hostages, ensure that all hostages are treated humanely; held in humane conditions, with access to adequate medical care, food, and shelter; and are allowed to communicate privately with their families and receive visits from an impartial humanitarian agency;
- Ensure that any hostages who are particularly at risk, including older people, any survivors of sexual violence, and those injured or otherwise requiring medical treatment, are immediately given access to adequate and appropriate treatment and services, and are prioritized for release to facilitate their access to medical and psychosocial support services and mental health care;
- Immediately cease unlawful attacks, including indiscriminate attacks and targeted attacks against civilians, including the launching of unguided rockets and projectiles toward Israeli population centers;
- Take appropriate disciplinary actions against members responsible for ordering or carrying out serious violations of international law;
- Cooperate with international authorities, including the International Criminal Court (ICC), UN Commission of Inquiry, UN Office of the High Commissioner for Human Rights, and other relevant UN mechanisms and experts, including in order to

¹⁶ “Suspend Arms to Israel, Palestinian Armed Groups,” Human Rights Watch press release, November 6, 2023, <https://www.hrw.org/news/2023/11/06/suspend-arms-israel-palestinian-armed-groups>; “Israel Not Complying with World Court Order in Genocide Case,” Human Rights Watch press release, February 26, 2024, <https://www.hrw.org/news/2024/02/26/israel-not-complying-world-court-order-genocide-case>.

ensure justice and reparations for victims for crimes committed during the October 7 assault;

- Provide prompt and appropriate compensation to victims and their families for deaths, injuries, acts of sexual violence, and property damage resulting from unlawful attacks.

To Palestinian Authorities

- Publicly call on all groups holding civilian hostages in Gaza to release them;
- Conduct transparent, credible, and impartial investigations into credible allegations of laws-of-war violations committed by persons under their jurisdiction, including those violations detailed in this report, and prosecute in fair, transparent proceedings, those credibly implicated in the abuses at all levels;
- Make public the findings of the investigations including into the intended military targets of attacks, if any, that resulted in civilian casualties, and attacks that directly or indirectly damaged civilian infrastructure and other protected objects;
- Cooperate with international authorities, including the ICC, UN Commission of Inquiry, UN Office of the High Commissioner for Human Rights, and other relevant UN mechanisms and experts, including in order to ensure justice and reparations for victims for crimes committed during the October 7 attacks, including for acts of sexual and gender-based violence;
- Do not cooperate or coordinate with or support armed groups credibly found to perpetrate systematic abuses against civilians; and in particular the Qassam Brigades, Quds Brigades, National Resistance Brigades or Omar al-Qasim Forces, Martyr Abu Ali Mustafa Brigades, and Aqsa Martyrs Brigades;
- Publicly condemn all targeted, indiscriminate and otherwise unlawful attacks against civilians.

To the Israeli Government

- Ensure that all investigations into abuses committed on October 7, particularly sexual and gender-based violence, are conducted in a manner that is victim-centered, fully informed by best practices, respects victims' and their families'

autonomy and privacy, and connects survivors with comprehensive support services and assistance¹⁷;

- Share with international bodies including the ICC, UN Commission of Inquiry, and UN High Commissioner for Human Rights any evidence collected on abuses committed by Palestinian armed groups linked to the October 7 attacks, in line with victims' rights including the right to privacy, for the purpose of pursuing accountability;
- Provide the ICC, UN Commission of Inquiry, UN Office of the High Commissioner for Human Rights, other relevant UN mechanisms and experts, and independent human rights organizations with immediate cooperation and unhindered access to all of Israel and the Occupied Palestinian Territory;
- Continue to ensure that any survivor of the October 7 assault or of subsequent abuses committed while being held hostage, and in particular children and any survivor of sexual and gender-based violence, has immediate and ongoing access to comprehensive and appropriate services including psychosocial support, health care, and evidence collection and preservation, and that services are delivered in a survivor-centered and confidential manner that respects their autonomy and privacy;
- Treat all Palestinians detained on suspicion of participating in the October 7 attacks in accordance with humanitarian and human rights law including by refraining from any form of ill treatment during interrogation, providing families with up-to-date information on their relative's location while in custody and allowing them to communicate directly, and granting them all due process guarantees.

To the UN Security Council

- Demand unimpeded access throughout Israel and the Occupied Palestinian Territory for the ICC, UN Commission of Inquiry, UN Office of the High Commissioner for Human Rights, other relevant UN mechanisms and experts, and independent human rights organizations investigating the events of October 7 and subsequent hostilities between Israeli forces and Palestinian armed groups.

¹⁷ Handbook for United Nations Field Missions on Preventing and Responding to Conflict-Related Sexual Violence, *United Nations Department of Peace Operations*, August 2020, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2020/06/2020.08-UN-CRSV-Handbook.pdf> (accessed June 24, 2024).

To All States

- Impose or keep in place targeted sanctions, including asset freezes and travel bans, against officials and entities responsible for ongoing grave abuses, while ensuring that these measures do not harm civilians and nongovernmental organizations performing internationally protected activities in Gaza and elsewhere in Palestine. All those targeted with sanctions should have the opportunity to challenge such decisions in fair, prompt proceedings by independent courts and judges;
- Suspend arms and military assistance to the Palestinian armed groups credibly implicated in grave abuses, so long as they systematically commit abuses amounting to war crimes and possible crimes against humanity with impunity;
- Investigate and prosecute those credibly implicated in international crimes committed as part of the October 7 assault, under the principle of universal jurisdiction and in fair, transparent proceedings in accordance with international due process standards;
- Support UN investigations into the October 7 assault and urge that the armed Palestinian armed groups involved and Israel cooperate with the ICC, UN Commission of Inquiry, UN Office of the High Commissioner for Human Rights, other relevant UN mechanisms and experts, and independent human rights organizations;
- Protect the ICC's independence and publicly condemn efforts to intimidate or interfere with the court's work, its officials, and those cooperating with the institution;
- Express support for any arrest warrants the ICC may issue, commit to working to ensure the execution of such warrants, and press Palestinian and Israeli authorities to cooperate with the court;
- Support independent justice mechanisms;
- Demand unimpeded access throughout Israel and the Occupied Palestinian Territory for UN and international justice mechanisms and independent human rights investigators into the events of October 7 and the subsequent hostilities between Israeli force and Palestinian armed groups.

To the Governments of Egypt, Iran, Turkey, and Qatar and other Gulf States that have Relations with, or Influence over the Qassam Brigades and other Armed Groups in Gaza that Participated in the Assault

- Use influence over Palestinian armed groups that hold civilian hostages to push for their immediate and unconditional release.
- Use influence over Palestinian armed groups that participated in the October 7 assault and other attacks on civilians to respect international humanitarian law, in particular Common Article 3 of the four Geneva Conventions of 1949, as per their obligations under Common Article 1.

Methodology

Human Rights Watch interviewed 144 people for this report, most in person in Israel in October and November 2023. Other people were interviewed remotely between October 2023 and June 2024. This includes 94 survivors and witnesses from the October 7 assault. Human Rights Watch also spoke to seven family members of victims and survivors, some of whom went to the attack sites during evacuations or immediately afterward.

Human Rights Watch spoke to two medical experts hired by the Israeli government to examine the remains collected by ZAKA (see below) and provide forensic advice. We also interviewed 17 service providers, investigators, and advocates who were collecting information about acts of gender-based violence reported to have been committed during the attacks.

Human Rights Watch interviewed a former member of the Israel Defense Forces who took part in fighting on October 7. We also spoke to nine journalists who visited the attack sites immediately after the fighting.

Because of their role in collecting bodies of victims from the attack sites, Human Rights Watch spoke to 10 volunteer first responders from ZAKA Search and Rescue (also known as Zihuy Korbanot Ason, or Disaster Victim Identification). ZAKA is an umbrella organization of voluntary community emergency response teams in Israel, funded in part by the Israeli government with a mandate that includes aiding in the identification of victims of terrorism, and gathering remains for Jewish burial. The ZAKA members with whom Human Rights Watch spoke had all been first responders to attack sites. Following October 7, some ZAKA members provided information to the media that proved unfounded.¹⁸ In assessing allegations of abuse, we relied only on information they provided that we were

¹⁸ Nir Hasson and Liza Rozovsky, “Hamas Committed Documented Atrocities. But a Few False Stories Feed the Deniers,” *Haaretz*, December 4, 2023, <https://www.haaretz.com/israel-news/2023-12-04/ty-article-magazine/.premium/hamas-committed-documented-atrocities-but-a-few-false-stories-feed-the-deniers/0000018c-34f3-da74-afce-b5f24f0000> (accessed June 24, 2024); “How 2 debunked accounts from ZAKA workers fueled global skepticism of Oct. 7 rape,” *The Times of Israel*, May 22, 2024, <https://www.timesofisrael.com/how-2-debunked-accounts-from-zaka-workers-fueled-global-skepticism-of-oct-7-rape/> (accessed June 24, 2024); Arun Gupta, “American Media Keep Citing ZAKA — Though Its October 7 Atrocity Stories Are Discredited In Israel,” *The Intercept*, February 27, 2024, <https://theintercept.com/2024/02/27/zaka-october-7-israel-hamas-new-york-times/> (accessed June 24, 2024).

able to independently corroborate through additional information, including multiple accounts, and photographs and videos shared by both ZAKA and other sources and analyzed by Human Rights Watch.

Most of those interviewed were Jewish Israelis, but we also interviewed Palestinians from Gaza, Palestinian citizens of Israel, and foreign workers from Nepal, Thailand, and the Philippines.

Interviews were primarily conducted in Hebrew with the assistance of interpreters, and in Arabic, English, Spanish, and Thai.

Researchers informed all interviewees about the purpose and voluntary nature of the interviews, and the ways in which Human Rights Watch would use the information. We obtained consent from all interviewees, who understood they would receive no compensation for their participation. The names of some interviewees quoted in this report have been changed at their request to protect their privacy. Those referred to with a first name and a single initial surname have been given pseudonyms, while those with complete first names and surnames have not.

Human Rights Watch attempted to interview survivors from all the civilian sites that came under attack on October 7, but was ultimately unable to interview those from the attacks on Moshav Pri Gan, Moshav Yachini, and the Psyduck music festival.

On November 5, Human Rights Watch visited Kibbutz Be'eri. Despite numerous requests, Israeli authorities never granted Human Rights Watch permission to visit any of the other attack sites.

Human Rights Watch verified over 280 videos and photographs taken during or just after the October 7 assault, including 157 which were uploaded onto social media platforms and news websites and 123 which were shared directly with researchers. A researcher also attended a screening of a roughly 45-minute video made of different pieces of footage from October 7, at the invitation of the Israeli consulate in Los Angeles.

As per our standard methodology, each video and photograph verified by open-source researchers at Human Rights Watch was then reviewed by members of staff with visual

verification expertise. To determine the location of each video and photograph, researchers matched landmarks with available satellite imagery, street-level photographs, or other visual material. Where possible, Human Rights Watch used the position of the sun and any resulting shadows visible in videos and photographs to estimate the time the content was recorded at. Researchers also confirmed that each piece of content had not appeared online prior to October 7, using various reverse search image engines.

Human Rights Watch has adopted specific terminology to distinguish between audiovisual content that we have analyzed and audiovisual content that we have also verified. In the report, Human Rights Watch uses the term “analyzed” for content that has been reviewed and appears authentic, but we have been unable to confirm all temporal, geographic, or contextual aspects. We use the term “verified” for videos or photographs where we were able to confirm the location, timeframe, and context in which they were taken.

When reviewing closed-circuit television (CCTV) and dashcam footage, researchers did not assume the timestamps visible on the videos to be accurate; programming errors, different time zones, daylight savings time, and other factors could have created discrepancies. However, these timestamps have been included in descriptions of videos where relevant. Human Rights Watch reviewed each video frame-by-frame to document how people had been killed, injured, or in other ways harmed.

Much of the visual material Human Rights Watch analyzed was recorded and edited by Palestinian armed groups or CCTV and dashcam footage redistributed by an anonymous Telegram group of self-described Israeli first responders called South First Responders. While Human Rights Watch verified events depicted in content shared by these groups, both the armed groups and South First Responders curated the content they made available. Researchers do not know how much footage they chose not to upload. In addition, much of the footage has been cut and edited together into montages. The report includes claims made by South First Responders in the captions that accompany the videos they posted, with a note indicating whether Human Rights Watch has been able to verify them. When such claims are included, the report states the provenance as originating from the captions of the South First Responders channel.

Some of the content analyzed came from Telegram channels created by Palestinian armed groups identified as participating in the October 7 assault. Human Rights Watch

established that these channels belong to the armed groups including by reviewing the date they were set up and whether they had been active long before October 7. We confirmed that the profile images and name matched those of the armed group, and that each channel was posting footage unique to the group. All of the channels had high numbers of followers.¹⁹

Each armed group's main Telegram channel posted videos that explicitly claim responsibility for the acts that take place in the video. Many footage montages depicting abuses begin with a title card reading, for example, "Scenes of Quds Brigades storming a number of military posts and settlements in Gaza Envelope as part of Al-Aqsa Flood battle." On the day of the attack, and in the following days, researchers could not identify any content being cross posted across the various channels, giving a high level of confidence that the content posted was produced by the group running the channel, showing acts that group carried out.

In analyzing the videos, researchers noted consistency between the colored headbands or arm bands with specific insignia that many fighters wear, which match the logos of specific armed groups, and the Telegram channels in which they appear. No armed group channels shared videos of people wearing colors or insignias from different groups.

By identifying the colors and insignias that fighters wore and flagging videos that show them wearing distinctive apparel, Human Rights Watch was able to gain some insights into the level of various Palestinian armed groups' involvement in the attacks. Human Rights Watch reviewed verified videos to examine what attackers said and if, when, or how armed groups indicated intent or coordinated their attacks. Human Rights Watch was unable to determine whether individuals without insignia or distinctive apparel were affiliated with the groups involved.

To protect the privacy and dignity of victims and survivors, Human Rights Watch has not included direct links to the videos and photographs found online. However, for the

¹⁹ Al-Quds. Telegram channel "sarayaps," active since October 7, 2017; Qassam Brigades Telegram channel "qassambrigades," active since November 9, 2015; al-Nasser Salah al-Din Brigades Telegram channel "alwya2000," active since January 21, 2019. Palestinian Mujahideen Movement Telegram channel "darebmojahden" active since August 10, 2018. Al Aqsa Martyrs Brigade Telegram channel "nedalps" active since May 8, 2021. Martyr Abu Ali Mustafa Brigades Telegram channel "kataebabuali" active since November 28, 2015. National Resistance Brigades or Omar al-Qasim Forces Telegram channel "kataeb_moqawma" active since September 11, 2019.

purpose of transparency and to allow for independent analysis, we have provided citations of the footage we have analyzed and the date on which it was shared online. The dates of the videos included in the citations correspond to the local time of posting in Israel. The videos and photographs used in the analysis of this report have been preserved by Human Rights Watch in the event they are removed from online sources.

Two independent forensic pathologists reviewed 12 photographs and videos of human remains that Human Rights Watch analyzed and provided their professional assessments.

The report documents attacks on civilian sites and civilian victims on October 7. It does not cover attacks on military sites or military forces with the exception of incidents that help provide context. Human Rights Watch has reported elsewhere on violations of the laws of war by Israeli forces and Palestinian armed groups in the aftermath of these attacks.²⁰

In all cases where we provide numbers of those killed in various locations, we provide the source for those numbers. Many of the figures in this report concerning the number of those killed during and in the immediate aftermath of the assault, are based on the tally of victims developed by the news service Agence France-Presse (AFP). To calculate its figures, AFP cross-referenced data published separately by Israel's social security agency, the armed forces, the police, the Shin Bet security agency and the prime minister's office for Israelis killed at the attack sites between October 7 and 10, and other sources including its own reporting to identify non-Israeli victims. Human Rights Watch notes, however, that AFP did not count soldiers, police, or members of the rapid response teams as civilians, although police and members of the rapid response teams who do not have a permanent combat role are normally civilians under the laws of war. Human Rights Watch has re-published the overall AFP figures because of the rigorous methodology the agency used to verify its figures, which it shared with Human Rights Watch.

Consistent with our global approach to armed conflicts, Human Rights Watch in this report applies international humanitarian law binding on both states and non-state armed groups in the conduct of hostilities, as well as applicable international human rights law and international criminal law.

²⁰ Human Rights Watch Israel/Palestine landing page, <https://www.hrw.org/middle-east/north-africa/israel/palestine>.

It is not within the mandate of Human Rights Watch to address whether any party was justified in resorting to armed force. Human Rights Watch maintains a position of neutrality on issues of *jus ad bellum* (the law governing justifications to go to war) in order to credibly encourage all sides in armed conflicts to respect *jus in bello* (the law governing acceptable conduct in war), including and especially protections for civilians. In our reporting globally, Human Rights Watch does not apply the term “terrorists” or “terrorism” to specific actors or acts as there is no internationally agreed-upon definition, and because the label has no bearing on the international legal obligations of warring parties. We did not alter quotes when the terms were used by survivors or witnesses.

Consistent with Human Rights Watch practice in armed conflicts involving non-state armed groups, we typically refer to apparent members of those groups engaged in hostilities as “fighters,” regardless of the terms they or others may use. Members of national armies, in this case the Israel armed forces, are typically referred to as “soldiers.”

In March, Human Rights Watch sent letters with a summary of its findings and questions to senior representatives of Hamas and the Palestinian Islamic Jihad. On April 14, Hamas replied with responses (henceforth referred to as the April 14 Hamas letter) that have been included in the report where relevant. The response is included in full in the appendix of the report. The Palestinian Islamic Jihad confirmed receipt of the letter but had not provided any substantive response at time of writing.

From January through March, Human Rights Watch sent letters to various Israeli authorities, including the Prime Minister’s Office, Israeli armed forces, Israeli Police, Police Unit Lahav 433, Ministry of Health, and Office of the State Attorney requesting information about the government’s investigations into crimes committed during the October 7 assault.

Human Rights Watch received responses from the Israeli Police, the Office of the State Attorney, and the Israeli armed forces between February 1 and May 23. None of the responses included any substantive information into the government’s investigations or evidence of abuses perpetrated. A representative of the Israeli Police said it was not obligated under Israeli law to provide this information. The Office of the State Attorney said it did not have this information and referred us to other authorities. The Prime Minister’s Office requested an extension to respond to our letter, committing to do so by July 17, 2024.

Israeli authorities have published multiple videos of interrogations of Palestinians they arrested whom they say participated in the October 7 assault. As is our standard practice, we have not made use of the accounts recorded in these and other detainee videos because of the inherent unreliability of such videos. All prisoners must be treated with dignity and not exposed to public curiosity, and such videos often use or encourage the use of torture or other forms of ill-treatment.²¹

Human Rights Watch has not attempted to address directly the considerable misinformation that has circulated about the October 7 events. We have, however responded to inaccurate claims made in the April 14 Hamas letter.

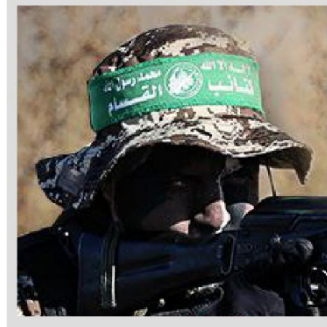
²¹ Human Rights Watch, *Torture and Ill-Treatment: Israel's Interrogation of Palestinians from the Occupied Territories* (New York: Human Rights Watch, 1994) <https://www.hrw.org/legacy/reports/1994/israel/>; The Public Committee Against Torture in Israel (PCATI), "Torture in Israel, Situation Report 2023", <https://stoptorture.org.il/wp-content/uploads/2024/06/%D7%AA%D7%9E%D7%95%D7%A0%D7%AA-%D7%9E%D7%A6%D7%91-2023-ENG-WEB.pdf> (accessed July 8, 2024); Michael Sfar, *The Wall and the Gate*, (2018) pp. 253-254 (noting that Israeli authorities approved use of torture on a group of Jewish Israelis in the 1970s and, in 2015, on several Jewish Israelis accused of murdering a Palestinian family); The Public Committee Against Torture in Israel (PCATI), "Incarceration of Unlawful Combatants Law (Amendment 4 and Temporary Provision – Iron Swords 2023), February 2024, <https://stoptorture.org.il/en/incarceration-of-unlawful-combatants-law-amendment-4-and-temporary-provision-iron-swords-2023/> (accessed July 8, 2024); PCATI, "Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023," February 15, 2024, <https://stoptorture.org.il/en/systemic-torture-and-inhumane-treatment-of-palestinian-detainees-in-israeli-prison-facilities-since-october-7-2023-2/> [accessed July 8, 2024]; PCATI, "Torture in Israel 2021 Situation Report," <https://stoptorture.org.il/en/torture-in-israel-2021-situation-report-2/> (accessed July 9, 2024).

Glossary of Palestinian Armed Groups Involved in the October 7 Assault

At least five Palestinian armed groups participated in the October 7 assault, with two more claiming they also participated. There is some evidence of an eighth group having possibly participated.

Izz al-Din al-Qassam Brigades: The armed wing of Hamas formed in 1992, according to the group, is the largest, most powerful and well-organized Palestinian armed group based in Gaza.²² Prior to October 7, the group reportedly comprised at least 20,000 members organized into several brigades.²³ It has training and military camps across the Gaza Strip and has frequently launched rockets indiscriminately toward

Izz ad-Din al-Qassam
Brigades



²² “What to know about Hamas’ military capabilities,” *Axios*, October 21, 2023, <https://www.axios.com/2023/10/21/palestine-hamas-military-power> (accessed February 27, 2024); Mapping Palestinian Politics, Armed Groups, Izz Al-Din Al-Qassam Brigades (Iqb)—Hamas, https://ecfr.eu/special/mapping_palestinian_politics/izz_al_din_al_qassam_brigades/ (accessed May 31, 2024); “What is Hamas’s armed wing, the Qassam Brigades?” *Al Jazeera*, October 26, 2023, <https://www.aljazeera.com/news/2023/10/26/who-are-qassam-armed-resistance-in-gaza> (accessed May 31, 2024); “How Did Hamas Establish its Army in the Gaza? The Evolution of the Military Action of the Izz al-Din al-Qassam Brigades,” *Doha Institute for Graduate Studies*, 2020, <https://siyasatarabiya.dohainstitute.org/ar/issue045/Pages/Siyassat45-2020-Hussien.pdf> (accessed May 31, 2024); General definition of the Qassam Brigades, Military Media Department of the Al-Qassam Brigades, <https://alqassam.net/arabic/%D9%85%D9%86-%D9%86%D8%AD%D9%86> (accessed on Web Archive June 26, 2024).

²³ Ahmed Qasem Hussein, “The Evolution of the Military Action of the Izz al-Din al-Qassam Brigades: How Hamas Established its Army in Gaza,” *Arab Center for Research & Policy Studies*, September 2021, https://www.jstor.org/stable/pdf/10.31430/almuntaqa.4.1.0078.pdf?refreqid=fastly-default%3A4cb837cdd952e7db7df465619c9ce7cf&ab_segments=&origin=&initiator=&acceptTC=1 (accessed May 31, 2024); Mapping Palestinian Politics, Armed Groups, Izz Al-Din Al-Qassam Brigades (Iqb)—Hamas, https://ecfr.eu/special/mapping_palestinian_politics/izz_al_din_al_qassam_brigades/ (accessed May 31, 2024); “What is Hamas’s armed wing, the Qassam Brigades?” *Al Jazeera*, October 26, 2023, <https://www.aljazeera.com/news/2023/10/26/who-are-qassam-armed-resistance-in-gaza> (accessed May 31, 2024).

Al-Quds Brigades



population centers in Israel since 2001.²⁴ Mohammad Diab Ibrahim Al-Masri, commonly known as Mohammed Deif, is the group's overall commander. Marwan Issa, who the Israeli forces alleged they killed in March 2024, was the commander of the group's Gaza forces.²⁵ Qassam Brigades fighters often wear green and white headbands with opposite color text to identify themselves.

Al-Quds Brigades: The armed wing of the Palestinian Islamic Jihad, the size of whose membership is unknown, was founded in 1987.²⁶ It has launched rockets indiscriminately into Israel and operates cells in the occupied West Bank.²⁷ In May 2023, Israeli forces killed Khalil al-Bahtini, the group's north Gaza brigades commander; Jihad Shaker al-Ghannam, secretary general of the military council; and Tariq Muhammad Ezzedine, another military commander.²⁸ Since then, the group has stopped

²⁴ " Hamas deployed specialised units to attack Israel, says source," *Reuters*, October 9, 2023, <https://www.reuters.com/world/middle-east/hamas-deployed-specialised-units-attack-israel-says-source-2023-10-09/> (accessed February 27, 2024); Human Rights Watch, "Rockets from Gaza—Harm to Civilians from Palestinian Armed Groups' Rocket Attacks," August 6, 2009, <https://www.hrw.org/report/2009/08/06/rockets-gaza/harm-civilians-palestinian-armed-groups-rocket-attacks>; Human Rights Watch, "Indiscriminate Fire—Palestinian Rocket Attacks on Israel and Israeli Artillery Shelling in the Gaza Strip," June 30, 2007, <https://www.hrw.org/report/2007/06/30/indiscriminate-fire/palestinian-rocket-attacks-israel-and-israeli-artillery>; "Palestine/Israel: Indiscriminate Palestinian Rocket Attacks," Human Rights Watch news release, July 9, 2014, <https://www.hrw.org/news/2014/07/09/palestine/israel-indiscriminate-palestinian-rocket-attacks>; "Palestinian Rockets in May Killed Civilians in Israel, Gaza," Human Rights Watch news release, August 12, 2021, <https://www.hrw.org/news/2021/08/12/palestinian-rockets-may-killed-civilians-israel-gaza>.

²⁵ Hamas's Izz al-Din al-Qassam Brigades, Parliament of Australia, file:///Users/knightn/Downloads/https___aphref.aph.gov.au_house_committee_pjcis_five_terrorist_sor_hamass%20izz%20al-din%20al-qassam%20brigades.pdf (accessed February 5, 2024); Emanuel Fabian, "IDF confirms Marwan Issa, Hamas's No. 3, was killed in central Gaza strike," *Times of Israel*, March 26, 2024, <https://www.timesofisrael.com/idf-confirms-marwan-issa-hamass-no-3-killed-in-central-gaza-strike/> (accessed May 31, 2024).

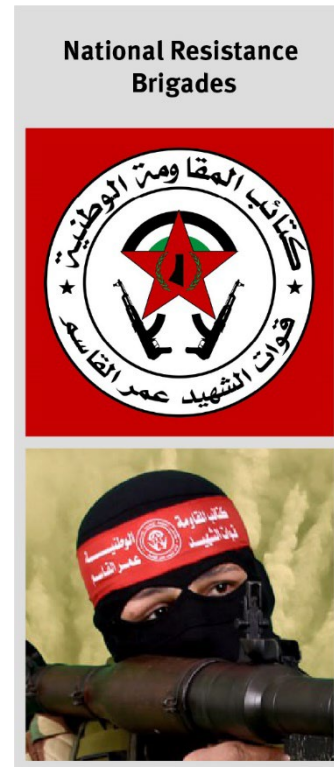
²⁶ Australian National Security, Palestinian Islamic Jihad webpage, Australian Government, <https://web.archive.org/web/20150309110622/http://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/PalestinianIslamicJihad.aspx> (accessed June 3, 2024); Sameh Odeh, "Al-Qassam is not alone. Learn about the most prominent resistance factions in Palestine," *Al-Jazeera*, November 27, 2023, <https://www.aljazeera.net/midan/reality/politics/2023/11/27/%D9%84%D9%8A%D8%B3%D8%AA-%D8%A7%D9%84%D9%82%D8%B3%D8%A7%D9%85-%D9%88%D8%AD%D8%AF%D9%87%D8%A7-%D8%AA%D8%B9%D8%B1%D9%81-%D8%B9%D9%84%D9%89-%D8%A3%D8%A8%D8%B1%D8%B2> (accessed June 3, 2024).

²⁷ "Saraya al-Quds claims rocket strike on southern Israeli city of Netivot," *Tass*, October 9, 2023, <https://tass.com/world/1687227> (accessed June 2, 2024).

²⁸ "Israel/OPT: Civilian deaths and extensive destruction in latest Gaza offensive highlight human toll of apartheid," *Relief Web*, June 13, 2023, <https://reliefweb.int/report/occupied-palestinian-territory/israelopt-civilian-deaths-and-extensive>

making public the names of its commanders. In January 2024, the Israeli government said it killed Mamdouh Loulou, allegedly a senior commander, in north Gaza.²⁹ Quds Brigades fighters often distinguish themselves by wearing black headbands with yellow writing.

National Resistance Brigades, also known as the **Omar al-Qasim Forces**: The armed wing of the Democratic Front for the Liberation of Palestine a faction of the Palestine Liberation Organization (PLO), was formed in 2000, at the beginning of the Second Intifada, or Palestinian Uprising.³⁰ It is reportedly made up of small cells operating in Gaza and the West Bank. Its force numbers are unknown. The group has reportedly fired rockets and mortars indiscriminately into Israel.³¹ National Resistance Brigades fighters often wear red headbands to identify themselves.



destruction-latest-gaza-offensive-highlight-human-toll-apartheid (accessed June 2, 2024); David Gritten, “Israeli strikes on Gaza kill top militants and 10 civilians,” *BBC*, May 9, 2023, <https://www.bbc.com/news/world-middle-east-65529490> (accessed June 2, 2024).

²⁹ “Al-Quds Brigades announces death of Israel hostage in Gaza,” *MEMO*, November 22, 2023, <https://www.middleeastmonitor.com/20231122-al-quds-brigades-announces-death-of-israel-hostage-in-gaza/> (accessed June 3, 2024).

³⁰ European Council on Foreign Relations, Mapping Palestinian Politics, Armed groups, National Resistance Brigades—Dflp, https://ecfr.eu/special/mapping_palestinian_politics/national_resistance_brigades_dflp/ (accessed February 5, 2024).

³¹ Hani Al-Shaer, “Israeli army strikes Palestinian factions’ sites in Gaza,” *Anadolu Agency (AA)*, February 2, 2023, <https://www.aa.com.tr/en/world/israeli-army-strikes-palestinian-factions-sites-in-gaza/2804043> (accessed June 3, 2024); April 8: ‘Axis of Resistance’ operations against Israeli occupation webpage, *PressTV*, April 9, 2024, <https://www.presstv.ir/Detail/2024/04/09/723348/april-8-axis-resistance-ops-against-israeli-occupation> (accessed June 3, 2024); “Al-Qassam Brigades ambushes Israeli force, forces it to withdraw,” *Al Mayadeen English*, October 22, 2023, <https://english.almayadeen.net/news/politics/al-qassam-brigades-ambushes-armored-iof-force-forces-it-to-w> (accessed June 3, 2024).

Martyr Abu Ali Mustafa Brigades



Martyr Abu Ali Mustafa Brigades: The armed wing of the Popular Front for the Liberation of Palestine formed in 2000, also a faction of the PLO, reportedly has hundreds of members operating in Gaza and the West Bank.³² Martyr Abu Ali Mustafa Brigades fighters often wear red headbands with white writing to identify themselves.

Al-Aqsa Martyrs Brigades: Formed at the beginning of the Second Intifada in 2000 and once linked to the Fatah party, the largest faction of the PLO, the group has carried out attacks against Israeli civilians in the West Bank, Gaza and inside Israel.³³ After Hamas's takeover of Gaza in 2007, Mahmoud Abbas, the president of the Palestinian Authority (PA), issued a decree dismantling some armed groups, including the Aqsa Martyrs Brigades.³⁴ In Gaza, Hamas cracked down on the operation of the group as part of a wider crackdown against groups affiliated with Fatah.³⁵ However, more recently, Hamas has reportedly

granted the Aqsa Martyrs Brigades some room to operate.³⁶ The brigades, operating in Gaza and the West Bank, do not have a unified central command or leadership and are made up of splinter geographical groups, including the Nidal Al-Amoudi Battalion and Ayman Jouda Groups in Gaza. In May 2022, members of the brigades in Gaza reportedly elected Salem Thabet as their military leader.³⁷

³² European Council on Foreign Relations, Mapping Palestinian Politics, Armed groups, Abu Ali Mustafa Brigades—PFLP, https://ecfr.eu/special/mapping_palestinian_politics/abu_ali_mustafa_brigades_pflp/ (accessed February 5, 2024); “The seven military wings of the Palestinian Resistance,” *Jordan News*, last updated: Dec 12, 2023, <https://www.jordannews.jo/Section-20/Middle-East/The-seven-military-wings-of-the-Palestinian-Resistance-32955> (accessed April 16, 2024).

³³ Erica Pearson, Al-Aqsa Martyrs Brigades, militia coalition, <https://www.britannica.com/topic/Al-Aqsa-Martyrs-Brigades> (accessed February 5, 2024); European Council on Foreign Relations, Mapping Palestinian Politics, Armed groups, Al-Aqsa Martyrs Brigades (AMB)—Fatah, https://ecfr.eu/special/mapping_palestinian_politics/al_aqsa_martyrs_brigades_amb_fatah/ (accessed February 5, 2024).

³⁴ “Official Says PA Dismantling Al-Aqsa and Other Militant Groups,” *Haaretz*, April 6, 2003, <https://www.haaretz.com/2003-04-06/ty-article/official-says-pa-dismantling-al-aqsa-and-other-militant-groups/0000017f-dec6-d856-a37f-ffc668b50000> (accessed June 3, 2024).

³⁵ “Hamas seizes Fatah headquarters in Gaza,” *NBC News*, June 11, 2007, <https://www.nbcnews.com/id/wbna19168118> (accessed June 3, 2024).

³⁶ Tom O'Connor, “Not Only Hamas: Eight Factions at War With Israel in Gaza,” *Newsweek*, November 7, 2023, <https://www.newsweek.com/not-only-hamas-eight-factions-war-israel-gaza-1841292> (accessed June 3, 2024).

³⁷ “كتائب شهداء الأقصى تنتخب قائدها العام,” *Ma'an News Agency*, May 20, 2022, <https://www.maannews.net/news/2067413.html> (accessed June 3, 2024).

Aqsa Martyrs Brigades fighters often wear either yellow or white headbands with black writing to identify themselves.

Al-Nasser Salah al-Din Brigades: The armed wing of the Popular Resistance Committees, a group formed in 2000 at the beginning of the Second Intifada, was reportedly formed by al-Aqsa Martyrs Brigade and has conducted joint operations with Izz al-Din al-Qassam brigades.³⁸ In 2006, the group joined Hamas in the capture of Israeli soldier Gilad Shalit inside Israel.³⁹ On October 9, 2023, the Israeli government stated that it had killed Rafat Abu Hilal, who it alleged was a commander of the group.⁴⁰

Mujahideen Brigades: Originally a unit within the Aqsa Martyrs Brigades, the group formed in 2007.⁴¹ The number of its fighters is unknown. The leader of the group is reportedly Asad Abu Sharia.⁴²

Al-Ansar Brigades: The armed wing of al-Ahrar, a political party that splintered from the Fatah party in 2007, has an unknown number of fighters.⁴³



³⁸ European Council on Foreign Relations, Mapping Palestinian Politics, Armed groups, Al-Nasser Salah Al-Deen Brigades—PRC, https://ecfr.eu/special/mapping_palestinian_politics/al_nasser_salah_al_deen_brigades_prc/ (accessed February 21, 2024); Profile: Popular Resistance Committees, BBC News, September 7, 2005, http://news.bbc.co.uk/2/hi/middle_east/3196602.stm (accessed March 4, 2024).

³⁹ Mapping Palestinian Politics, Armed Groups, Al-Nasser Salah Al-Deen Brigades—Prc, https://ecfr.eu/special/mapping_palestinian_politics/al_nasser_salah_al_deen_brigades_prc/ (accessed June 3, 2024).

⁴⁰ Emanuel Fabian, "IDF says it killed head of military wing of Gaza's Popular Resistance Committees," *The Times of Israel*, October 19, 2024, https://www.timesofisrael.com/liveblog_entry/idf-says-it-killed-head-of-military-wing-of-gazas-popular-resistance-committees/ (accessed March 4, 2024).

⁴¹ أسعد أبو شريعة أبو الشنيخ Facebook Profile, <https://www.facebook.com/Al.Amin.Aleam/> (accessed February 5, 2024); European Council on Foreign Relations, Mapping Palestinian Politics, Armed groups, Mujahideen Brigades, https://ecfr.eu/special/mapping_palestinian_politics/mujahideen-brigades/ (accessed February 21, 2024).

⁴² Mapping Palestinian Politics, Armed Groups, Mujahideen Brigades, As'ad Abu Shari'a, https://ecfr.eu/special/mapping_palestinian_politics/asad-abu-sharia/ (accessed June 3, 2024).

⁴³ Phillip Smyth, "The Path to October 7: How Iran Built Up and Managed a Palestinian 'Axis of Resistance,'" December 2023, Volume 16, Issue 11, *The Combating Terrorism Center at West Point*, <https://ctc.westpoint.edu/the-path-to-october-7-how-iran-built-up-and-managed-a-palestinian-axis-of-resistance/> (accessed February 20, 2024).

Joint Operations Room in the Gaza Strip: In 2018, Palestinian armed groups operating in the Gaza Strip organized a “joint operations room,” formally referred to as “the Joint Room for Palestinian Resistance Factions,” to coordinate their armed activities against Israel.⁴⁴ According to a senior Qassam Brigades commander, Ayman Nofal, the joint operations room “makes decisions on engaging in confrontations before and during a battle, whatever its cause, and plans action through consultation and coordination at the highest levels with regards to the size of the force used, timings, the range and size of strikes, and the nature of participation from various factions, as determined by the Joint Operations Room leaders through coordination, consultation and consensus, as well as the timely exchange of information and assessments of the situation, and details of the military operation.”⁴⁵ The joint operations room also helped organize trainings and was responsible for organizing and conducting three major training exercises between the groups since 2020.⁴⁶ As of September 2023, the joint operations room comprised 10 Palestinian armed

⁴⁴ In an exclusive interview with Al Jazeera Net...the commander of military relations in the Al-Qassam Brigades reveals the scenes of the joint operations room in Gaza, *Al-jazeera.net*, June 12, 2023, <https://www.aljazeera.net/politics/2023/6/12/%D9%81%D9%8A-%D8%AD%D9%88%D8%A7%D8%B1-%D8%AE%D8%A7%D8%B5-%D9%85%D8%B9-%D8%A7%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9-%D9%86%D8%AA-%D9%82%D8%A7%D8%A6%D8%AF> (accessed June 26, 2024); “Hamis terrorist Ayman Nofal explains the workings of the Palestinian organizations’ joint operations room in the Gaza Strip,” *The Meir Amit Intelligence and Terrorism Information Center*, June 18, 2023, <https://www.terrorism-info.org.il/en/hamis-terrorist-ayman-nofal-explains-the-workings-of-the-palestinian-organizations-joint-operations-room-in-the-gaza-strip/> (accessed May 2, 2024); Abdelali Ragad, Richard Irvine-Brown, Benedict Garman and Sean Seddon, “How Hamas built a force to attack Israel on 7 October,” *BBC*, November 27, 2023, <https://www.bbc.com/news/world-middle-east-67480680> (accessed June 27, 2024); Pinhas Inbari, “A “Joint Operations Room” in Gaza – the New Factor in the Balance of Power in Gaza,” November 15, 2018, *Jerusalem Center for Public Affairs*, <https://jcpa.org/a-joint-operations-room-in-gaza-the-new-factor-in-the-balance-of-power-in-gaza/> (accessed June 27, 2024).

⁴⁵ Israa Jabr, “في حوار خاص مع الجزيرة نت.. قائد العلاقات العسكرية بكتائب القسام يكشف كواليس غرفة العمليات المشتركة في غزة,” *Al-jazeera*, June 12, 2023, <https://www.aljazeera.net/politics/2023/6/12/%D9%81%D9%8A-%D8%AD%D9%88%D8%A7%D8%B1-%D8%AE%D8%A7%D8%B5-%D9%85%D8%B9-%D8%A7%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9-%D9%86%D8%AA-%D9%82%D8%A7%D8%A6%D8%AF> (accessed June 3, 2024).

⁴⁶ A Telegram account, @resistfactions, that describes itself as “the official channel of the Joint Chamber of Palestinian Resistance Factions” has, since 2020, repeatedly posted images and videos of joint trainings and operations conducted by Palestinian armed groups. These posts are frequently re-posted by the known or verified accounts of the various Palestinian armed groups associated with the joint operations room. In a video posted to the Joint Operations Room Telegram channel on September 12, 2023, the logo of ten Palestinian armed groups mentioned by Nofal surrounding the logo for the Joint Operations Room is visible. *الغرفة الفلسطينية للمقاومة لفصائل المشتركة الغرفة* (@resistFactions) post to Telegram channel, September 2, 2023, (accessed June 24, 2024). Previous posts by the Joint Operations Room Telegram channel from December 2020 mention twelve groups. In some cases, several military wings belonging to the same armed group have been counted separately, which could explain the discrepancy. *الغرفة المشتركة لفصائل المقاومة الفلسطينية* (@resistFactions) post to Telegram channel, December 26, 2020, (accessed June 24, 2024); *الغرفة المشتركة لفصائل المقاومة الفلسطينية* (@resistFactions) post to Telegram channel, December 26, 2020, (accessed June 24, 2024). The joint operations room made a statement following its first major joint exercise in December 2020, highlighting the coordination between armed groups in Gaza during the training and the role of the joint operations room. “الغرفة المشتركة بقرارنا موحد في حوض أية مواجهة.” *Palestinian Information Center*, December 29, 2023, <https://palinfo.com/news/2020/12/29/107691/> (accessed June 3, 2024); Ismail Haniyeh, head of Hamas’s political

groups: the Qassam Brigades, the Quds Brigades, Martyr Abu Ali Mustafa Brigades, National Resistance Brigades, the Nasser Salah al-Din Brigades, Mujahideen Brigades, the Aqsa Martyrs Brigades, the Aqsa Martyrs Brigades—Martyr Nidal Al-Amoudi Brigade, Martyr Jihad Jibril Brigades, and the Ansar Brigades.⁴⁷

bureau also gave remarks following the first exercise coordinated by the joint operations room, in which he lauded the unity of the armed factions in Gaza, saying “This maneuver shows what the factions’ work, conducted through the Joint Operations Room, will look like in the future,” *المقاومة رجال ويحيي الشديدي الركن بمناورة يشيد هنية*, *Web Archive*, December 29, 2020, <https://web.archive.org/web/20210512051921/https://hamas.ps/ar/post/12814/%D9%87%D9%86%D9%8A%D8%A9-%D9%8A%D8%B4%D9%8A%D8%AF-%D8%A8%D9%85%D9%86%D8%A7%D9%88%D8%B1%D8%A9-%D8%A7%D9%84%D8%B1%D9%83%D9%86-%D8%A7%D9%84%D8%B4%D8%AF%D9%8A%D8%AF-%D9%88%D9%8A%D8%AD%D9%8A%D9%8A-%D8%B1%D8%AC%D8%A7%D9%84-%D8%A7%D9%84%D9%85%D9%82%D8%A7%D9%88%D9%85%D8%A9> (accessed June 3, 2024); Israa Jabr, “في حوار خاص مع الجزيرة نت . قائد العلاقات العسكرية بكتائب القسام يكشف كواليس غرفة العمليات المشتركة في غزة”, *Al-Jazeera*, June 12, 2023, <https://www.aljazeera.net/politics/2023/6/12/%D9%81%D9%8A-%D8%AD%D9%88%D8%A7%D8%B1-%D8%AE%D8%A7%D8%B5-%D9%85%D8%B9-%D8%A7%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9-%D9%86%D8%AA-%D9%82%D8%A7%D8%A6%D8%AF> (accessed June 3, 2024).

⁴⁷ Ayman Nofal listed ten Palestinian armed groups who were part of the joint operations room in an interview in June 2023. Israa Jabr, “في حوار خاص مع الجزيرة نت . قائد العلاقات العسكرية بكتائب القسام يكشف كواليس غرفة العمليات المشتركة في غزة”, *Al-Jazeera*, June 12, 2023, <https://www.aljazeera.net/politics/2023/6/12/%D9%81%D9%8A-%D8%AD%D9%88%D8%A7%D8%B1-%D8%AE%D8%A7%D8%B5-%D9%85%D8%B9-%D8%A7%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9-%D9%86%D8%AA-%D9%82%D8%A7%D8%A6%D8%AF> (accessed June 3, 2024). In a video posted to the Joint Operations Room Telegram channel on September 12, 2023, the emblems of the ten Palestinian armed groups are visible encircling the emblem for the Joint Operations Room. (@resistFactions) post to Telegram channel, September 12, 2023, (accessed June 24, 2024). Previous posts by the Joint Operations Room Telegram channel from December 2020 mention twelve groups. This discrepancy can be explained as, in some cases, several military wings belonging to the same armed group have been counted separately. (@resistFactions) post to Telegram channel, December 26, 2020, (accessed June 24, 2024); (@resistFactions) post to Telegram channel, December 26, 2020, (accessed June 24, 2024); (@resistFactions) *الفلسطينية المقاومة لفصائل المشتركة الغرفة* post to Telegram channel, September 12, 2023, (accessed June 3, 2024).

Background

The Gaza Strip has been under Israeli occupation since June 1967, as the United Nations and the International Committee of the Red Cross (ICRC) have both determined.⁴⁸ Despite having no troops permanently stationed in Gaza since 2005, Israel has remained the occupying power under international humanitarian law before and since October 7, 2003, in light of the continuing effective control it exercises over the lives and welfare of Gaza's inhabitants.⁴⁹

In the 1990s, Israel completed a barrier between Gaza and Israel, and in mid-2006 it completed the building of an enhanced security system controlling access between Gaza and Israel, and instituted a formal "policy of separation" between Gaza and the West Bank.⁵⁰ The barrier includes a wall with sensors, remote-control machine guns, and barbed wire in the three areas where the border runs adjacent to Israeli settlements.⁵¹ The barrier is patrolled both from the air and on the ground.⁵²

North and east of the Gaza Strip, in an area of Israel known as the "Gaza Envelope," are dozens of small communities, most surrounded by security fences. The communities,

⁴⁸ Both the ICRC and the UN continue to refer to Gaza as occupied territory. Email from Yves Sorokobi, Office of the UN Secretary-General Spokesperson, to Gisha, February 7, 2007, on file with Human Rights Watch. "The UN welcomed the Israeli disengagement from Gaza in August 2005. However, there has been no change in our characterization of the Gaza Strip as occupied territory." See ICRC, "Frequently asked questions on ICRC's work in Israel and the occupied territories," ICRC, Updated March 27, 2024, <https://www.icrc.org/en/document/frequently-asked-questions-icrcs-work-israel-and-occupied-territories> (accessed June 4, 2024); "Gaza Closure Not Another Year!", June 14, 2010, www.icrc.org/eng/resources/documents/update/palestine-update-140610.htm (accessed December 24, 2020). Also see Gisha, "Scale of Control," pp. 29-30; Gisha, "Separating Land, Separating People: Legal Analysis of Access Restrictions between the West Bank and Gaza," June 2015, <https://bit.ly/2MJaYc4pp> (accessed June 4, 2020), footnote 5, pp. 10-11.

⁴⁹ "Israel formally ends Gaza military rule," *Al-Jazeera*, September 11, 2005, <https://www.aljazeera.com/news/2005/9/11/israel-formally-ends-gaza-military-rule> (accessed February 2, 2024); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), adopted August 12, 1949, 75 U.N.T.S. 287, entered into force October 21, 1950, art. 49.6; Rome Statute of the International Criminal Court (Rome Statute), A/CONF.183/9, July 17, 1998, entered into force July 1, 2002, <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf> arts. 8(2)(b)(viii) and 8(2)(a)(vii).

⁵⁰ *A Threshold Crossed Israeli Authorities and the Crimes of Apartheid and Persecution*, Human Rights Watch report, April 17, 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

⁵¹ "Agreement on the Gaza Strip and the Jericho Area," April 26, 1994, accessed on *Web Archive*, <https://web.archive.org/web/20070812185516/http://www.pij.org/documents/Agreement%20on%20the%20Gaza%20Strip.PDF> (accessed February 2, 2024).

⁵² "Israel sets high tech zone to guard Gaza border," *World Tribune*, August 1, 2005, https://www.worldtribune.com/worldtribune/WTARC/2005/me_gaza_o8_o1.html (accessed February 2, 2024); Joshua Brilliant, "More fences to surround Gaza Strip," *United Press International*, July 28, 2005, <https://www.upi.com/Defense-News/2005/07/28/More-fences-to-surround-Gaza-Strip/13061122579202/> (accessed February 2, 2024).

some of them *kibbutzim*, operate farms and small industries. The communities are largely populated by Jewish Israelis. Many host foreign workers and students, who live and work in the communities. Palestinian citizens of Israel and from the Occupied Palestinian Territory also often work in these communities.

In June 2007, Hamas took over internal control of Gaza following the collapse of a Palestinian national unity government.⁵³ Hamas-led rule in Gaza has been defined by systematic human rights abuses against the population, including arbitrary arrests and torture, acts that by virtue of their systematic nature, may amount to crimes against humanity.⁵⁴

The Qassam Brigades, Hamas's armed wing, has operated freely and committed grave abuses, including executions of those accused of espionage for Israel.⁵⁵ The Qassam Brigades and other Palestinian armed groups in Gaza have launched thousands of rockets indiscriminately towards Israeli communities, in attacks that violate the laws of war and may amount to war crimes because they do not distinguish between civilians and combatants.⁵⁶ The rocket attacks have killed and injured Israeli and other civilians and wreaked havoc on the communities in the "Gaza Envelope."⁵⁷ By law, all homes in Israel

⁵³ For more information, refer to Human Rights Watch, *Internal Fight: Palestinian Abuses in Gaza and the West Bank* (New York: Human Rights Watch, 2008), <https://www.hrw.org/report/2008/07/29/internal-fight/palestinian-abuses-gaza-and-west-bank>; Human Rights Watch, *Two Authorities, One Way, Zero Dissent*, October 23, 2018, <https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under#5791>.

⁵⁴ "Two Authorities, One Way, Zero Dissent," Human Rights Watch report, October 23, 2018, <https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under>.

⁵⁵ "Palestine: Torture, Death of Hamas Detainee," Human Rights Watch news release, February 15, 2016, <https://www.hrw.org/news/2016/02/15/palestine-torture-death-hamas-detainee>.

⁵⁶ "Lessons of the Gaza Security Fence for the West Bank," Maj. Gen. (res.) Doron Almog, Jerusalem Issue Brief, Vol. 4, No. 12, *Jerusalem Center for Public Affairs*, December 23, 2004, <https://www.jcpa.org/brief/brief004-12.htm> (accessed February 5, 2024); Bradley Burston, "Background/ Hamas vs. Abbas: The lethal wild card, a profile", *Haaretz*, Accessed on Web Archive, <https://web.archive.org/web/20070212113702/http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=529909&displayTypeCd=1&sideCd=1&contrastID=2> (accessed February 5, 2024).

⁵⁷ Human Rights Watch, "Rockets from Gaza—Harm to Civilians from Palestinian Armed Groups' Rocket Attacks," August 6, 2009, <https://www.hrw.org/report/2009/08/06/rockets-gaza/harm-civilians-palestinian-armed-groups-rocket-attacks>; Human Rights Watch, "Indiscriminate Fire—Palestinian Rocket Attacks on Israel and Israeli Artillery Shelling in the Gaza Strip," June 30, 2007, <https://www.hrw.org/report/2007/06/30/indiscriminate-fire/palestinian-rocket-attacks-israel-and-israeli-artillery>; "Palestine/Israel: Indiscriminate Palestinian Rocket Attacks," Human Rights Watch news release, July 9, 2014, <https://www.hrw.org/news/2014/07/09/palestine/israel-indiscriminate-palestinian-rocket-attacks>; "Palestinian Rockets in May Killed Civilians in Israel, Gaza," Human Rights Watch news release, August 12, 2021, <https://www.hrw.org/news/2021/08/12/palestinian-rockets-may-killed-civilians-israel-gaza>.

constructed since 1992 are required to have *mamads* or safe rooms inside them, designed to withstand rocket attacks.⁵⁸

The Qassam Brigades has held Avera Mengistu and Hisham al-Sayed, Israeli civilians with psychosocial disabilities, in unlawful incommunicado detention for more than nine years.⁵⁹

Hamas does not recognize Israel, considers the entire territory from the Jordan River to the Mediterranean Sea to be “an integral territorial unit” of Palestine, and believes in “resisting the [Israeli] occupation with all means and methods,” as articulated in its revised 2017 charter. Hamas has for years claimed responsibility for and praised attacks on Israeli civilians.⁶⁰

Since 2007, the Israeli government has imposed a closure on Gaza, and with narrow exceptions, banned Palestinians from leaving through Erez, the passenger crossing from Gaza into Israel, through which they can reach the West Bank and travel abroad via Jordan.⁶¹

Israeli authorities have also sweepingly restricted the entry of goods via a second crossing point in the barrier, the Kerem Shalom crossing in the southeast.⁶² The Israeli government has instituted a formal “policy of separation” between Gaza and the West Bank, despite international consensus that these two parts of the Occupied Palestinian Territory form a

⁵⁸ These rooms do not lock from the inside by design. If people inside a safe room are injured, people outside of the room need to be able to enter to rescue them.

⁵⁹ “2 Israelis Who Entered Gaza Held Incommunicado,” Human Rights Watch news release, May 2, 2027, <https://www.hrw.org/news/2017/05/03/2-israelis-who-entered-gaza-held-incommunicado>

⁶⁰ See for example, Nidal Al-Mughrabi, “Israel attacks Rafah after Hamas claims responsibility for deadly rocket attack,” *Reuters*, May 5, 2024, <https://www.reuters.com/world/middle-east/hamas-claims-responsibility-attack-israel-gaza-border-crossing-casualties-2024-05-05/> (accessed June 5, 2024); Emanuel Fabian, “In rare statement, Hamas claims responsibility for string of recent deadly attacks,” *Times of Israel*, July 6, 2023, <https://www.timesofisrael.com/in-rare-statement-hamas-claims-responsibility-for-string-of-recent-deadly-attacks/> (accessed June 5, 2024).

⁶¹ Human Rights Watch, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, April 2, 2017, <https://www.hrw.org/report/2017/04/03/unwilling-or-unable/israeli-restrictions-access-and-gaza-human-rights-workers>; Human Rights Watch, *Israel: Record-Low in Gaza Medical Permits: 54 Died in 2017 Awaiting Israeli Permit*, February 13, 2018, <https://www.hrw.org/news/2018/02/13/israel-record-low-gaza-medical-permits>.

⁶² Agreed Principles for Rafah Crossing (APRC), *The European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah)*, <https://www.eubam-rafah.eu/sites/default/files/u173/Agreed%20Principles%20for%20Rafah%20Crossing.pdf> (accessed February 2, 2024); Greg Myre, “Gaza Crossings: Choked Passages to Frustration,” *The New York Times*, March 4, 2006, <https://www.nytimes.com/2006/03/04/world/middleeast/gaza-crossings-choked-passages-to-frustration.html> (accessed February 2, 2024).

“single territorial unit.”⁶³ Israeli authorities also prohibit the more than 80 percent of Gaza’s population who are refugees—people who were expelled or fled in 1948 from what is now Israel and their descendants—from returning to the areas they are from.⁶⁴ Prior to October 7, 2023, an estimated 18,500 workers from Gaza had permits to work in Israel.⁶⁵

Human Rights Watch has found that Israel’s prolonged closure of the Gaza Strip constitutes a form of collective punishment and is part of the crimes against humanity of apartheid and persecution that Israeli authorities are committing against Palestinians.⁶⁶

The Egyptian government has over the years also restricted the movement of Gaza residents via the Rafah crossing.⁶⁷

Over the last 16 years, the Qassam Brigades and other Palestinian armed groups now present in the Gaza Strip and Israeli authorities have engaged in several rounds of hostilities, including in 2008-2009, 2012, 2014, 2018, 2019, and 2021.⁶⁸ Human Rights

⁶³ “נוהל השתקעות תושב אי”ש ברצועת עזה (רצ”ע)” March 2018,

<https://www.gov.il/BlobFolder/policy/procedureforsettlingresidentstaffinginthegazastrip/he/%D7%A0%D7%95%D7%94%D7%9C%20%D7%94%D7%A9%D7%AA%D7%A7%D7%A2%D7%95%D7%AA%20%D7%AA%D7%95%D7%A9%D7%91%20%D7%90%D7%99%D7%95%D7%A9%20%D7%91%D7%A8%D7%A6%D7%95%D7%A2%D7%AA%20%D7%A2%D7%96%D7%94.pdf> (accessed June 27, 2024).

⁶⁴ Where We Work Landing Page, The United Nations Relief and Works Agency for Palestine Refugees (UNRWA), <https://www.unrwa.org/where-we-work/gaza-strip> (accessed June 24, 2024).

⁶⁵ Miriam Berger, Sufian Taha, “For Gazan workers stranded in Israel, being apart from family is agony,” *The Washington Post*, October 16, 2023, <https://www.washingtonpost.com/world/2023/10/16/israel-gaza-workers-family-war-hamas/> (accessed June 5, 2024).

⁶⁶ Human Rights Watch, *Israel-Palestine—A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution*, April 17, 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

⁶⁷ Human Rights Watch, *Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers*, April 2, 2017, <https://www.hrw.org/report/2017/04/03/unwilling-or-unable/israeli-restrictions-access-and-gaza-human-rights-workers>; Gaza: Israel’s ‘Open-Air Prison’ at 15—Israel, Egypt Movement Restrictions Wreak Havoc on Palestinian Lives, Human Rights Watch news release, June 14, 2021, <https://www.hrw.org/news/2022/06/14/gaza-israels-open-air-prison-15#:~:text=Restrictive%20Egyptian%20policies%20at%20its,director%20at%20Human%20Rights%20Watch>.

⁶⁸ Human Rights Watch, *Israel-Palestine—White Flag Deaths: Killings of Palestinian Civilians during Operation Cast Lead*, August 13, 2009, <https://www.hrw.org/report/2009/08/13/white-flag-deaths/killings-palestinian-civilians-during-operation-cast-lead>; *Israel: Gaza Airstrikes Violated Laws of War*, February 12, 2013, <https://www.hrw.org/news/2013/02/12/israel-gaza-airstrikes-violated-laws-war>; *Israel/Palestine: Unlawful Israeli Airstrikes Kill Civilians*, July 15, 2014, <https://www.hrw.org/news/2014/07/15/israel/palestine-unlawful-israeli-airstrikes-kill-civilians>; *Israel: Gaza Killings Unlawful, Calculated, Officials Green-Light Shooting of Unarmed Demonstrators*, April 3, 2018, <https://www.hrw.org/news/2018/04/03/israel-gaza-killings-unlawful-calculated>; *Gaza: Apparently Unlawful Israeli Strikes Kill At Least 11 Civilians*, February 4, 2020, <https://www.hrw.org/news/2020/02/04/gaza-apparently-unlawful-israeli-strikes-kill-least-11-civilians>; *Gaza: Apparent War Crimes During May Fighting*, July 27, 2021, <https://www.hrw.org/news/2021/07/27/gaza-apparent-war-crimes-during-may-fighting>.

Watch has documented numerous grave violations of the laws of war, many amounting to war crimes, committed by Israeli forces and Palestinian armed groups during hostilities.⁶⁹

The high number of abuses since October 2023 stems in part from the impunity for violations during prior hostilities.⁷⁰ In addition to the October 7 atrocities that are the subject of this report, Israeli authorities cut off essential services, including water and electricity, to Gaza's population and blocked the entry of all but a trickle of fuel and critical humanitarian aid, acts of collective punishment that are violations of international humanitarian law and amount to war crimes, including the use of starvation as a method of warfare.⁷¹

⁶⁹ Human Rights Watch, *Indiscriminate Fire: Palestinian Rocket Attacks on Israel and Israeli Artillery Shelling in the Gaza Strip*, June 30, 2007, <https://www.hrw.org/report/2007/06/30/indiscriminate-fire/palestinian-rocket-attacks-israel-and-israeli-artillery>; Human Rights Watch, *Turning a Blind Eye: Impunity for Laws-of-War Violations during the Gaza War*, April 11, 2010, <https://www.hrw.org/report/2010/04/11/turning-blind-eye/impunity-laws-war-violations-during-gaza-war>; Human Rights Watch, *Rockets from Gaza: Harm to Civilians from Palestinian Armed Groups' Rocket Attacks*, August 6, 2009, <https://www.hrw.org/report/2009/08/06/rockets-gaza/harm-civilians-palestinian-armed-groups-rocket-attacks>; Human Rights Watch, *Occupation, Inc.: How Settlement Businesses Contribute to Israel's Violations of Palestinian Rights*, January 19, 2016, <https://www.hrw.org/report/2016/01/19/occupation-inc/how-settlement-businesses-contribute-israels-violations>; "Israel/Occupied Territories: Jenin War Crimes Investigation Needed," Human Rights Watch news release, May 2, 2002, <https://www.hrw.org/news/2002/05/02/israel/occupied-territories-jenin-war-crimes-investigation-needed>; "Israel Seeks to Legalize War Crimes Hostage Law Strips Civilians of Rights Guaranteed by Laws of War," Human Rights Watch news release, June 21, 2000, <https://www.hrw.org/news/2000/06/21/israel-seeks-legalize-war-crimes>; "Israel: Killing of Children Apparent War Crime," Human Rights Watch news release, June 9, 2014, <https://www.hrw.org/news/2014/06/09/israel-killing-children-apparent-war-crime>; "Gaza: Hamas Report Whitewashes War Crimes," Human Rights Watch, news release, January 28, 2010, <https://www.hrw.org/news/2010/01/28/gaza-hamas-report-whitewashes-war-crimes>.

⁷⁰ For example B'Tselem, "Whitewash Protocol: The So-Called Investigation of Operation Protective Edge," September 2016, https://www.btselem.org/download/201609_whitewash_protocol_eng.pdf (accessed June 4, 2020); "Gaza: Israel's May Airstrikes on High-Rises," Human Rights Watch, August 23, 2021, <https://www.hrw.org/news/2021/08/23/gaza-israels-may-airstrikes-high-rises>; "'I Lost Everything' Israel's Unlawful Destruction of Property during Operation Cast Lead," Human Rights Watch report, May 13, 2010, <https://www.hrw.org/report/2010/05/13/i-lost-everything/israels-unlawful-destruction-property-during-operation-cast-lead>; "'Turning a Blind Eye' Impunity for Laws-of-War Violations during the Gaza War," Human Rights Watch report, April, 11, 2010, <https://www.hrw.org/report/2010/04/11/turning-blind-eye/impunity-laws-war-violations-during-gaza-war>; "'Rockets from Gaza' Harm to Civilians from Palestinian Armed Groups' Rocket Attacks," Human Rights Watch report, August 6, 2009, <https://www.hrw.org/report/2009/08/06/rockets-gaza/harm-civilians-palestinian-armed-groups-rocket-attacks>; "'Rain of Fire' Israel's Unlawful Use of White Phosphorus in Gaza," Human Rights Watch, March 25, 2009, <https://www.hrw.org/report/2009/03/25/rain-fire/israels-unlawful-use-white-phosphorus-gaza>; "'Indiscriminate Fire' Palestinian Rocket Attacks on Israel and Israeli Artillery Shelling in the Gaza Strip," Human Rights Watch report, June 30, 2007, <https://www.hrw.org/report/2007/06/30/indiscriminate-fire/palestinian-rocket-attacks-israel-and-israeli-artillery>; "Razing Rafah, Mass Home Demolitions in the Gaza Strip," Human Rights Watch report, October 17, 2004, <https://www.hrw.org/report/2004/10/17/razing-rafah/mass-home-demolitions-gaza-strip>; "Palestinian Rockets in May Killed Civilians in Israel, Gaza," Human Rights Watch news release, August 12, 2021, <https://www.hrw.org/news/2021/08/12/palestinian-rockets-may-killed-civilians-israel-gaza>; "Gaza: Palestinian Rockets Unlawfully Targeted Israeli Civilians," Human Rights Watch news release, December 24, 2012, <https://www.hrw.org/news/2012/12/24/gaza-palestinian-rockets-unlawfully-targeted-israeli-civilians>.

⁷¹ "Gaza: Israeli Strike Killing 106 Civilians an Apparent War Crime," Human Rights Watch news release, April 4, 2024, <https://www.hrw.org/news/2024/04/04/gaza-israeli-strike-killing-106-civilians-apparent-war-crime>; "Israel: Starvation

Israeli armed forces have carried out unlawful airstrikes and ground attacks and have unlawfully used white phosphorous in densely populated areas.⁷² They have reduced large parts of Gaza to rubble and damaged or destroyed many of Gaza's homes, schools, hospitals and much of its civilian infrastructure.⁷³ Israeli authorities ordered the evacuation of everyone in northern Gaza on October 13, causing the vast majority of Gaza's population to leave their homes, an act that risk forced displacement, which is a war crime.⁷⁴

Between October 7, 2023, and July 1, 2024, the hostilities resulted in at least 37,900 Palestinians killed, and 87,060 others injured, according to Gaza's Health Ministry.⁷⁵ That figure includes an unreported number of Palestinian armed group fighters.

As UN Secretary-General Antonio Guterres stated in December 2023, "International humanitarian law cannot be applied selectively. It is binding on all parties equally at all times, and the obligation to observe it does not depend on reciprocity."⁷⁶

The principle of non-reciprocity is a fundamental underpinning of international humanitarian law: abuses by one party to the conflict can never justify abuses by the

Used as Weapon of War in Gaza," Human Rights Watch news release, December 18, 2023, <https://www.hrw.org/news/2023/12/18/israel-starvation-used-weapon-war-gaza>; "Gaza: Hostage Videos an 'Outrage on Personal Dignity,'" Human Rights Watch news release, November 10, 2023, <https://www.hrw.org/news/2023/11/10/gaza-hostage-videos-outrage-personal-dignity>; " Hamas, Islamic Jihad: Holding Hostages is a War Crime," Human Rights Watch news release, October 19, 2023, <https://www.hrw.org/news/2023/10/19/hamas-islamic-jihad-holding-hostages-war-crime>; "Israel: Unlawful Gaza Blockade Deadly for Children," Human Rights Watch news release, October 18, 2023, <https://www.hrw.org/news/2023/10/18/israel-unlawful-gaza-blockade-deadly-children>.

⁷² "Gaza: Israeli Strike Killing 106 Civilians an Apparent War Crime," Human Rights Watch news release, April 4, 2024, <https://www.hrw.org/news/2024/04/04/gaza-israeli-strike-killing-106-civilians-apparent-war-crime> (accessed June 24, 2024); "Israel: White Phosphorus Used in Gaza, Lebanon," Human Rights Watch news release, October 12, 2023, <https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon> (accessed June 24, 2024).

⁷³ "Gaza: Unlawful Israeli Hospital Strikes Worsen Health Crisis," Human Rights Watch, November 14, 2023, <https://www.hrw.org/news/2023/11/14/gaza-unlawful-israeli-hospital-strikes-worsen-health-crisis> (accessed June 24, 2024).

⁷⁴ Mass forced displacement in Gaza highlights urgent need for Israel to uphold Palestinians' right to return," *Amnesty International*, May 15, 2024, <https://www.amnesty.org/en/latest/news/2024/05/mass-forced-displacement-in-gaza-highlights-urgent-need-for-israel-to-uphold-palestinians-right-to-return/> (accessed June 24, 2024); "Most of Gaza's Population Remains Displaced and in Harm's Way," Human Rights Watch, December 20, 2023, <https://www.hrw.org/news/2023/12/20/most-gazas-population-remains-displaced-and-harms-way> (accessed June 24, 2024); "Why Israel's Gaza Evacuation Order is So Alarming," Human Rights Watch, October 16, 2023, <https://www.hrw.org/news/2023/10/16/why-israels-gaza-evacuation-order-so-alarming> (accessed June 24, 2024).

⁷⁵ Palestinian Ministry of Health/Gaza post to Facebook, July 1, 2024, <https://www.facebook.com/MOHGaza1994/posts/798315762473368> (accessed July 3, 2024)

⁷⁶ UN Secretary-General, Press Release, SG/SM/22076, December 8, 2023, <https://press.un.org/en/2023/sgsm22076.doc.htm> (accessed May 23, 2024).

other. Nothing—no act or policy or crime attributable to Israeli authorities—can justify the killing, mutilation, hostage-taking, and other crimes that forces led by the Qassam Brigades carried out inside Israel on October 7, 2023, just as the October 7 assault cannot justify the war crimes and atrocities carried out by Israeli forces in Gaza.

Following the October 7 attacks, the Israeli government evacuated many of the communities in the “Gaza Envelope.” Most residents of these communities had not returned to their homes, at the time of writing.

Abuses During the October 7 Assault

On October 7, 2023, Hamas’s armed wing, the Qassam Brigades, launched a planned and coordinated land, sea, and air assault on Israel from Gaza. It began with a wave of indiscriminate rocket attacks launched from Gaza into southern Israel, reaching as far north as Tel Aviv. The Qassam Brigades launched over 2,200 rockets and projectiles from Gaza toward Israel during the assault.⁷⁷

The Qassam Brigades’ rocket attacks that morning were central to its strategy. Interviewees who were in the “Gaza Envelope” consistently described hearing air raid sirens triggered by rockets sound at 6:30 a.m., prompting many to go into their safe rooms, or, for those outside their homes, into communal bomb shelters.

Fighters from the Qassam Brigades and other Palestinian armed groups then breached the barrier that Israel has erected around the Gaza Strip in several locations and entered Israel in cars, on motorbikes, on foot, and by motorized paraglider. Some fighters came on boats from sea. The fighters began assaulting military bases, communities, and music festivals.

The Qassam Brigades-led fighters carried out numerous laws-of-war violations during their attacks on at least nineteen *kibbutzim* and five *moshavim* (cooperative communities), two cities, two music festivals, and a beach party, as well as multiple military bases, within the “Gaza Envelope.” Not all Palestinian armed group attempts to enter communities or other sites were successful.

With the exception of the festivalgoers and those at the beach, most civilians were sheltering in their safe room when fighters entered their communities, according to those interviewed by Human Rights Watch. Some kibbutz residents said they first learned of the

⁷⁷ The War Diary, July 10, 2023, Israeli Defense Force official website, <https://www.idf.il/%d7%90%d7%aa%d7%a8%d7%99-%d7%99%d7%97%d7%99%d7%93%d7%95%d7%aa/%d7%99%d7%95%d7%9e%d7%9f-%d7%94%d7%9e%d7%9c%d7%97%d7%9e%d7%94/%d7%99%d7%95%d7%9e%d7%9f-%d7%94%d7%9e%d7%9c%d7%97%d7%9e%d7%94-%d7%aa%d7%9e%d7%95%d7%a0%d7%aa-%d7%94%d7%9e%d7%a6%d7%91-%d7%9c%d7%90%d7%95%d7%a8%d7%9a-%d7%94%d7%99%d7%9e%d7%99%d7%9d/%d7%99%d7%95%d7%9e%d7%9f-%d7%94%d7%9e%d7%9c%d7%97%d7%9e%d7%94-7-10/> (accessed June 24, 2024); “Why the Palestinian group Hamas launched an attack on Israel? All to know,” *Al-Jazeera*, October 7, 2023, <https://www.aljazeera.com/news/2023/10/7/palestinian-group-hamas-launches-surprise-attack-on-israel-what-to-know> (accessed January 16, 2024).

presence of fighters through messages from fellow residents in WhatsApp chat groups and other messaging platforms saying that men speaking Arabic were entering their homes. Avi Dabush, a resident of Kibbutz Nirim, remembers receiving messages over a chat group for his kibbutz saying, “They are trying to get into the shelter. Help! Help! Help!”⁷⁸

Throughout the assault, munitions continued to strike buildings and fields near where civilians were sheltering.⁷⁹ They also damaged communication and surveillance towers, impairing the response by Israeli security forces.

In its April 14 letter containing responses to queries from Human Rights Watch based on its findings, Hamas confirmed that the rocket attacks, the breaches of the barrier, and attacks on surveillance equipment were all coordinated components of the assault.

“Operation al-Aqsa Flood,” as Hamas called it, occurred on the Jewish holiday of Simchat Torah and resulted in 1,195 people killed, primarily Israeli citizens, according to the news agency, Agence France-Presse (AFP). AFP said it assessed that 815 civilians were killed during and after the attacks, including 79 foreigners. Among them were at least 282 women and 36 children.⁸⁰ The Palestinian armed groups took 251 people hostage during the assault, according to AFP. Of them, 116 remained in Gaza, at least 42 of them dead, as of July 1, 2024. Another 35 people were killed, and their bodies returned to Israel. Hostages who died are included in the overall death toll. Walla, an Israeli media outlet that published data by age and gender for 756 of the civilians killed, found that 421 civilian victims out of 756 were between 20 and 40 years old; 161 between the ages of 41 and 64; 100 between the ages of 65 and 80; and 25 were over the age of 80. Overall, most of those killed were men and boys, although more than twice as many women than men between the ages of 65 and 80 were killed.⁸¹

⁷⁸ Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023.

⁷⁹ Human Rights Watch remote interview, Guy Rappaport, October 26, 2023; Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023.

⁸⁰ Detailed statistics on the number and breakdown of victims provided to Human Rights Watch by AFP. Human Rights Watch notes, however, that AFP did not count soldiers, police, or members of the rapid response teams as civilians, although police and members of the rapid response teams who do not have a permanent combat role are normally civilians under the laws of war.

⁸¹ Merav Cohen, “The numbers are revealed: 13 children, 31 teenagers and 25 over the age of 80 have been murdered since the beginning of the war,” *Walla*, November 15, 2023, <https://news.walla.co.il/item/3622758> (accessed June 7, 2024).

Jewish Israelis were the largest number of victims of the attacks, but fighters also killed, wounded, or took hostage dual nationals, Palestinian citizens of Israel, Palestinians from Gaza, and foreigners, including Chinese, Filipino, Nepali, Sri Lankan and Thai nationals, and at least one national each from Cambodia, Canada, Eritrea, Germany, Mexico, Sudan, Tanzania and the United Kingdom, some of whom were Jewish. In some cases, fighters allowed some people who identified themselves as Palestinians to flee the area unharmed.

The attackers injured and killed healthcare providers and damaged healthcare infrastructure. The nongovernmental organization Physicians for Human Rights Israel (PHRI) documented the killing of two medical workers during the assault, and another two who were shot but survived.⁸² PHRI documented fighters opening fire on three ambulances, and an attack on a medical center in Be'eri.⁸³ Human Rights Watch documented fighters shooting the tire of another ambulance parked in Kibbutz Sufa.⁸⁴

The Israeli armed forces took a long time to mobilize because of the ongoing holiday, partial damage to communication lines, a lack of preparedness, and an initial underestimation of the scale of the assault.⁸⁵ As a result, while some Israeli forces engaged immediately in some areas, many communities were left unprotected for hours. Some civilians described to Human Rights Watch feeling abandoned by the military, and most of those Human Rights Watch interviewed said soldiers arrived in their areas only in the afternoon or evening. After the armed forces arrived, in some locations they engaged in hours of fighting with the attackers before civilians could safely be evacuated. Many civilians were only able to flee or evacuate on October 8.

Once civilians were evacuated, the Israeli armed forces continued to battle Palestinian fighters who were still operating inside some areas of Israel for days.

⁸² “The Harming of Medical Personnel and Facilities, Attacks Hamas 2023 7, October the During, *Physicians for Human Rights Israel*, November 2023, https://www.phr.org.il/wp-content/uploads/2023/11/5746_Harming_Medica_paper_Eng.pdf (accessed February 5, 2024).

⁸³ “The Harming of Medical Personnel and Facilities, Attacks Hamas 2023 7, October the During, *Physicians for Human Rights Israel*, November 2023, https://www.phr.org.il/wp-content/uploads/2023/11/5746_Harming_Medica_paper_Eng.pdf (accessed February 5, 2024).

⁸⁴ South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed February 5, 2024).

⁸⁵ “Detailed findings on attacks carried out on and after 7 October 2023 in Israel” Human Rights Council, A/HRC/56/CRP.3, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-3.pdf> para 200 (accessed June 24, 2024); Adam Goldman, Ronen Bergman, Mark Mazzetti, “Where Was the Israeli Military When Hamas Attacked?” *The New York Times*, December 30, 2023, <https://www.nytimes.com/2023/12/30/world/middleeast/israeli-military-hamas-failures.html> (accessed January 16, 2024)

In early 2024, the Israeli military opened investigations into the events prior to and through the immediate aftermath of October 7 including multiple individual probes into the actions of the military during the Palestinian armed group attacks on October 7 until October 10.⁸⁶ The Israeli state comptroller also opened a separate investigation, but in June, Israel's high court suspended the probes into the military and domestic intelligence agency in response to legal filings by a Jerusalem-based NGO that claimed the probes would undermine the military and the public trust.⁸⁷

Human Rights Watch found that during the operation on October 7, fighters led by Hamas's Qassam Brigades committed numerous serious violations of international humanitarian law and human rights abuses. Serious violations of the laws of war, many of which may amount to war crimes, include attacks on civilians and civilian objects, unlawful killings, cruel and inhuman treatment, sexual and gender-based violence, mutilation, hostage-taking, destruction of property, use of human shields, and pillage. As this report shows, some of these criminal acts took place as part of a widespread and systematic attack pursuant to an organizational policy, and amount to crimes against humanity.

The April 14 Hamas letter states that the Qassam Brigades forces were instructed not to target civilians, citing a speech to that effect made by the commander-in-chief of the Qassam Brigades. Elsewhere, the letter states that Hamas defines combatants and civilians in line with international humanitarian law, but in the same paragraph adds that most of those it detained during the assault were "found to be working for the Israeli army on tasks of a military nature, even if not directly related to combat," thereby raising questions about how Hamas defines civilians.

The April 14 Hamas letter states that the Qassam Brigades aimed to target the Israeli armed forces and Shin Bet, Israel's internal intelligence security agency, blaming the quick collapse in the Israeli military's defenses, and the participation of other armed groups and people as leading to "chaos in the field and, thus, changing the plan to conduct an operation against military targets." Later, the letter says there were Israeli military targets

⁸⁶ Emanuel Fabian, "IDF launches internal probes into missteps, misconceptions in lead-up to October 7," *The Times of Israel*, March 7, 2024, <https://www.timesofisrael.com/idf-launches-internal-probes-into-missteps-misconceptions-in-lead-up-to-october-7/> (accessed June 24, 2024).

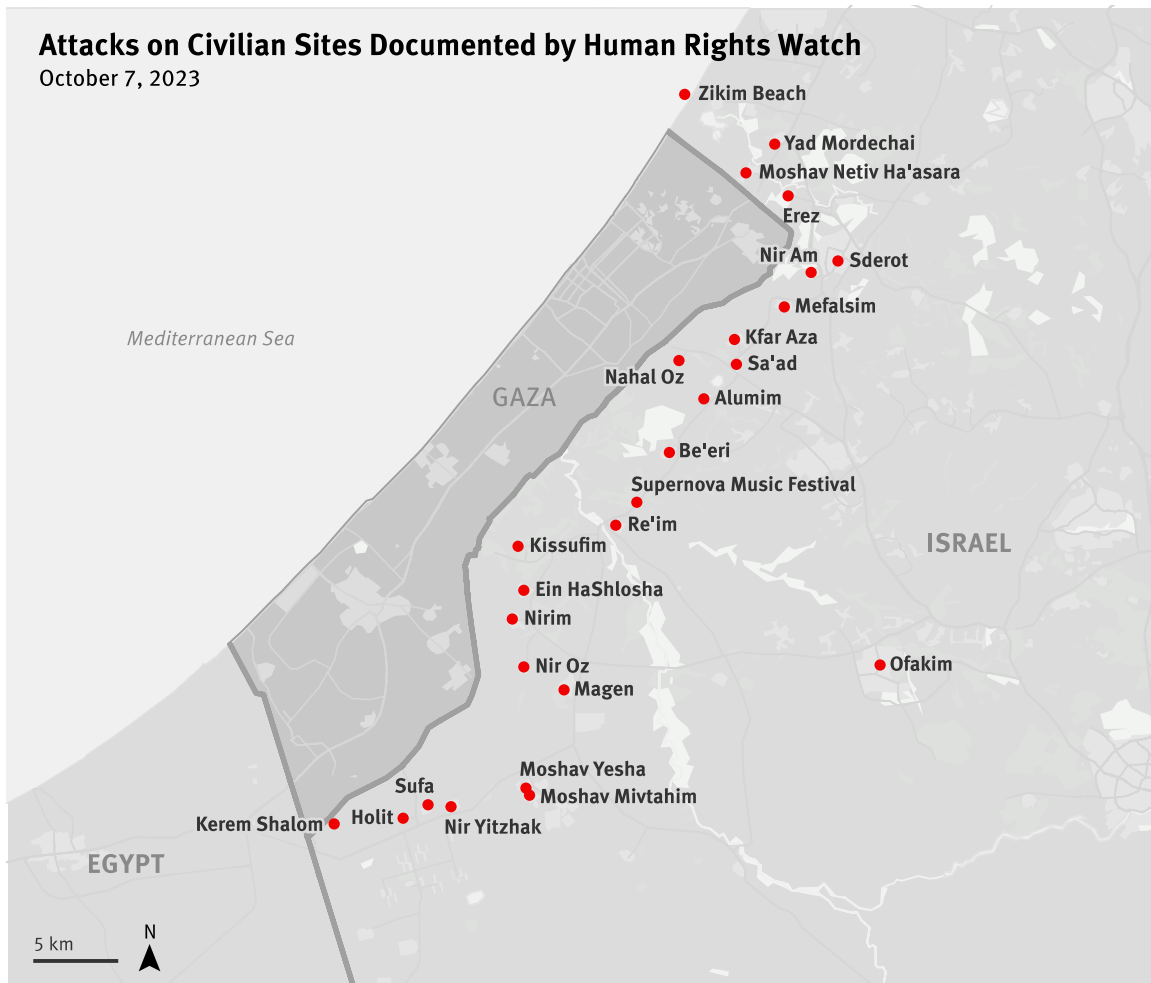
⁸⁷ Chen Maanit, "Israel's Top Court Halts State Comptroller's Probe Into IDF, Shin Bet Oct. 7 Failure," June 16, 2024, *Haaretz*, <https://www.haaretz.com/israel-news/2024-06-16/ty-article/.premium/israels-top-court-halts-state-comptrollers-probe-into-idf-shin-bet-oct-7-failures/00000190-2103-d3e6-a191-772b73890000> (accessed June 24, 2024).

at the civilian sites including the *kibbutzim*, and that their presence “indicates Israel’s use of these civilian objects as human shields.” Purportedly as evidence of its claim that the Qassam Brigades did not target civilians, the letter says forces bypassed some civilians closer to the Gaza Strip than the people they attacked.

The letter says the initial part of the assault went largely to plan, but that later stages “led to many mistakes. This operation and everything arising from it require a thorough examination from our side, but it cannot be done at the moment.” However, the letter also notes that “a lack of precision or guided weapons comes in the context of explaining the circumstances that led to injuring civilians during the attacks by Hamas and resistance [groups].” The letter adds that, “the Israeli army bears great responsibility for the killing of many settlers, as noted in Israel’s own reports, either during the targeting of the Spring Festival with planes and artillery shells or the bombing of homes where there were Israeli civilians on suspicion of the possible presence of resistance fighters there.” It says that Hamas fighters carried only “light military equipment” and that much of the violence and destruction was caused by “weaponry not owned by Palestinian resistance fighters but by the Israeli military.”

Contrary to these claims of Hamas and notwithstanding the findings of ongoing government probes into the role the Israeli armed forces played in contributing to the civilian death toll on October 7, evidence collected by Human Rights Watch indicates that only relatively few civilians died during fighting between Israeli armed forces and Palestinian armed groups. Human Rights Watch did not find evidence to support the claim that the majority of the deaths were caused by heavy weapons only used by Israeli forces and not by Palestinian armed groups.

The following sections describe the planning of the assault and detail attacks carried out at civilian sites over the course of October 7 and abuses that occurred. The reporting is not a comprehensive account of the abuses committed. The locations are listed in order from the highest to lowest number of civilian casualties, with the largest number of civilians killed and taken hostage at the Supernova music festival and the Be’eri and Kfar Aza *kibbutzim*.



Planning of the Assault

There is considerable evidence demonstrating the overall planned nature of the October 7 assault, including the complexity of the attack, the number of armed groups involved, and consistency of the methods used during the attack. One key aspect of the assault that required considerable planning was the breaching of the barrier between the Gaza Strip and southern Israel.

The October 7 assault began with coordinated barrages of indiscriminate rocket attacks that provided cover for Palestinian fighters to breach the barrier around Gaza and enter Israel. An analysis of photographs and videos uploaded on October 7 and in the following

days and verified by Human Rights Watch confirmed 13 breaches of the border barriers, led in almost all cases by Qassam Brigades forces.⁸⁸

The footage shows that at least 10 breaches occurred early in the morning. Human Rights Watch verified eight of these incidents through videos shared on the Hamas and Qassam Brigades' affiliate channels. In two other breaches, Human Rights Watch observed on the attackers either patches or headbands with symbols and wordings showing affiliation with the Qassam Brigades. However, in one specific incident near Kibbutz Sufa to the north, one individual is seen wearing a red headband, which is not usually associated with the Qassam Brigades. Two brigades that Human Rights Watch verified participated in the October 7 attacks wear red headbands, the Martyr Abu Ali Mustafa Brigades and the National Resistance Brigades. Human Rights Watch was not able to confirm the presence of any other brigade participating in the breaches that occurred in the early morning hours of the assault.

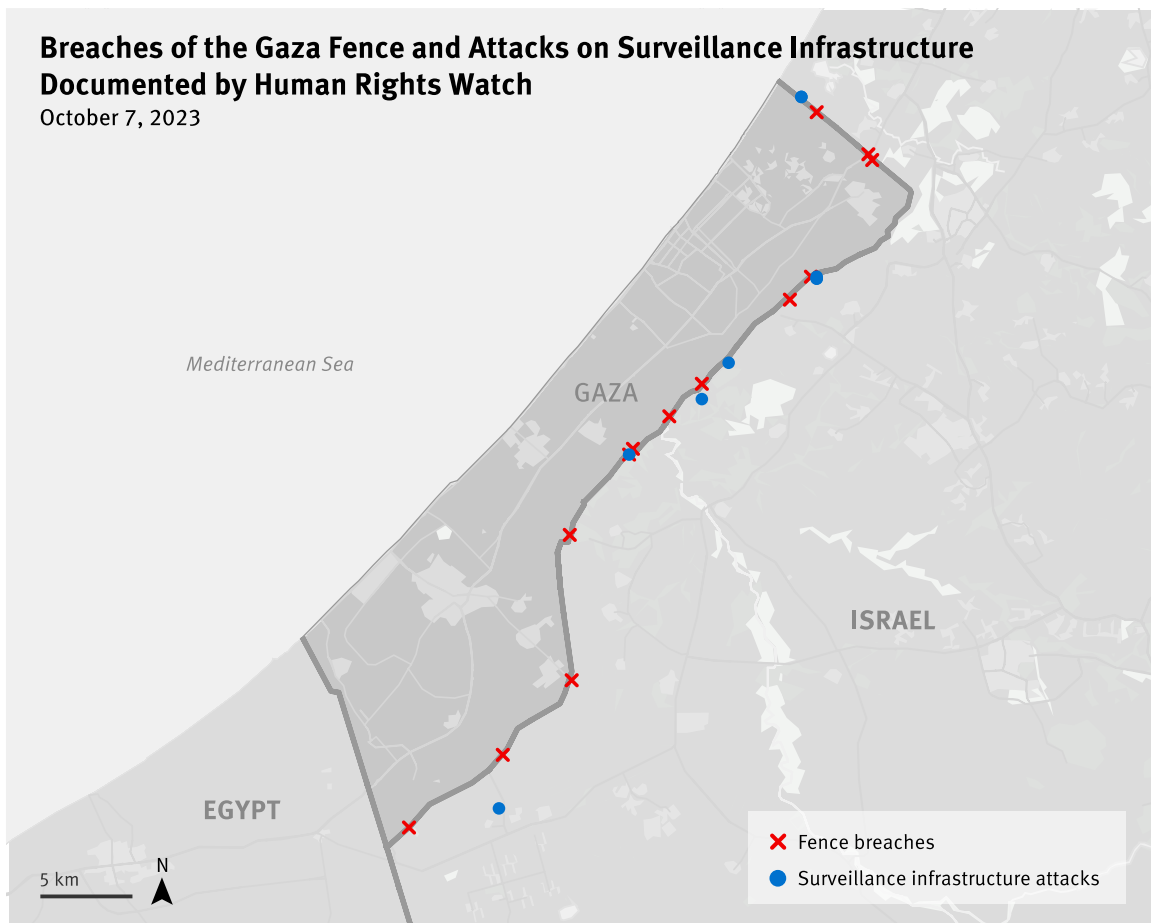
The fighters used several different methods to breach the barriers. A video, made up of several clips and uploaded to the Qassam Brigades Telegram channel, showed fighters using a tractor to break through the first fence near the Maghazi refugee camp in central Gaza and Re'im in Israel before using explosives to breach the second fence.⁸⁹ After this, at least six motorcycles, most with two people on each, drive toward the newly made breach. Most breaches were carried out with some form of explosive. A video uploaded to the South First Responders Telegram channel of a breach in southern Al Fukhari and directly north of Kibbutz Sufa shows that fighters set up ramps to allow pickup trucks and motorcycles to cross over the concrete step. At least three of the fighters are wearing green headbands associated with the Qassam Brigades.⁹⁰ In two separate breaches, one near

⁸⁸ South First Responders (@southfirstresponders) post to Telegram channel, October 16, 2023, (accessed February 5, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); حركة حماس Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); "Terrorists kidnapping an Israeli into Gaza," *Hamas Massacre*, October 2023, <https://www.hamas-massacre.net/content/terrorists-kidnapping-an-israeli-into-gaza> (accessed February 5, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed June 7, 2024); حركة حماس Telegram channel, (accessed June 24, 2024); قوات الشهيد عمر القاسم Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024).

⁸⁹ كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024).

⁹⁰ South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed February 5, 2024); Yolan Cohen, "תיעוד דרמטי: כרך במשך שעות וללא הפרעה השתלטו המחבלים על יישובים בעוטף," *N12*, December 13, 2023,

Juhor ad-Dik and Kibbutz Be’eri and a second near Musaddar and Kibbutz Kissufim, fighters chose to breach a large gate in the fence. Near Juhor ad-Dik and Be’eri, fighters appeared to have first broken through a smaller breach next to the gate before using another munition to create a larger hole.⁹¹ Similarly, near Musaddar and Kissufim, a smaller breach is visible right next to the larger gate.⁹² In both cases, the breaches allow pickup trucks to pass through, though the video does not show the act of breaching itself in the case of Kissufim.



<https://www.mako.co.il/news-military/6361323ddea5a810/Article-11b121f9c01cc81027.htm> (accessed February 5, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed February 5, 2024); Yolan Cohen, “תיעוד דרמטי: כך במשך שעות ולא הפרעה השתלטו המחבלים על יישובים בעוטף,” *N12*, December 13, 2023, <https://www.mako.co.il/news-military/6361323ddea5a810/Article-11b121f9c01cc81027.htm> (accessed February 5, 2024).

⁹¹ כתאב الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024).

⁹² כתאב الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024).

In the early morning hours, in an apparently coordinated fashion, fighters attempted to disrupt or destroy multiple military communications towers as well as remote-controlled turrets near the border with Gaza and military installations. An analysis and verification of videos uploaded to the Qassam Telegram channel, the South First Responders Telegram channel, and the Palestine Resist Telegram channel shows that the fighters used drones, RPGs, and other explosive ordnances to damage at least three communication towers and three remote-controlled turrets.⁹³ Satellite imagery taken on October 7 and analyzed by Human Rights Watch shows smoke rising from two additional communications towers.

A remote-controlled turret near a reservoir northwest of Kfar Aza was hit twice by explosives dropped by drones, according to two videos posted to two different Telegram channels, one of which was the channel for the Qassam Brigades.⁹⁴ A verified video posted to that channel captures a drone dropping an explosive on a communications tower west of Be’eri and roughly 500 meters from the barrier with Gaza. It appears to detonate above ground level. A second shot from the same video shows the tower on fire. In the video, fighters appear to target surveillance and military infrastructure as they approach military bases.⁹⁵ In another video posted to the South First Responders Telegram channel, fighters gather on the outskirts of Sufa, one person fires an RPG that hits a communications tower at the neighboring military base.⁹⁶

The nature of this initial phase of the assault, including the types of targets, the fact that individual attacks were timed to occur simultaneously or in quick succession, all point to a high degree of planning, coordination, and communication among the participating armed groups.

While media reports indicate that only a small number of Qassam Brigades leaders knew the plan, and those participating in the assault were only notified hours before it began, the same reports state that fighters had trained for an assault of similar character for

⁹³ كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); Resistance News Network, Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); South First Responders Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024).

⁹⁴ كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); Resistance News Network, (accessed June 24, 2024).

⁹⁵ كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024).

⁹⁶ South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed February 5, 2024).

several years before it took place.⁹⁷ A BBC investigation uncovered evidence on Telegram that it said showed that groups in Gaza had engaged in a set of four special drills called Strong Pillar, with the first taking place in December 2020 and the last in September 2023, in which forces practiced hostage-taking, raiding compounds, amphibious assault, destroying communication towers, and breaching Israel’s border fences during these exercises, including in a mock kibbutz.⁹⁸ According to the investigation, at least 10 groups participated in the special drills, based on headbands they were wearing over their helmets: the Qassam Brigades, Quds Brigades, National Resistance Brigades or Omar al-Qasim Forces, Nasser Salah al-Din Brigades, Ansar Brigades, Ayman Jouda Brigades, Jihad Jibreel Brigades, Martyr Abu Ali Mustafa Brigades, Mujahideen Brigades, and Abdul Qadir al-Husseini Brigades.⁹⁹

A separate BBC investigation highlighted numerous observations made by Israeli armed forces stationed near Gaza in the months leading up to the assault, including witnessing practice raids, mock hostage-taking, and farmers behaving “strangely” by changing their routines and moving closer to the barrier near where the breaches occurred.¹⁰⁰

Asharq Al-Awsat, a Saudi-owned newspaper, reported in January 2024 that the Qassam Brigades had been planning an assault to storm communities surrounding the Gaza Strip since before 2014, citing sources close to the Qassam Brigades leadership.¹⁰¹ According to

⁹⁷ Abdelali Ragad, Richard Irvine-Brown, Benedict Garman and Sean Seddon, “How Hamas built a force to attack Israel on 7 October,” *BBC*, November 27, 2023, <https://www.bbc.com/news/world-middle-east-67480680> (accessed April 10, 2024); Jason Burke, “A deadly cascade: how secret Hamas attack orders were passed down at last minute,” *The Guardian*, November 7, 2023, <https://www.theguardian.com/world/2023/nov/07/secret-hamas-attack-orders-israel-gaza-7-october> (accessed April 10, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); كتائب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); “Israel Knew Hamas’s Attack Plan More Than a Year Ago,” *The New York Times*, November 30, 2023, <https://www.nytimes.com/2023/11/30/world/middleeast/israel-hamas-attack-intelligence.html> (accessed April 10, 2024).

⁹⁸ Abdelali Ragad, Richard Irvine-Brown, Benedict Garman and Sean Seddon, “How Hamas built a force to attack Israel on 7 October,” *BBC*, November 27, 2023, <https://www.bbc.com/news/world-middle-east-67480680> (accessed April 10, 2024).

⁹⁹ In its coverage, the BBC identifies the National Resistance Brigades and the Omar al-Qasim Forces as distinct groups but Human Rights Watch research suggests they are one group. “Videos Show Hamas and Armed Allies Training Together,” November 27, 2023, video clip, BBC, <https://www.bbc.com/Wi/news/av/world-middle-east-67546911> (accessed March 13, 2024). The Joint Operations Room’s official Telegram account has regularly published images and videos showing and describing the coordination between Palestinian armed groups since 2020. The joint room for Palestinian resistance factions (@resistFactions) Telegram channel, (accessed June 24, 2024).

¹⁰⁰ Alice Cuddy, “They were Israel’s ‘eyes on the border’ - but their Hamas warnings went unheard,” *BBC*, January 14, 2024, <https://www.bbc.com/news/world-middle-east-67958260> (accessed April 10, 2024).

¹⁰¹ “له خطوطا مسؤولين و «النخبة نخبة» من 70 بدأ... «الطوفان»” *Asharq Al-Awsat*, January 9, 2024, <https://aawsat.com/%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8>

the article, five individuals within the Qassam Brigades ultimately approved launching the assault and decided on its timing.

According to the *Guardian*, which based its account on “multiple sources, including meetings with Israeli intelligence officials, experts, sources with direct knowledge of interrogation reports of fighters captured during the attacks, and material released by Hamas and the Israeli military,” “orders went out” before 4 a.m. on October 7 that those who had been attending the regular training sessions were to go to pray.¹⁰² An hour later, “new instructions were issued” orally for thousands of “Hamas militants” to bring their weapons and any ammunition they had and gather at a designated location.¹⁰³ There, “Hamas” leaders handed out more ammunition and more powerful weapons.¹⁰⁴ At 6 a.m., the final orders were reportedly issued: the men were to rush through gaps that would soon be blown or smashed through the perimeter barrier around Gaza and “attack Israeli soldiers and civilians on the other side.”¹⁰⁵ A first wave of 400 fighters crossed the border into Israel at the 15 points where they had breached the security barrier, the *Guardian* reported.¹⁰⁶

Throughout the assault, witnesses observed some fighters communicating via radios and moving through the communities in a coordinated fashion. In at least two areas, Israeli authorities apparently recovered well-prepared and detailed documents outlining tactics, techniques, procedures, and specific targets. The existence of a Joint Operations Room

%D9%8A/%D8%A7%D9%84%D9%85%D8%B4%D8%B1%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/4779666-%C2%AB%D8%A7%D9%84%D8%B7%D9%88%D9%81%D8%A7%D9%86%C2%BB-%D8%A8%D8%AF%D8%A3-%D8%A8%D9%8070-%D9%85%D9%86-%C2%AB%D9%86%D8%AE%D8%A8%D8%A9-%D8%A7%D9%84%D9%86%D8%AE%D8%A8%D8%A9%C2%BB-%D9%885-%D9%85%D8%B3%D8%A4%D9%88%D9%84%D9%8A%D9%86-%D8%AE%D8%B7%D8%B7%D9%88%D8%A7-%D9%84%D9%87 (accessed April 10, 2024).

¹⁰² Jason Burke, “A deadly cascade: how secret Hamas attack orders were passed down at last minute,” *The Guardian*, November 7, 2023, <https://www.theguardian.com/world/2023/nov/07/secret-hamas-attack-orders-israel-gaza-7-october> (accessed April 10, 2024).

¹⁰³ Jason Burke, “A deadly cascade: how secret Hamas attack orders were passed down at last minute,” *The Guardian*, November 7, 2023, <https://www.theguardian.com/world/2023/nov/07/secret-hamas-attack-orders-israel-gaza-7-october> (accessed April 10, 2024).

¹⁰⁴ Jason Burke, “A deadly cascade: how secret Hamas attack orders were passed down at last minute,” *The Guardian*, November 7, 2023, <https://www.theguardian.com/world/2023/nov/07/secret-hamas-attack-orders-israel-gaza-7-october> (accessed April 10, 2024).

¹⁰⁵ Jason Burke, “A deadly cascade: how secret Hamas attack orders were passed down at last minute,” *The Guardian*, November 7, 2023, <https://www.theguardian.com/world/2023/nov/07/secret-hamas-attack-orders-israel-gaza-7-october> (accessed April 10, 2024).

¹⁰⁶ Peter Beaumont, “How did Hamas manage to carry out its rampage through southern Israel?,” *The Guardian*, October 9, 2023, <https://www.theguardian.com/world/2023/oct/09/how-did-hamas-manage-to-carry-out-its-rampage-through-southern-israel> (accessed April 10, 2024).

involving at least 10 Palestinian armed groups operating in the Gaza Strip, including those who have been identified as participating in the October 7 attacks, to coordinate their armed operations against Israel, the use of radios and coordinated movements, and if authentic, the issuing and carrying of planning documents, strongly support other available evidence that an assault on the communities surrounding Gaza in southern Israel was planned well in advance of October 7.¹⁰⁷

Alleged Planning Documents

Human Rights Watch examined 26 pages of an unspecified number of alleged Qassam Brigades planning documents alleged to have been obtained by Israeli authorities and published after October 7 by the authorities, the US television broadcaster NBC, and the Telegram channel South First Responders.¹⁰⁸ At least two pages appear to be cover pages, three pages include maps, and 21 pages contain tables or figures with accompanying text.¹⁰⁹ From pages of some of the documents, it appears that the pages come from at least three distinct alleged planning documents: a hostage detention plan, a plan to attack Kibbutz Sa'ad, and a plan to attack Kibbutz Mefalsim.

In an attempt to authenticate the documents, Human Rights Watch compared these pages to other planning documents not related to the October 7 assault featured in three promotional videos on the Joint Operations Room Telegram Channel, a Telegram channel set up to publish information on the collaboration between the various

¹⁰⁷ Based on a review by Human Rights Watch, documents visible in videos of the Joint Operations Room in Gaza share some of the same annotations and formatting of those published shortly after October 7, however some of the documents contain inconsistencies as well, including differences in the Qassam Brigades' logo.

¹⁰⁸ Anna Schechter, "'Top secret' Hamas documents show that terrorists intentionally targeted elementary schools and a youth center," *NBC News*, October 13, 2023, <https://www.nbcnews.com/news/investigations/top-secret-hamas-documents-show-terrorists-intentionally-targeted-elem-rcna120310> (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 10, 2023, (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2023, (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2023, (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2023, (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2023, (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2023, (accessed June 10, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2023, (accessed June 10, 2024).

¹⁰⁹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 10, 2023, (accessed June 10, 2024); Anna Schechter, "'Top secret' Hamas documents show that terrorists intentionally targeted elementary schools and a youth center," *NBC News*, October 13, 2023, <https://www.nbcnews.com/news/investigations/top-secret-hamas-documents-show-terrorists-intentionally-targeted-elem-rcna120310> (accessed June 10, 2024).

Palestinian armed groups in Gaza.³ The channel was operational from 2020 until 2023. Documents in these videos share some of the same annotations and formatting of those published shortly after October 7. The documents published after October 7 include a different version of the Qassam Brigades logo than the logo commonly used in official communications. The maps the documents contain some differences and some similarities. The language in the documents is consistent with what one might expect to find in a manual of this nature from Palestinians in Gaza.

However, Human Rights Watch's analysis was unable to verify the authenticity of the documents. In addition, we were unable to verify the chain of custody for the documents. Two international journalists given initial access to them shared details on how Israeli authorities said they had come by the documents.¹¹⁰ Human Rights Watch reached out to a Hamas representative with questions about the authenticity of the documents but did not receive a reply.

Logo

On October 12, the anonymously run South First Responders Telegram channel posted five photographs of pages of documents. A Qassam Brigades logo is printed on one document cover page.⁴ This logo contains some differences, including the positioning of the text and the al-Aqsa Mosque in the back, from the logo the Qassam Brigades more commonly uses in official communications channels, such as on its website and Telegram channel, and in footage analyzed by Human Rights Watch. However, Human Rights Watch did find that the logo seen on the alleged planning document has been used elsewhere, such as on certain headbands worn by Qassam fighters and on older infographics on the Qassam website.¹¹¹

¹¹⁰ The journalists said that the Israeli authorities said they found the documents at the attack sites, some on fighters, and some in vehicles that fighters had used as transport to the attack sites.

¹¹¹ ككتاب الشهيد عز الدين القسام Telegram channel, (accessed June 24, 2024); Al Qassam picture posted, <https://alqassam.ps/arabic/attachments/album/pics/1104/mhde-abo-athra1.gif> (accessed June 27, 2024); Military Information Department of the Martyr Izz al-Din al-Qassam Brigades, <https://alqassam.ps/arabic/album/index/1/163> (accessed June 24, 2024); Al Qassam picture posted, <https://alqassam.ps/arabic/attachments/album/pics/1908/29d3a67a09db85d906bc4c81796bd536.jpg> (accessed June 27, 2024).

Formatting

Human Rights Watch compared the 12 pages containing tables and text to documents visible in videos posted to the Joint Operations Room Telegram Channel on September 12 and 13, 2023, showing documents with tables and text.¹¹² The formatting and color scheme used in the documents are the same: Word-table format and a color scheme of yellow, blue, and green.

Maps

Two maps were displayed in photographs and videos posted to the Joint Operations Room Telegram Channels in September 2023. These maps share similar features with the maps of alleged planning documents shared by NBC after October 7, such as the red and white scale bar and other map markings, though the numbers are written above the bar in one case and below in the other. Human Rights Watch was unable to determine whether the same software was used to create the maps. The satellite imagery used as background in the maps NBC shared after October 7 are publicly available and were captured in May and June 2021. Two videos posted on the Joint Operations Room Telegram Channels on September 12, 2023, show armed men examining a map marked with a blue line interrupted by repeated blue crosses.¹¹³ These markings match map markings denoting the protective fence on a map of Kibbutz Sa'ad allegedly found after October 7 and published by NBC.¹¹⁴ While the spacing between the crosses is different, the maps do not use the same scale and format—this could account for the differences in spacing between the crosses.

Language

Human Rights Watch analyzed the Arabic language seen in 19 pages of the alleged planning documents and had an independent translation team conduct its own analysis of the language in the documents. Human Rights Watch and the independent team

¹¹² الفلسطينية المقاومة لفصائل المشتركة الغرفة (@resistFactions) post to Telegram channel, September 12, 2023, (accessed June 10, 2023); الفلسطينية المقاومة لفصائل المشتركة الغرفة (@resistFactions) post to Telegram channel, September 12, 2023, (accessed June 10, 2023); (@resistFactions) post to Telegram channel, September 12, 2023, (accessed June 10, 2024).

¹¹³ (@resistFactions) post to Telegram channel, September 12, 2023, (accessed June 10, 2024); (@resistFactions) post to Telegram channel, September 12, 2023, (accessed June 10, 2024).

¹¹⁴ Anna Schecter, "'Top secret' Hamas documents show that terrorists intentionally targeted elementary schools and a youth center," *NBC News*, October 13, 2023, <https://www.nbcnews.com/news/investigations/top-secret-hamas-documents-show-terrorists-intentionally-targeted-elem-rcna120310> (accessed June 10, 2024).

assessed that the documents appear to have been originally written in Arabic based on the human errors in the documents, some common, that would not be generated by machine translated text from another language. These include inconsistent spellings, inconsistent application of grammar rules, and structures that are typical of the dialectal or spoken language. The documents contain specialized vocabulary and unusual word choices consistent with the language spoken in Gaza and appropriate to find in a military manual of this nature. The term "hostages" or *raha'en* appears in the alleged planning documents. Though Hamas representatives have refused to use the term for those they are holding in official communications, this term is repeated by fighters in at least one video filmed by attackers during the assault.

Local Forces that Fought to Repel the Assault –Kitot Konenut (“Rapid Response Teams”)

All of the cooperative communities in southern Israel that were attacked on October 7 had *kitot konenut* (“rapid response teams”). These are organized community residents serving in a part-time volunteer role to provide a first response to security threats who have access to assault rifles and personal protective equipment.¹¹⁵ When Palestinian armed groups attacked their communities on October 7, *kitot konenut* members were quickly activated, and often became involved in gunfights with the assailants. Many were killed or injured.

Under international humanitarian law, civilians are immune from attack unless and for such time they take a direct part in hostilities.¹¹⁶ Directly participating in hostilities typically means engaging in combat or directly assisting combatants, such as by supplying ammunition. The International Committee of the Red Cross, in its “Interpretive Guidance on Direct Participation in Hostilities,” sets out parameters for “individual self-defense or self-defense of others.” This permits a civilian to use strictly necessary (i.e. minimum amount of force necessary, firearms as a last resort), and proportionate (i.e.

¹¹⁵ Hillel Kuttler, “Never Too Old to Fight” *Tablet Magazine*, January 7, 2024, <https://www.tabletmag.com/sections/community/articles/never-too-old-to-fight-druze-hamas-hezbollah> (accessed June 27, 2024).

¹¹⁶ ICRC, Customary IHL, rule 6. Nils Melzer, Interpretive Guidance on the Notion of Direct Participation in Hostilities Under International Humanitarian Law, May 2009, *ICRC* (accessed June 24, 2024).

commensurate to the seriousness of the unlawful act) force to defend against an unlawful attack or other abuses without themselves becoming a lawful target of attack.

The ICRC Interpretive Guidance states:

[A]lthough the use of force by civilians to defend themselves against unlawful attack or looting, rape, and murder by marauding soldiers may cause the required threshold of harm, its purpose clearly is not to support a party to the conflict against another. If individual self-defence against prohibited violence were to entail loss of protection against direct attack, this would have the absurd consequence of legitimizing a previously unlawful attack. Therefore, the use of necessary and proportionate force in such situations cannot be regarded as direct participation in hostilities.¹¹⁷

Thus, “rapid response team” members who used necessary and proportionate force in response to unlawful attacks or other abuses would not lawfully be subject to attacks as civilians directly participating in the hostilities. However, such members who acted beyond these legal limits, such as to join with regular military forces in counterattacks or operations with a nexus to the conflict more broadly, would be civilians directly participating in the hostilities. Furthermore, the rapid response teams in communities in the “Gaza Envelope” are different and distinct from armed settler groups in the West Bank that have repeatedly engaged in unlawful attacks against Palestinian civilians.¹¹⁸

Supernova Music Festival

The Supernova Sukkot Gathering was an outdoor trance music festival that began at 9 p.m. on October 6 in a field very close to Kibbutz Re'im in the Eshkol region, about three kilometers from the border with Gaza. Another music festival had taken place the day before at the same location. The Supernova Sukkot Gathering was billed as a celebration of “friends, love and infinite freedom,” and had three stages, a camping zone, and an area with

¹¹⁷ ICRC DPH, p. 61. Nils Melzer, *Interpretive Guidance on the Notion of Direct Participation in Hostilities Under International Humanitarian Law*, May 2009, *ICRC* <https://www.icrc.org/en/doc/assets/files/other/icrc-002-0990.pdf> (accessed June 24, 2024).

¹¹⁸ “West Bank: Israel Responsible for Rising Settler Violence,” Human Rights Watch news release, April 17, 2024, <https://www.hrw.org/news/2024/04/17/west-bank-israel-responsible-rising-settler-violence>.

a bar and food.¹¹⁹ According to organizers, between 3,500 and 4,000 people came to the event.¹²⁰ They said that the festival was initially announced with no location specified and that they selected the location of the festival only two or three weeks prior to the event. Their teams started setting up the venue about one week before October 7, they said.

Human Rights Watch interviewed three people who attended the music festival as guests and three who were part of the organization and security team for the event.¹²¹ Researchers also spoke to a bus driver and a young man, both of whom drove to the festival site to help rescue people after the attack began.¹²² A reported 364 civilians—about 45 percent of all the civilians killed during the October 7 attacks and about 10 percent of those who attended the festival—were killed at the site.¹²³ Another 200 were injured, and attackers took 40 people hostage.¹²⁴

Accounts from Survivors

People who attended the festival said they remembered a flurry of incoming rocket fire at about 6:30 a.m. Almog Senior, 30, was at the festival with four friends.¹²⁵ He described the moment the attack started: “We were dancing at the main stage during sunrise. Then we started to notice smoke in the sky and a few minutes later the music stopped. Then, we saw the Iron Dome [Israel’s anti-missile system] intercepting rockets.”¹²⁶

¹¹⁹ Loveday Morris, Imogen Piper, Joyce Sohyun Lee, and Susannah George, “How a Night of Dancing and Revelry In Israel Turned Into A Massacre,” *The Washington Post*, October 8, 2023, <https://www.washingtonpost.com/world/2023/10/08/israel-festival-attack-gaza-militants/> (accessed February 5, 2024).

¹²⁰ Human Rights Watch remote interview with Abraham C., October 17, 2023; Human Rights Watch remote interview with Roi G., November 6, 2023. The names of some interviews quoted in this report have been changed to protect their privacy and avoid potential retaliation.

¹²¹ Human Rights Watch remote interview with Dan Liebersohn, October 30, 2023; Human Rights Watch interview with Almog Senior, Dead Sea, October 18, 2023; Human Rights Watch remote interview with Yael Boxman Zeevi, October 17, 2023; Human Rights Watch remote interview with Abraham C., October 17, 2023; Human Rights Watch remote interview with Sagi B., November 3, 2023; Human Rights Watch remote interview with Roi G., November 6, 2023.

¹²² Human Rights Watch remote interview with Youssef al-Ziadna, October 18, 2023; Human Rights Watch remote interview with a ZAKA member, October 23, 2023.

¹²³ “Death count from Re’im music festival massacre reportedly updated to 364 — a third of Oct. 7 fatalities,” *The Times of Israel*, November 17, 2023, https://www.timesofisrael.com/liveblog_entry/death-count-from-massacre-at-reim-music-festival-reportedly-updated-to-364-a-third-of-oct-7-deaths/ (accessed January 16, 2024). Victim count in various Israeli media outlets matched the number tallied by AFP.

¹²⁴ “Death count from Re’im music festival massacre reportedly updated to 364 — a third of Oct. 7 fatalities,” *The Times of Israel*, November 17, 2023, https://www.timesofisrael.com/liveblog_entry/death-count-from-massacre-at-reim-music-festival-reportedly-updated-to-364-a-third-of-oct-7-deaths/ (accessed January 16, 2024).

¹²⁵ Human Rights Watch interview with Almog Senior, Dead Sea, October 18, 2023.

¹²⁶ Human Rights Watch interview with Almog Senior, Dead Sea, October 18, 2023.

Abraham C., who was working at the event, said he and other organizers told everyone to head to safety and then walked over to the parking lot to make sure people could leave.¹²⁷ Abraham headed to his car and started driving to the main road at about 7 a.m. He described what happened:

I got a call from one of my friends saying he had gone to the main road and had seen terrorists who shot at the car in front of him, and then he had run toward the festival site. I realized what was happening, but I didn't understand the scale of the attack. I assumed it was only two terrorists, whom I knew we could neutralize. I called the chief police officer assigned to the event, but he didn't answer. I called my co-organizer, but he didn't answer.¹²⁸

Abraham drove northeast, away from Gaza. He was trying to get to a police station but at one point took a wrong turn and saw two gunmen wearing what he said looked like police uniforms and bulletproof vests and carrying AK-style assault rifles and handguns blocking the road at a nearby junction.¹²⁹

An organizer of the event who was managing security, Roi G., said that at 6:45 a.m., half his team began helping people to evacuate the car park and the other half moved people out of the party area.¹³⁰ As they were moving people out, many gunmen entered the party, and at about 8 a.m., opened fire on Roi and his six colleagues, including with what he identified as RPGs and machine guns, killing four of Roi's colleagues.

Roi and his two surviving colleagues fled with four festivalgoers through the fields, where they found an abandoned car that they drove to a nearby settlement that was not under attack. Roi then returned to the festival site to rescue more friends who he said called him fearing for their lives. He heard shouting in Arabic in the background.¹³¹

¹²⁷ Human Rights Watch remote interview with Abraham C., October 17, 2023.

¹²⁸ Human Rights Watch remote interview with Abraham C., October 17, 2023.

¹²⁹ Human Rights Watch remote interview with Abraham C., October 17, 2023.

¹³⁰ Human Rights Watch remote interview with Roi G., November 6, 2023.

¹³¹ Human Rights Watch remote interview with Roi G., November 6, 2023.

Sagi B., who was also part of the security team, was near the stage when his colleague Bar Kupershtein radioed him, saying there was a wounded person about 300 meters from the festival site in the field near the main road:

I drove a golf cart over to Bar and the [wounded] guy, [who] said he had been driving down the road when two terrorists suddenly started shooting at his car at Re'im Junction. He kept driving until he saw Bar by the road and stopped. This is when I realized there were terrorists, but I did not understand the scale. We gave him first aid, and immediately reported the incident to the IDF [Israel Defense Forces] and the police. Within minutes 10 more cars of people who had been driving down the road pulled up next to us—all of them were injured. At that time, we were seven policemen and eight security officers in the field.¹³²

Sagi had started driving the wounded in the golf cart to the two ambulances they had on the festival grounds when he got a call from other security officers saying that jeeps were approaching. By the time he returned to the location where he had found the injured man, “only one policeman was still alive, and the vehicles were on fire,” Sagi said. “There was gunfire and RPG fire all around.” Sagi, who was armed, took cover behind vehicles and said he saw around 20 gunmen, all in green pants and black or green shirts, and body armor, with the exception of one man who appeared to be the commander, who was wearing a tiger-stripe patterned camouflage uniform. The gunmen were carrying what he identified as machine guns, RPGs, AK-style assault rifles, and M4 assault rifles. Sagi saw gunmen shooting people, then checking their bodies to see if they were dead, and then firing more rounds at them. He said soon after, an armored vehicle he identified as a tank arrived with Israeli soldiers inside who had been injured. One soldier from the tank handed him a weapon, and immediately thereafter was shot and killed. The remaining police officer was also shot, leaving Sagi to continue shooting at the gunmen on his own. He said:

I was encircled and alone. They kept firing at me, including with an RPG. A bullet hit me in the right thigh. I realized I could not fight anymore because I was injured and had run out of ammunition. So, I had to run 450 meters through an open field as they were shooting at me. I miraculously made it

¹³² Human Rights Watch remote interview with Sagi B., November 3, 2023.

to the tree line alive. I made an improvised tourniquet and stayed there until 2 p.m., when a group of soldiers and a man whose wife had called him to rescue her from the party evacuated me.

Youssef al-Ziadna, 47, a Palestinian Bedouin bus driver for a private company, had been hired to ferry festivalgoers to the city of Be'er Sheva over the weekend.¹³³ At 6 a.m., he got a call from someone at the festival, asking for the bus to pick up some people. He was approaching the site in his minibus at 6:30 a.m., when he saw incoming rocket fire. Then, a man on the roadside waved him over and told him to turn around, saying there were “terrorists” attacking nearby Kibbutz Be’eri. Al-Ziadna got out of the bus to look around and came under gunfire from the direction of the kibbutz. He said, “I had the opportunity to drive away but I said I needed to get to the festival to get people out.” Al-Ziadna got to the festival parking lot under gunfire. “You can’t imagine the scene, it was horrible,” he said. Although his bus normally fits 14 passengers, he boarded 30 people, including two who were injured, and evacuated them. Since the event, he says he has received death and other threats from anonymous callers in Arabic, blaming him for “saving 30 Jews.”

Dan Liebersohn, 22, went to the festival with nine friends, his brother, and his cousin.¹³⁴ He fled to his car with his brother and a friend when the area came under rocket attack. Because of the traffic jam in the parking lot, they got out of the car and started running. Then, they heard gunfire getting closer, followed by automatic gunfire. “Then police started yelling into a megaphone that if we stayed near the traffic jam, we would be slaughtered, and they sent us toward a field,” Liebersohn said. “We were hundreds of people running.” Liebersohn got separated from his brother and friend. “I felt like I was unconscious, but I kept running.” He ended up hiding behind a bush for the next two or three hours. “Bullets flew above my head, there was total chaos,” he recalled. Liebersohn said while he hid, he heard a woman nearby shouting in Hebrew, “Leave me alone, I beg of you.” He said a gunman told her to be silent. He was unable to see what happened to her.

Almog Senior and a friend waited in the parking lot for the traffic jam to ease and were able to make it out toward the main road. Along the way, Senior heard gunshots and stopped to

¹³³ Human Rights Watch remote interview with Youssef al-Ziadna, October 18, 2023.

¹³⁴ Human Rights Watch remote interview with Dan Liebersohn, October 30, 2023.

pick up two women who were in tears.¹³⁵ They drove down a dirt road until they reached a main road, where they found a police officer and asked what was going on. Senior said:

He was as confused as we were, so we decided to try to navigate ourselves out... But the main road felt like a road of death. We saw cars stopped in a weird way along the side of the road. Then we saw a white pickup truck parked in the intersection between the dirt road and the main road and we noticed a man with a bulletproof vest and a rifle standing by the truck ... We discussed whether he was a soldier or a terrorist but said there is no way a terrorist would just be standing there.

They drove toward him. “When he noticed us,” Senior said, “he went to the back of his truck and pulled out a machine gun and aimed it at us.” Only one bullet hit the car when he opened fire, after which Senior thinks the gun may have jammed. Senior and his friend and the two women sped away. None of their phones had reception, so they used the position of the sun to figure out which way was east, to drive away from Gaza. As they drove, they passed Thai workers in a field. Senior yelled to the workers to run away because assailants were coming but, “They just sat there looking at the rockets flying above their heads and gave us a thumbs up, like they didn’t understand us.” Senior, his friend, and the two women made it safely to Senior’s home in Be’er Sheva. Human Rights Watch was unable to learn what happened to the Thai workers.

Yael Zeevi, 35, went to the Supernova festival with her husband and two friends.¹³⁶ When the attacks began, she and her husband tried to escape but, after three attempts that were thwarted by the traffic jam and gunfire, they went back to the festival grounds. They first hid in the bathrooms and then under the stage but kept moving as gunmen kept getting closer. Zeevi said, “After three hours, we curled into a [drainage pipe]. ... There was a lot of shooting above our heads. We didn’t dare move.” Another woman came to hide in the drainage pipe with Zeevi and her husband. Suddenly an attacker put his gun into the pipe and opened fire. Multiple shots hit the woman, whose body largely protected Zeevi and her husband, though both were injured by bullets to their right and left arm, respectively. Zeevi and her husband crawled out of the pipe and ran toward another pipe. From there, Zeevi

¹³⁵ Human Rights Watch interview with Almog Senior, Dead Sea, October 18, 2023.

¹³⁶ Human Rights Watch remote interview with Yael Boxman Zeevi, October 17, 2023.

looked back at the festival site for the first time and said she saw “fire and smoke, like in movies.” Eventually some people in a car drove them to safety. Zeevi said she later learned through others who had been at the festival that the woman in the drainage pipe with them was shot six times but survived.

Human Rights Watch was not able to obtain sufficient information about the Israeli military response to the attack on the Supernova music festival to accurately report on what occurred once soldiers arrived in the area.

Footage of Abuses

Verified videos capture fighters firing on civilians trying to flee the festival in cars. A video posted on the South First Responders Telegram channel recorded by a Qassam Brigades member on the morning of October 7 shows fighters firing assault rifles at a vehicle off the east side of Road 232, about 3.3 kilometers from the festival. The attackers proceed to shoot three people in civilian clothes inside and next to the vehicle.¹³⁷

A dashcam video posted on the South First Responders Telegram channel recorded near the same location after this attack at 7:39 a.m. shows a car driving away from the festival grounds on Road 232. As the car nears an intersection with Road 242, several fighters fire assault rifles at the vehicle, shattering the windshield and causing the car to crash into the back of a stopped vehicle.¹³⁸ Another clip from the same dashcam recorded moments later shows fighters wearing Qassam Brigades armbands fire at the car multiple times.¹³⁹ Human Rights Watch could not confirm if any occupants of the car survived.

Some festivalgoers were killed in other areas to which they had fled. In one video posted on the South First Responders Telegram channel verified by Human Rights Watch, dashcam footage, taken around 8 a.m., shows seven fighters, several of whom yell in Arabic and kick a shirtless man in front of a bomb shelter that is connected to the Re'im Junction bus stop, approximately 1.5 kilometers southwest of the Supernova music

¹³⁷ South First responders (@southfirstresponders) post to Telegram Channel, November 7, 2023, (accessed April 3, 2024).

¹³⁸ South First responders (@southfirstresponders) post to Telegram, October 9, 2023, (accessed February 21, 2024). The time was determined according to the timestamp on the video and verified by Human Rights Watch.

¹³⁹ South First responders (@southfirstresponders) post to Telegram, October 9, 2023, (accessed February 21, 2024).

festival.¹⁴⁰ One fighter shouts in Arabic, “Guys, inside, inside here,” and the men appear to argue briefly, before another fighter throws an object into the shelter.¹⁴¹ An apparently unarmed man dressed in civilian clothes dashes out. The fighters yell, take aim, and shoot at him from behind as he tries to flee. As they are shooting, an explosion is visible and audible inside the shelter.

A second verified video posted to X (formerly Twitter) shows the same fighters removing three men and one woman from the shelter and putting them into a pickup truck.¹⁴² Two of the men are bleeding, and one of them is missing his left hand with an uneven wound and protruding bones and other human tissue consistent with a blast injury. Human Rights Watch identified the injured man as likely Hersh Goldberg-Polin, a 23-year-old who was taken hostage from the music festival.¹⁴³ One of the men is being dragged out of the shelter by his hair and then slapped by two of the fighters after he is heaved into the pickup truck. When one of the gunmen, dressed in civilian clothes, takes a woman out from the shelter, a person off camera appears to be saying in Arabic, “No, no, a *sabiyya* [female captive], let her go, let her go. Take her back, take her back. Go back to your place.”¹⁴⁴ A few seconds before the video ends, the person holding the woman pushes her toward the shelter. The video ends abruptly with a loud noise that is consistent with a gunshot.

In another verified video of the same scene posted on the South First Responders Telegram channel, dashcam footage taken around 8:30 a.m. shows the same pickup truck leaving the site with three men taken hostage. One of the hostages attempts to get out of the vehicle and the fighters quickly apprehend him before firing a series of gunshots into him

¹⁴⁰ South First responders (@southfirstresponders) post to Telegram, October 9, 2023, (accessed February 21, 2024); South First responders (@southfirstresponders) post to Telegram, October 9, 2023, (accessed February 21, 2024). The time was determined according to the timestamp on the video.

¹⁴¹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 9, 2023, (accessed June 10, 2024).

¹⁴² Twist (@TwistyCB) graphic video post to X (formerly known as Twitter), November 8, 2023, (accessed February 21, 2024).

¹⁴³ Brahim Dahman, Eyad Kourdi, Pauline Lo, Lauren Izso, Richard Allen Greene and Christian Edwards, “ Hamas releases video of hostage Hersh Goldberg-Polin in proof he survived Oct. 7 injuries,” *CNN*, April 25, 2024, <https://edition.cnn.com/2024/04/24/middleeast/israeli-american-hostage-hersh-goldberg-intl/index.html> (accessed June 10, 2024).

¹⁴⁴ At least some versions of a clip of the video posted online include inaccurate subtitles in English and Hebrew purporting that one of the attackers says, “This is not a prisoner, this one is for rape.” See @antisemitismtoday post to Instagram, October 22, 2023, <https://www.instagram.com/reel/Cys527UrPGH/> (accessed February 21, 2024) for example. The term *sabiyya* (plural ‘sabaya’), can carry different connotations. <https://www.theatlantic.com/ideas/archive/2024/05/israel-hamas-female-captives-sabaya-translation/678505/>.

at close range.¹⁴⁵ It is unclear whether any of the three men survived. CNN visited the shelter on October 9 and reported that its interior was “splattered with blood.”¹⁴⁶

In a verified video posted on the South First Responders Telegram channel, dashcam footage with no audio filmed at 9:23 a.m., shows the parking lot next to the Supernova festival grounds and smoke billowing in the background. A fighter wearing a vest with the Qassam Brigades insignia across the chest shoots toward a bloodied man in civilian clothing crouching next to a car, then leads him off camera. Another man, who briefly looks up and moves his leg before lying still, is on the ground behind a vehicle. A fighter runs up to him, aims an assault rifle at his head, and shoots him at close range.¹⁴⁷ His body jolts from the impact and then goes limp. In another verified video posted on the South First Responders Telegram channel and captured by the same dashcam, over two-and-a-half hours later, at 12:09 p.m., the man is still lying motionless on the ground in the same position and men are seen taking small items out of his pockets. Robbing from the dead is despoiling in violation of the laws of war. The footage cuts and approximately two minutes later, the fighters are looting the car. They find a woman hiding inside the vehicle and lead her away, off camera. Minutes later the woman comes back into view raising her hands. After a few seconds she crouches down as bullets hit the ground nearby. What happened to her is unknown.¹⁴⁸

Aftermath of the Attack

Festival security manager Roi G. said when he surveyed the festival area once it was secured, at around noon, he counted at least 300 bodies on the ground.¹⁴⁹ Many were burned, including some lying on the sides of the roads where gunmen attacked, along with many burned-out cars. ZAKA member Nachman Dykztejn said as he and colleagues drove toward the music festival site on the evening of October 7, they put bodies they found

¹⁴⁵ South First responders (@southfirstresponders) post to Telegram, November 28, 2023, (accessed February 21, 2024). The time was determined according to the timestamp on the video.

¹⁴⁶ Eliza Mackintosh, Gianluca Mezzofiore, Katie Polglase, Allegra Goodwin, Benjamin Brown, Teele Rebane, Mark Oliver, Henrik Pettersson and Byron Manley, “How a rave celebrating life turned into a frenzied massacre,” CNN Special Report, October 14, 2023, <https://edition.cnn.com/interactive/2023/10/middleeast/hamas-music-festival-attack-investigation-cmd-intl/> (accessed February 21, 2024).

¹⁴⁷ South First Responders (@southfirstresponders) post to Telegram channel, October 8, 2023, (accessed February 12, 2024). The time was determined according to the timestamp on the video.

¹⁴⁸ South First Responders (@southfirstresponders) post to Telegram channel, October 8, 2023, (accessed February 12, 2024).

¹⁴⁹ Human Rights Watch remote interview with Roi G., November 6, 2023.

along the road into body bags and moved them to the side of the road.¹⁵⁰ Many of the bodies were still smoldering from being burned—Dyksztejn said his plastic gloves and the body bags started melting as they wrapped some of the bodies. It is unclear what led to the cars being set on fire.

It took days for families of some of the festival goers to learn their fate. Ohad Harel said his sister-in-law, Sharona Shmunis Harel, the mother of two young children, went to the festival to celebrate her 40th birthday.¹⁵¹ In the morning, Ohad said Sharona texted her husband, his brother, to say, “They are shooting at us, and I’m hiding.” One of her friends who was with her when the shooting started later told the brother that they both ran to their car but because of the traffic jam, they were unable to drive away so they both ran, each in a different direction.¹⁵² Ohad and his brother drove toward the festival grounds at around noon. He described what they saw as they passed communities in the “Gaza Envelope”:

There was smoke, gunfire, and rockets. We saw lots of people from the festival trying to flee to safety. As we got closer, police stopped us because they had closed off the main road. So, we went to the hospitals looking for [Sharona]. We went to multiple police stations, and we were showing photos of her to all the people we met who had been [at the festival].

About 12 days later, authorities told the family they had found and identified Sharona’s remains in a field near the festival.¹⁵³ “I don’t leave my brother for a moment. He is broken. He is like a zombie, he is dead but alive,” Ohad said a week after the attack, before authorities had identified her remains.¹⁵⁴

Sexual and Gender-Based Violence

Fighters took Shani Louk, a 22-year-old dual Israeli and German citizen, from the Supernova music festival. Shani had been at the festival with her boyfriend and some

¹⁵⁰ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

¹⁵¹ Human Rights Watch remote interview with Ohad Harel, October 13, 2023.

¹⁵² Human Rights Watch remote interview with Ohad Harel, October 13, 2023.

¹⁵³ J.R. Stone, “Remains of missing Israeli mother of 2 identified near music festival, family says,” *ABC 7 Chicago*, October 19, 2023, <https://abc7chicago.com/sharona-shmunis-harel-body-found-missing-in-israel-mom-of-2/13932419/> (accessed February 27, 2024).

¹⁵⁴ Human Rights Watch remote interview with Ohad Harel, October 13, 2023.

friends. A video shared on X on the morning of October 7 and recorded 4.1 kilometers southwest of the Erez crossing—the passenger crossing point from northern Gaza into Israel through which Gaza residents reach the West Bank and abroad via Jordan—shows images of an unresponsive Louk stripped to her underwear in the back of a pickup truck, surrounded by men. As the vehicle drives away, a bystander spits on her.¹⁵⁵ Louk’s family, based on the footage, initially believed that Shani had only suffered a serious head injury.¹⁵⁶ In late October, authorities confirmed her death, which may have already occurred before she was taken to Gaza.¹⁵⁷

In addition to highlighting the horrific circumstances of Louk’s killing and the treatment of her body, the footage also raises questions about the circumstances under which items of Louk’s clothing were removed or displaced and involved the nonconsensual capture and posting of sexualized and partially nude images on social media.¹⁵⁸

Human Rights Watch reviewed one photograph of a young woman and a photograph and video of another young woman, all three of which show their bodies after they were killed during the attacks, likely at the Supernova site based on the clothes they were wearing, and the locations the bodies were apparently found in. On both bodies there are visible blood stains near the victims’ genital areas, and in one case also around both arms. These photographs were part of a set of images a journalist shared with Human Rights Watch that the journalist said were provided by the Israeli police. Some of the photographs in the set were recognizable as photographs previously shared with Human Rights Watch by ZAKA. Human Rights Watch was not able to verify the location and time where the images of the two young women were captured or any specific information about their injuries.¹⁵⁹

One media outlet, French newspaper *Le Parisien*, published an anonymous interview with a woman who described being raped by fighters at the Supernova festival site and who

¹⁵⁵ Copy of video on file with Human Rights Watch.

¹⁵⁶ Human Rights Watch interview with Tom Louk, Tel Aviv, October 14, 2023.

¹⁵⁷ Rob Picheta, “Shani Louk, 23-year-old kidnapped by Hamas from music festival, declared dead, Israel says,” *CNN*, October 31, 2023, <https://edition.cnn.com/2023/10/30/middleeast/shani-louk-dead-israel-intl/index.html> (accessed February 13, 2024).

¹⁵⁸ See also <https://www.timesofisrael.com/shani-louks-father-defends-award-for-photo-of-daughters-abduction-as-good-thing/>

¹⁵⁹ Copies of Photographs on file with Human Rights Watch.

said that her godmother, who was with her, was also raped.¹⁶⁰ Human Rights Watch was unable to independently corroborate this account.

Media outlets have interviewed several individuals who described witnessing one or more incidents of gang rape at the site of the Supernova music festival, including one account describing the perpetrators as being “in uniform.”¹⁶¹ A man quoted in a media outlet said he witnessed the gang rape of a woman or girl and the forced stripping of another woman or girl during the attack at the festival site. That witness told the media that both victims were killed by their attackers.¹⁶²

At the United Nations in New York on December 4, 2023, a member of the Israeli police screened a video of an unnamed woman who was present at the music festival recounting witnessing a gang rape and mutilation at that location.¹⁶³

In a documentary film, a woman who was present at the festival described hearing multiple incidents of what she believed were acts of sexual assault from her hiding place.¹⁶⁴ Some of these accounts may be describing the same incident or incidents. Human Rights Watch was unable to independently corroborate these accounts.

¹⁶⁰ The account describing perpetrators in uniform is Josh Breiner, “Israeli Police Collect Eyewitness Testimony of Gang Rape During Hamas Attack,” *Haaretz*, November 8, 2023, <https://www.haaretz.com/israel-news/2023-11-08/ty-article/israeli-police-collect-eyewitness-testimony-of-gang-rape-during-hamas-attack/0000018b-b025-d3c1-a39b-bee5ef400000> (accessed February 13, 2024). See also Laura-Maï Gaveriaux, “‘Ils ont arrêté lorsqu’ils m’ont crue morte » : le calvaire d’Esther, violée et mutilée par les terroristes du Hamas” *Le Parisien*, November 26, 2023, <https://www.leparisien.fr/international/israel/israel-le-calvaire-desther-violee-et-mutilee-par-les-terroristes-du-hamas-26-11-2023-MK5HBAQRRZHENBBFEFOI6NDVWI.php> (accessed February 12, 2024).

¹⁶¹ For example, Sam Mednick, “New signs emerge of ‘widespread’ sexual crimes by Hamas, as Netanyahu alleges global indifference,” *AP News*, December 6, 2023, <https://apnews.com/article/sexual-assault-hamas-oct-7-attack-rape-bbo6b95obb6794affb8d468cd283bc51> (accessed February 13, 2024); and “Growing evidence of Hamas’ sexual crimes against women during attack, Israeli investigators say,” December 5, 2023, video clip, YouTube, <https://www.youtube.com/watch?v=rnQjH8lyXTU> (accessed February 13, 2024). and Luke Shrago, Alexandra Vardi, Pauline Godart, “Evidence mounts of sexual crimes perpetrated by Hamas during Oct. 7 attack on Israel,” *France24*, December 13, 2023, <https://www.france24.com/en/tv-shows/focus/20231213-evidence-mounts-of-sexual-crimes-perpetrated-by-hamas-during-oct-7-attack-in-israel> (accessed February 13, 2024).

¹⁶² Christina Lamb, “First Hamas fighters raped her. Then they shot her in the head,” *The Times*, December 2, 2023, <https://www.thetimes.co.uk/article/ten-hamas-fighters-were-raping-the-woman-she-begged-for-death-6ldlmh8sp> (accessed February 13, 2024).

¹⁶³ “Hear Our Voices: Sexual and gender-based violence in the October 7th Hamas terror attack,” December 4, 2023, video clip, United Nations, UN Web TV, <https://webtv.un.org/en/asset/k1u/k1u8mfvmcm> at about 42:00, (accessed February 12, 2024).

¹⁶⁴ “‘Screams Before Silence’ A documentary film on the sexual violence committed by Hamas on October 7, 2023,” video clip, Screams Before Silence, <https://www.screamsbeforesilence.com/> Tali Binner, starting at 7:54 (accessed June 10, 2024).

The report of the UN special representative on sexual violence in conflict said in its discussion of the Supernova site that:

There are further accounts of individuals who witnessed at least two incidents of rape of corpses of women. Other credible sources at the Supernova Music Festival site described seeing multiple murdered individuals, mostly women, whose bodies were found naked from the waist down, some totally naked, with some gunshots in the head and/or tied including with their hands bound behind their backs and tied to structures such as trees or poles.¹⁶⁵

As people who had attended the festival fled, one of the routes many of them took was along Route 232, the main artery running from northeast to southwest, through many of the attack sites. The special representative found in relation to fleeing festivalgoers at that location:

Credible information based on corroborating witness accounts describes an incident involving the rape of two women. The mission team received other accounts of rape, including gang rape, which could not be verified during the time provided and would require further investigation. Along this road, several bodies were found with genital injuries, along with injuries to other body parts. Discernible patterns of genital mutilation could not be verified at this time but warrant future investigation... The mission team was also able to ascertain that multiple bodies of women and a few men were found totally or partially naked or with their clothes torn, including some bound and/or attached to structures, which—though circumstantial—may be indicative of some forms of sexual violence.¹⁶⁶

The UN Commission of Inquiry wrote in its June 2024 report that it had documented five cases at the festival site “where the bodies of victims showed signs of some form of sexual

¹⁶⁵ SRSB-SVC report para 58. United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Mission report Official visit of the Office of the SRSB-SVC to Israel and the occupied West Bank 29 January—14 February 2024.

¹⁶⁶ SRSB-SVC para 60. United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Mission report Official visit of the Office of the SRSB-SVC to Israel and the occupied West Bank 29 January—14 February 2024.

violence. In all cases, the victims had been partially undressed.”¹⁶⁷ The report also documented the experience of a woman taken hostage at the festival who was filmed there being threatened and taunted by a group of men, with insults including calling her a female Jewish dog; the report states that the video was later uploaded online by members of an armed group.¹⁶⁸

Kibbutz Be’eri

On October 7 at Kibbutz Be’eri, at least 97 civilians were killed, and fighters took 30 hostage, including 10 children.¹⁶⁹

Kibbutz Be’eri, located in the Eshkol region about 4.4 kilometers from the border with Gaza, was home to 1,071 people as of 2022.¹⁷⁰ Residents said on most weekends the kibbutz hosted dozens of visitors.

Human Rights Watch interviewed 18 kibbutz residents who witnessed the attack, a Kibbutz Be’eri employee, and a festivalgoer who fled to and sheltered in Be’eri. Human Rights

¹⁶⁷ Col supplement 3, para 152.

¹⁶⁸ Col supplement 3, para 159; “Battle of Kibbutz Be’eri,” *The Israel Defense Forces (IDF) Official Page*, July 11, 2024, <https://www.idf.il/en/mini-sites/7-10-the-inquiries/all-of-the-7-10-inquiries/battle-of-kibbutz-be-eri-the-inquiry/> (accessed July 12, 2024).

¹⁶⁹ The numbers of civilians killed and taken hostage are based on Human Rights Watch interviews with witnesses and family members of the victims. These figures correspond with the numbers tallied by AFP. Human Rights Watch interview with Sagi Shifroni, Jerusalem, October 19, 2023; Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023; Human Rights Watch interview with a Be’eri resident, Ein Gedi, October 19, 2023; Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023; Human Rights Watch interview with Aviv Azulay, Dead Sea, October 24, 2023; Human Rights Watch interview with Uri Ben Zvi, Dead Sea, October 24, 2023; Human Rights Watch interview with Ofer Gitay, Dead Sea, October 24, 2023; Human Rights Watch interview with Tzachi Gad, Dead Sea, October 24, 2023; Human Rights Watch interview with Hadar Gelbard, Dead Sea, October 24, 2023; Human Rights Watch interview with Nira Herman Sharabi, Dead Sea, October 24, 2023; Human Rights Watch interview with Yair Avital, Dead Sea, October 24, 2023; Human Rights Watch remote interview with Tomer Golan, October 24, 2023; Human Rights Watch remote interview with Yasmin Porat, October 30, 2023; Patrick Kingsley, Aaron Boxerman, Natan Odenheimer, “The Day Hamas Came,” *The New York Times*, December 22, 2023, <https://www.nytimes.com/interactive/2023/12/22/world/europe/beer-massacre.html> (accessed January 16, 2024); Julia Frankel Associated Press and Alon Bernstein Associated Press, “Friendly fire may have killed their relatives on Oct. 7. ‘These Israeli families want answers now,’” *ABC News*, January 11, 2024, <https://abcnews.go.com/International/wireStory/friendly-fire-killed-relatives-oct-7-israeli-families-106294129> (accessed January 16, 2024); “The children believed held hostage in Gaza, many of whom could be freed in Hamas deal,” *Times of Israel*, November 22, 2023, <https://www.timesofisrael.com/the-children-believed-held-hostage-in-gaza-many-of-whom-could-be-freed-in-hamas-deal/> (accessed June 10, 2024).

¹⁷⁰ Regional Statistics, *The Central Bureau of Statistics (CBS)*, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed January 16, 2024).

Watch researchers visited the kibbutz on November 5 but did not have unrestricted access to the site.

Accounts from Survivors

Be’eri resident Ofer Gitay, 40, was actively communicating with kibbutz members throughout the day on October 7.¹⁷¹ At 6:30 a.m., after hearing loud explosions and then gunfire, he sent a message to the rapid response team trying to ascertain if the gunfire was coming from the Israeli side or from assailants. Once it was clear that it was the latter, Gitay messaged the community to go to their safe rooms. Gitay said the first clashes between the rapid response team and the gunmen took place at the main gate.¹⁷² He said gunmen entered from the main and western gates.¹⁷³

Gitay said that multiple times that day he was on the phone with people in the community when they were shot and, in some cases, fatally wounded.¹⁷⁴

Aya Meydan, 39, a therapist and triathlete, left her home in the kibbutz at 6:15 a.m. to meet Lior Weizman, a friend from Sderot, for a bicycle ride. She was preparing for a Half Ironman competition.¹⁷⁵ As she arrived on her bicycle at the inside of the main gate of Kibbutz Be’eri, she saw a white car driving toward the gate from the main road. She did not open the gate for the car, and instead took a side exit to the main road. About 300 meters from the exit, she saw explosions fill the sky and got off her bicycle and lay on the ground. She called Weizman and they decided to cancel their plans and return home. She briefly sought shelter in a *migunit* or roadside concrete bomb shelter. There she found a group of festivalgoers who had left the festival after the sirens went off, including Yasmin Porat and her partner, who ended up seeking shelter inside a home in Be’eri during the attack.¹⁷⁶

A member of the rapid response team sent Meydan a message telling her she should return home, but as she arrived at the now-open main gate, she saw three men in black civilian clothes, Palestinian Bedouins who worked in the kibbutz kitchen, running out and

¹⁷¹ Human Rights Watch interview with Ofer Gitay, Dead Sea, October 24, 2023.

¹⁷² Human Rights Watch interview with Ofer Gitay, Dead Sea, October 24, 2023.

¹⁷³ Human Rights Watch interview with Ofer Gitay, Dead Sea, October 24, 2023.

¹⁷⁴ Human Rights Watch interview with Ofer Gitay, Dead Sea, October 24, 2023.

¹⁷⁵ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023.

¹⁷⁶ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023; Human Rights Watch remote interview with Yasmin Porat, October 30, 2023.

yelling.¹⁷⁷ One, named Hisham, stopped and told her, “There are terrorists in the kibbutz and they are killing everyone in sight, including children. We have to run away.” He told Meydan that the gunmen had stopped the workers in their car and confiscated their phones but let them go because they were Palestinian. Meydan took off her biking shoes and ran with Hisham to the main road, trying to wave down passing cars, but none stopped. Suddenly, they heard approaching gunfire and ran toward tree cover to the east.

In the distance, Meydan saw three gunmen get into a car and start driving toward the trees. “I realized we were encircled,” she said. “We saw three huge containers used to collect fruit in the fields. Hisham said maybe we should hide inside, but I said no way. If they find us in there, they will throw a grenade in and kill us. We decided to dive into the bushes.”¹⁷⁸

Hisham called his father from Meydan’s phone. The father spent the next few hours trying to find a team of people who could come and rescue them, Meydan said. As they lay in the bushes, a rocket struck close by. Meydan said she remembered hearing helicopters in the sky, as well as cars, motorcycles, and tractors. She also heard gunmen attack the roadside concrete shelter she had hidden in.¹⁷⁹ At the same time she was texting with her husband, who assured her that he and their three children were unharmed in their safe room inside the kibbutz. Eventually Hisham’s father was able to get a car to rescue them. As they left the area, passing cars with shattered glass and blood visible on them, Meydan said she realized the full scale of the attacks.¹⁸⁰ Two weeks after the attack, Meydan said, “All this time I keep hearing screaming. Even when I shower, I hear the screams.”

Researchers spoke to Meydan on the day that she attended the funerals of her sister-in-law and 15-year-old nephew, who were both killed during the attack. Her brother lost his leg in a grenade attack. Her friend from Sderot, Lior Weizman, was also killed on his way home after their call.¹⁸¹

¹⁷⁷ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023; “Four Bedouin drove from Rahat to evacuate their cousin in Be’eri; they rescued dozens,” *The Times of Israel*, November 5, 2023, <https://www.timesofisrael.com/four-bedouin-drove-from-rahath-to-evacuate-their-cousin-in-beeri-they-rescued-dozens/> (accessed January 16, 2024).

¹⁷⁸ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023.

¹⁷⁹ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023.

¹⁸⁰ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023.

¹⁸¹ Human Rights Watch interview with Aya Meydan, Dead Sea, October 24, 2023; Human Rights Watch remote interview with Yasmin Porat, October 30, 2023.

Nirit Hunwald, 38, a nurse who lives in the kibbutz, woke up in her home with her partner and their newborn baby to the sound of rockets.¹⁸² When she went to get some water for her child, she thought she heard gunshots. A few minutes later, her boss called her and asked her to assist someone who was injured near the dental clinic in the center of the kibbutz. She rushed to the clinic, which is about a hundred meters from her house:

I didn't hear anything. I went across with the rapid response team, they showed me where [the injured man] was. There was a terrorist who had shot him and then hit him with the butt of a rifle. He was unconscious but breathing. I started treating him and I saw it was too hard for me, so I called the paramedic. I could not treat him alone. I gave her directions how to get to me. She came after two minutes. We were treating him outside of the clinic.¹⁸³

Amit Man, the paramedic, and Hunwald struggled to treat the injured man, Gil Boyum, a member of the rapid response team. Hunwald said after a few minutes, Shachar Zemach, another member of the rapid response team, arrived. They dragged Boyum into the building. "He was very heavy and there was a lot of blood. There was a blood trail. I cannot erase it from my mind, all the blood."

The calls for help kept coming in and Hunwald told everyone who was injured to come to them. Hunwald called Daniel Levi, a doctor, for assistance. Those who made it to the clinic were members of the rapid response team. Some, like Yoel Friedman, were treated briefly before returning to fight off the attackers. Another member of the rapid response team, Yair Avital, was seriously injured, so another member of the rapid response team, Eitan Haddad, took his body armor and assault rifle and began firing at gunmen in the vicinity of the clinic.

Hunwald said that around 2 p.m., they ran out of ammunition and the attackers converged on the dental clinic, shooting Man, who was unarmed. They hid in the clinic, but the attackers threw three or four grenades inside. Man, Zemach, and Haddad were killed. Hunwald recalls: "I still hear Amit [Man] screaming, 'Help! Help! They shot me and I don't want to die!'"

¹⁸² Human Rights Watch interview Nirit Hunwald, 38, Dead Sea, October 24, 2023.

¹⁸³ Human Rights Watch interview Nirit Hunwald, 38, Dead Sea, October 24, 2023.

Hunwald and Avital hid in the clinic as the gunmen roamed and damaged the clinic. Hunwald took shelter in the bathroom: “They didn’t come to the bathroom, but I heard them for two hours going in and out and shooting and throwing grenades. They burned a lot of houses nearby.” Hunwald said that the gunmen had set up some sort of command center across from the clinic, in the kindergarten.

Human Rights Watch visited the dental clinic on November 5 and observed damage consistent with fragmentation hand grenades in the clinic, as well as small arms fire, including casings consistent with firearms carried by the rapid response team and the attackers. Human Rights Watch also found casings consistent with the caliber of the AK-style firearms used by many Palestinian fighters, and damage consistent with small arms and rocket fire in the children’s school across from the dental clinic.

Hunwald said the attackers were speaking to each other on handheld radios. “I could see the radios and walkie-talkies they were carrying. I could hear the crackling of the radio.” She said that she heard them say “*Itbah al Yahoud*” (“Slaughter the Jews”) in Arabic while they were walking around. “They were just laughing and talking like it’s a normal day.”

It was 4 p.m. when the Israeli military came to rescue Hunwald and Avital. Avital was still in serious condition and kept losing consciousness, Hunwald said. The Israeli military was eventually able to get Hunwald, her family, Avital, and around 20 other civilians, including children, to a field adjacent to the kibbutz. From there, they were evacuated by bus out of the “Gaza Envelope.”

Sagi Shifroni, 41, went into the safe room of their home in Be’eri with his 5-year-old daughter.¹⁸⁴ “I decided to crawl under the bed with my daughter. She asked me why we needed to go under the bed. I told her it was even safer there.” Years earlier, Shifroni’s wife had asked him to disassemble the outside handle to the room so that it could not be used.¹⁸⁵ As a result, when gunmen came into his home at about 11 a.m., they were unable to open the door:

¹⁸⁴ Human Rights Watch interview with Sagi Shifroni, Jerusalem, October 19, 2023.

¹⁸⁵ Human Rights Watch interview with Sagi Shifroni, Jerusalem, October 19, 2023.

I heard glass breaking and a few seconds later I heard shots fired at the door of the safe room. The door was not bulletproof, so the bullets came through. The whole room filled with the smell of gunpowder and broken cement. ... My daughter asked me if they were trying to kill us and I told her, 'Yes, but they won't manage.' They tried to knock the door down for a few minutes but couldn't. They tried to shoot the hinges. ... The next thing I heard was sounds like things crashing and breaking, but actually it was them setting the house on fire.¹⁸⁶

Shifroni said smoke started seeping through the door:

It was pretty clear that we couldn't stay here. If we stayed, we would be dead. At this point I decided to get out, it was more like an instinct. I opened the door of the safe room a bit and saw the whole house was on fire, so I turned to the safe room window and opened it. I saw that the whole patio area outside was also on fire.¹⁸⁷

He smashed the window and pushed the metal shutters open. He threw on a pair of pants but had no shirt or shoes. He wrapped his daughter in a blanket and told her to hold a pillow to her nose and mouth and breathe through it. Then he jumped out, holding her in his arms. He says he suffered a memory lapse of about 10 seconds, only coming to when he was on the grass. The skin on his feet was peeling off. He hid his daughter in the neighbor's home while he searched for water to pour on his feet, as well as his arms, shoulders, back, and face, which were covered in second- and third-degree burns, and something with which to bandage his feet.¹⁸⁸

Aviv Azulay, 30, said that he saw a gunman through his window wearing either a black or red headband place a tire next to Shifroni's home and light it on fire. The flames spread to the house. "A few minutes later, I saw Sagi coming out of the house carrying his girl. He was on fire and screaming 'Help me! Help me!' I tried to call out to him."¹⁸⁹

¹⁸⁶ Human Rights Watch interview with Sagi Shifroni, Jerusalem, October 19, 2023.

¹⁸⁷ Human Rights Watch interview with Sagi Shifroni, Jerusalem, October 19, 2023.

¹⁸⁸ Human Rights Watch interview with Sagi Shifroni, Jerusalem, October 19, 2023.

¹⁸⁹ Human Rights Watch interview with Aviv Azulay, Dead Sea, October 24, 2023.

Shifroni started hearing gunfire and shouts in Arabic growing nearer, so he grabbed a neighbor's bicycle and rode with his daughter to the other side of the kibbutz, to his father's home, where his wife and son were. On the way, his daughter warned him whenever she saw attackers in the distance. They reunited with Shifroni's wife, son, and his brother's family in the safe room in his father's home, and they improvised a way of blocking the door.

At about 2 p.m., gunmen also entered the home of Shifroni's father. Shifroni recalls: "We piled the children on top of each other and we covered them with our bodies. My son started to cry that it was not fair that he would die so young—he had just turned 8. I told him, 'No one is going die today.'" The gunmen started shooting through the door, but at that point the Israeli military was arriving in the kibbutz and the attackers fled. Finally, at 7:30 p.m., soldiers took the family from their home. They sent Shifroni to the hospital at midnight.

Tzachi Gad, 67, spent 13 hours sheltering in his safe room with his wife and son, most of the time without electricity.¹⁹⁰ During that time, gunmen used the second floor of his house as a base of operations. He heard heavy dragging sounds that he thought were attackers bringing in RPG launchers and machine guns, because he later heard them firing from the upstairs window. He said the whole house was shaking at different points in the day. Gad said at some point he heard the gunmen walking on the roof. Finally, at 8 p.m., Israeli soldiers evacuated him and his family through the safe room window. Gad said gunmen were still firing from the second floor and there were vehicles in the street on fire.¹⁹¹ Gad was not wearing shoes when he was evacuated. In the dark, he was unsure of what he was stepping on, but his wife told him later he had stepped on bodies lying in the street.¹⁹²

Killings

Eyal Ben Zvi, 42, remembered receiving a message from the municipal council at about 6:45 a.m., saying people should shelter and close their doors because of a possible incursion.¹⁹³ A few minutes after 7 a.m. he received messages on a few different group

¹⁹⁰ Human Rights Watch interview with Tzachi Gad, Dead Sea, October 24, 2023.

¹⁹¹ Human Rights Watch interview with Tzachi Gad, Dead Sea, October 24, 2023.

¹⁹² Human Rights Watch interview with Tzachi Gad, Dead Sea, October 24, 2023.

¹⁹³ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

chats, saying that people in the kibbutz were hearing shouting in Arabic and gunfire.¹⁹⁴ Ben Zvi recalled:

In messages, a few people said they had someone on their balconies. Someone said they were on their second-floor balcony with a gun, waiting for the terrorists. Then there was lots of gunfire. People started saying there were terrorists in their house. We realized they were everywhere. I was talking to people on the phone, someone whose house was on fire, another who had been shot while in the doorway of their home. At about 11 a.m., someone said her 9-month-old baby had been killed in her arms when terrorists shot through the safe room door. The mother and her two sons survived, but the baby and the father were shot and killed.¹⁹⁵

Ben Zvi said that when gunmen came to the home of his neighbor, Galit Carboni, 66, he heard what sounded like a chainsaw at the windows of Carboni's house.¹⁹⁶ The gunmen then came to his home but could not get through the front door because Ben Zvi's wife had blocked it with lots of furniture. Then he heard glass breaking and some chatter in Arabic. The gunmen left. At about 3 p.m., he heard more glass breaking and a large firefight right outside their house.¹⁹⁷ An hour later the Israeli military were able to get them out of their house, but before they did, Israeli soldiers detained two gunmen, he said. Ben Zvi sent the soldiers to Carboni's house to check on her, and "they found her dead in her bed," he said.¹⁹⁸ Ben Zvi remembers seeing several bodies lying by the entry gate to the kibbutz.¹⁹⁹

Ben Zvi said he saw most damage to the western part of the kibbutz.²⁰⁰ He said he saw many cars on fire along the road as he was being evacuated from Be'eri at around 4 p.m.²⁰¹

¹⁹⁴ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

¹⁹⁵ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023; "Yona, Ohad, Mila Cohen, 73, 43, 9 months: Three generations slain," *The Times of Israel*, October 31, 2023, <https://www.timesofisrael.com/yona-ohad-mila-cohen-73-43-10-months-three-generations-slain/> (accessed June 10, 2024).

¹⁹⁶ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

¹⁹⁷ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

¹⁹⁸ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

¹⁹⁹ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

²⁰⁰ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

²⁰¹ Human Rights Watch remote interview with Eyal Ben Zvi, October 24, 2023.

Ben Zvi's father, Uri Ben Zvi, 71, and his wife were about to leave for the airport to go on holiday to Sicily when the siren went off.²⁰² They ran up to their second floor, which could only be accessed from the outside and had a front door that firmly locked. They took with them a bag of food, water, and battery packs for their phones. Minutes later, Ben Zvi heard voices downstairs through a vent. He said gunmen stayed in his house for four hours. He heard them smashing up belongings and moving chairs around.²⁰³ At 8 p.m., Israeli soldiers rescued him and his wife from their home and brought him to a neighbor's home where they sheltered with 13 other civilians. He said one woman there had a gunshot wound to her chest: Noa Levy, 76, who told him attackers had shot her and killed her husband Roni Levy.²⁰⁴ She had to spend all day next to his dead body in the safe room, she told Ben Zvi.²⁰⁵

Pillage and Looting

Hadar Gelbard, 65, was sheltering alone in his safe room when a first group of gunmen came into his house at about 9:30 a.m. He heard them go upstairs and shoot into the street for about an hour. Later that day, a second group entered and gathered things to steal. As this was happening, Gelbard heard more men coming in, going upstairs, and again firing from the window. Some gunmen tried to enter the safe room, but he was able to hold the door handle up. They stayed in his house until about 9:30 p.m., before finally leaving. His house was riddled with bullets when he left, he said.²⁰⁶

Uri Ben Zvi from Be'eri said attackers took his television, laptop, wallet, and money.²⁰⁷ Human Rights Watch verified CCTV footage posted to the South First Responders Telegram channel showing a person on a motorcycle on the northern perimeter road of Be'eri with a television strapped to the back of the vehicle, though it was not evident that this was Ben Zvi's television.²⁰⁸

²⁰² Human Rights Watch interview with Uri Ben Zvi, Dead Sea, October 24, 2023.

²⁰³ Human Rights Watch interview with Uri Ben Zvi, Dead Sea, October 24, 2023.

²⁰⁴ Piece on Roni Levy, *Beeri*, https://www.beeri.org.il/cgi-webaxy/item?2130_2 (accessed June 27, 2024).

²⁰⁵ Mordechai Chaimovitz, "Roni from Kibbutz Bari believed with all his heart in peace and reconciliation, but it did not save him," *Maariv*, October 14, 2023, <https://www.maariv.co.il/news/israel/Article-1044463> (accessed January 16, 2024).

²⁰⁶ Human Rights Watch interview with Hadar Gelbard, Dead Sea, October 24, 2023.

²⁰⁷ Human Rights Watch interview with Uri Ben Zvi, Dead Sea, October 24, 2023.

²⁰⁸ South First Responders (@southfirstresponders) post to Telegram channel, October 16, 2023, accessed February 21, 2024).

Taking of Hostages

Nira Herman Sharabi, 54, said she was at home with her husband Yossi Sharabi, 53, their three children Yuval, 17, Ofir, 14, and Oren, 13, and Yuval's boyfriend, Ofir Engel, 18, when the sirens sounded around 6:30 a.m.²⁰⁹ Their home was on the top floor of a two-story building in the central part of the kibbutz. She said they went to the safe room and were monitoring the news on their phones to see what was happening. Soon, they received a message to stay in the safe room and that the kibbutz had been infiltrated. She said Yossi was going in and out of the safe room, until suddenly they heard shooting and people speaking in Arabic. Sharabi said the community message groups were full of frantic messages from kibbutz members.

At around noon, Sharabi said, "We heard them [attackers] downstairs shouting and talking in Arabic and laughing." Sharabi said the family soon heard the gunmen in their house, approaching the safe room. Although her husband tried to hold the handle, they forced their way in. "They came in with their guns. There were three of them. They shot our dog. We were begging. We just held up our hands and said, 'Please don't kill us, please don't do anything to us.'" She said they asked if there were any guns or weapons in the house, and the family said they had nothing. Then the gunmen took them out of the house at gunpoint: "We didn't try to resist. They took us down to the [nearby houses] and made us sit between the two houses in the garden. When we got downstairs, they took our phones. I saw a neighbor, Tal, and her three kids. They let us sit near them. They took a selfie with us. They tied my husband's hands with a rope." She said that the attackers also found t-shirts for her daughter and her daughter's boyfriend, who had not been fully dressed when they were forced from the safe room.

Sharabi, who understands some Arabic, said that the gunmen also stomped on an Israeli flag and said, in Arabic: "This is not Israel, this is Palestine." She said she also heard them say, "Kill all the Jews."

Sharabi said that about 10 to 15 minutes after they were made to sit down, the gunmen told them to get up again: "They moved us to the road, and there was a small black car waiting there." She said the car had two gunmen in it, and they ordered her husband, Engel, and her neighbor's 15-year-old son, Amit Shani, into the car and left the rest of

²⁰⁹ Human Rights Watch interview with Nira Herman Sharabi, 54, Dead Sea, October 24, 2023.

Sharabi's and her neighbor's family on the road. With no gunmen nearby, Sharabi and the others in the group got off the road and, after about 15 minutes, she and about nine other people who had been gathered there decided to seek shelter in a neighbor's house. They waited there until about 8 p.m., when the Israeli military rescued them. Engel and Amit Shani were released from captivity on November 29.²¹⁰ An investigation by the Israeli military concluded that Yossi Sharabi was likely killed when the Israeli military attacked a building in Gaza that caused the collapse of an adjacent building.²¹¹

Footage of Abuses

Human Rights Watch verified 12 videos posted to social media showing killings, hostage-taking, looting, and damage to property in Kibbutz Be'eri on October 7.

A series of videos, posted on the South First Responders Telegram channel and clipped from the recordings of several CCTV cameras located at the northeast entrance to Kibbutz Be'eri, documents how Palestinian fighters entered the kibbutz. In one video clip, around 7 a.m., two men wearing headbands associated with the Qassam Brigades, attempt to enter Be'eri.²¹² They hide as an incoming car—a Mazda—with three passengers inside approaches the gate.²¹³ Shortly after the gate opens, the two men open fire on the vehicle, apparently killing the people inside. Approximately one hour later, eight fighters, some with red armbands or leg bands, approach the Mazda and begin pulling out a body from the front passenger door and removing the contents of the car.²¹⁴ One of the fighters riding on the back of a motorbike with another man is carrying a PG-7VR-type rocket for an RPG launcher. In the same video, at around 10 a.m., two men approach the same car just inside

²¹⁰ "RELEASED: Amit Shani, 16, captured at Be'eri as family watched," *The Times of Israel*, October 29, 2023, <https://www.timesofisrael.com/taken-captive-amit-shani-16-taken-by-terrorists-as-mother-watched/> (accessed March 15, 2024); "RELEASED: Ofir Engel, 18, captured at Be'eri while visiting his girlfriend," *The Times of Israel*, October 29, 2023, <https://www.timesofisrael.com/taken-captive-ofir-engel-captured-while-visiting-his-girlfriend/#:~:text=Ofir%20Engel%2C%2018%2C%20was%20released,terrorists%20attacked%20Kibbutz%20Be'eri> (accessed March 15, 2024).

²¹¹ "Taken captive: Eli Sharabi from Kibbutz Be'eri," *The Times of Israel*, January 16, 2024, <https://www.timesofisrael.com/presumed-captive-eli-sharabi-from-kibbutz-beeri/> (accessed March 15, 2024); Zeyton, "Investigation into Yossi Sharabi's death in captivity: the IDF attacked terrorists in a nearby building - and the abductee was killed," September 2, 2024, *Ynet News*, <https://www.ynet.co.il/news/article/ry3zxq7i6> (accessed June 24, 2024).

²¹² South First Responders (@southfirstresponders) post to Telegram channel, October 10, 2023, (accessed January 16, 2024). The time was determined according to shadows measured in a later clip from the same camera.

²¹³ South First Responders (@southfirstresponders) post to Telegram channel, October 9, 2023, (accessed January 16, 2024).

²¹⁴ South First Responders (@southfirstresponders) post to Telegram channel, October 10, 2023, (accessed January 16, 2024). The time was determined according to the timestamp on the video.

the gate. They proceed to pull out the remaining two bodies before driving away in the Mazda. Another clip posted on the South First Responders Telegram channel, CCTV footage filmed around 10:40 a.m., shows two men in civilian attire, one armed with an assault rifle, drive up to the bodies in a car showing a Palestinian license plate. The two men lift one of the bodies and put it in the trunk of their car and then return to pick up what appears to be a phone from where the body they removed was lying, before leaving Be’eri, taking a road heading west in the direction of Gaza.²¹⁵

One video uploaded to Telegram by Gaza Now on October 7 shows fighters, some with headbands associated with the Qassam Brigades and others in civilian clothes, leading five people, including an older woman and at least two other women, who appear to have their hands tied behind their backs, toward the northwestern edge of Be’eri.²¹⁶ A second video uploaded to Telegram on October 8 shows at least four of the same people lying motionless on the ground at the same location.²¹⁷ Three appear to still have their hands tied behind their backs.

A video posted on the South First Responders Telegram channel from a CCTV camera positioned at a gate in the northwestern part of the kibbutz shows two men on a motorbike, at least one of them armed, and at least 10 pickup trucks carrying fighters wearing various types of camouflage uniforms and vests and carrying small arms and light weapons, including RPGs, and at least one heavy machine gun. They drive toward the northeastern entrance coming from the direction of Gaza on the road outside the kibbutz, followed by two motorcycles each carrying two men in uniform driving on a road running parallel but inside Be’eri.²¹⁸ A few hours later, at 10:41 a.m., one person in civilian attire drives to the gate inside Be’eri from the west with a television on the back of his motorcycle.²¹⁹ He approaches the closed gate and slowly turns around toward the direction he came from. In a video posted on the South First Responders Telegram channel from the same CCTV camera filmed at 12:15

²¹⁵ South First Responders (@southfirstresponders) post to Telegram channel, October 10, 2023, (accessed January 16, 2024).

²¹⁶ غزة الآن - Gaza Now (@gazaalannet) post to Telegram channel, video on file with Human Rights Watch, (accessed June 24, 2024).

²¹⁷ وكالة شهاب Telegram Channel, October 8, 2023, (accessed June 24, 2024).

²¹⁸ South First Responders (@southfirstresponders) post to Telegram channel, October 16, 2023, (accessed January 16, 2024). The time was determined according to the timestamp on the video

²¹⁹ South First Responders (@southfirstresponders) post to Telegram channel, October 16, 2023, (accessed January 16, 2024). The time was determined according to the timestamp on another video posted on the South First Responders Telegram channel and previously referenced in the section above.

p.m., the pedestrian gate is now open to Be’eri. Five cars and a motorbike carrying three people arrive at the gate. Twelve men dressed in civilian attire enter the kibbutz.²²⁰ Two of these men appear to be holding assault rifles while one person appears to be holding a knife. Four men on bicycles are visible inside the kibbutz.

Aftermath of the Attack

Members of ZAKA, the emergency response group, were unable to gain access Be’eri until October 9 due to security risks, both from ongoing fighting and explosive hazards. They began the process of recovering bodies while being guided by the military, which first cleared the buildings of explosives and then allowed teams of ZAKA members to begin the process of removing bodies. Human Rights Watch spoke with eight members who retrieved bodies from the kibbutz, six of them individually and two jointly.²²¹

ZAKA member Nachman Dyksztejn showed researchers two photographs and a video taken by ZAKA. This series shows a naked, contorted body found in Be’eri with what appears to be a rope around the left wrist, where the hand appears mutilated by some kind of penetrating or explosive injury.²²² The mouth is gagged with fabric tied around the head. The person has long black hair, but their gender is unclear. Dyksztejn said the person had at least one gunshot wound. Photographs indicate that the body was found in the rubble of a collapsed house and Dyksztejn said this was the only body of a civilian victim his colleagues found in that house, but there were also bodies of “terrorists all around.” Human Rights Watch was unable to identify the body or the cause of death, but an independent forensic pathologist who studied the images noted what appear to be at least two bullet wounds in the upper right arm. The photographs do not show the legs, however another ZAKA member described seeing the same body, a woman’s he thought. He said he found one of the legs severed five to seven meters from the body: “I knew the leg was hers because of the shoes. It was horrific.”²²³

²²⁰ South First Responders (@southfirstresponders) post to Telegram channel, October 16, 2023, (accessed January 16, 2024).

²²¹ Human Rights Watch interview with Isaac Rotner, 32, November 7, 2023; Human Rights Watch interview with Yossi Landau, 32, November 1, 2023; Human Rights Watch interview with Avi Deri, 55, November 7, 2023; Human rights Watch interview with a ZAKA member, November 7, 2023; Human Rights Watch remote interview with a ZAKA member, November 13, 2023; Human Rights Watch remote interview with Yosef, November 14, 2023; Human Rights Watch remote interview with a ZAKA member, November 14, 2023.

²²² Copies of photographs on file with Human Rights Watch.

²²³ Human Rights Watch interview a ZAKA member, November 7, 2023.

Dyksztejn showed researchers the photograph of another body he found outside a house in Be'eri on October 12. The body was heavily burned and decapitated and bottom limbs appear to have been traumatically amputated.²²⁴ Human Rights Watch was unable to identify the body or the cause of death.

Dyksztejn said that in another collapsed and destroyed home he came across the body of a naked woman lying chest down next to a blood-stained mattress.²²⁵ The cause of death was not clear, he said. He showed Human Rights Watch researchers multiple photographs from the scene.²²⁶ The woman has a thin black cord around her ankle that Dyksztejn said was rope, though it could also be an anklet. There was a dark substance around her anal area, visible from behind in one of the photographs, which Dyksztejn referred to as blood. An independent forensic pathologist said it could be blood or decomposed internal fluids.²²⁷

Dyksztejn said he and his colleagues turned over the body and found what he said was a knife lodged in her genital area next to her vagina. Dyksztejn showed a photograph to Human Rights Watch researchers that appears to show an object lodged near the woman's vagina, but with no blood visible around the object. Two independent forensic pathologists reviewed the photograph but said it was impossible to make out what the object is from the image alone. One pointed out that the body appeared to show both antemortem and postmortem wounds. Her body was marked with what appear to be multiple wounds. Dyksztejn said that from her face, he estimated she had been about 20 years old.²²⁸

Human Rights Watch has been able to confirm the identity of the woman killed based on identifiable features on her body but has not published this information out of respect for the victim and to protect the privacy of her family. Once they moved her body and the mattress, Dyksztejn and his colleagues found part of another naked body. The body was missing its head, legs and an arm.²²⁹ The woman in question had lived with her boyfriend.

The bodies were found near the “bodies of lots of terrorists,” according to Dyksztejn.

²²⁴ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

²²⁵ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

²²⁶ Copies of photographs on file with Human Rights Watch.

²²⁷ Human Rights Watch remote interview with an independent forensic pathologist, March 5, 2024.

²²⁸ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

²²⁹ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

The UN Special Representative on sexual violence in conflict and her team visited Be’eri. Her report stated:

The mission team received credible information about bodies found naked and/or tied, and in one case gagged, in some of the kibbutz’ destroyed houses and their surroundings. While verification of sexual violence against these victims was not possible, circumstantial evidence – notably the pattern of female victims found undressed and bound – may be indicative of some forms of sexual violence. Overall, the mission team was unable to establish whether sexual violence occurred in kibbutz Be’eri. Further investigation may determine whether incidents of sexual violence occurred.²³⁰

Another photograph that Dyksztejn’s colleague had taken showed a man’s body next to a bicycle in a field just outside Be’eri. He had been shot and appeared to have bled to death.²³¹ Human Rights Watch was unable to identify the man.

Two ZAKA members described finding a woman and a boy holding each other on the floor of a safe room.²³² Their bodies were riddled with bullets: “They were not shot with just one bullet, their heads and legs were full of gunshots,” one said. He said the house was heavily damaged by gunshots.

Dyksztejn visited the bomb shelter Aya Meydan had sought shelter in, just outside of the gate of the kibbutz. Dyksztejn showed researchers photographs he had taken of the bomb shelter, recognizable by a painting on the wall of a girl’s face and hair, surrounded by bubbles, with at least three bodies visible inside. Dyksztejn said he saw more bodies inside, but he did not know the exact number. The inside of the shelter had been blackened and there was a spray of pockmarks on the interior cement walls. Those inside had been shot in the head and their bodies appeared to be deformed from an explosion, based on their injuries, Dyksztejn said. He showed researchers two photographs of a man lying in a fetal position just outside the bomb shelter, with a bullet wound to his head,

²³⁰ SRSG=SVC report, paras 66-67. United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024.

²³¹ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

²³² Human rights Watch interview with a ZAKA member, November 7, 2023; Human Rights Watch remote interview with a ZAKA member, November 13, 2023.

surrounded by a pool of blood. A white car is parked next to him, with a bullet hole through the front windshield. His body and clothes are blackened by fire, with the area around his genitals and the side of his chest mostly darkened. It is unclear whether these people were shot before they were exposed to fire. CNN obtained a video from the bomb shelter filmed on October 7 showing Israeli soldiers carrying a body away from the shelter and what appears to be a second body on the ground by the shelter entrance.²³³ Human Rights Watch verified the location of the video as being close to Be’eri.

The UN Commission of Inquiry in its June 2024 report cited the comments of a woman who had sought shelter there and said fighters threw a grenade into the shelter and fired several rounds inside, while tens of people were hiding there, only 12 of whom survived.²³⁴

Israeli Armed Forces’ Response

Fighting between the Israeli military and fighters may have resulted in the deaths of Israeli civilians held hostage in a home in the crossfire, according to two survivors, media reports, a journalist, and an Israeli military investigation.²³⁵ According to some accounts, the cause of death of some of the 12 people being held was by gunfire from the fighters holding the hostages. A video filmed by an Israeli military helicopter that Human Rights Watch verified

²³³ Eliza Mackintosh, Gianluca Mezzofiore, Katie Polglase, Allegra Goodwin, Benjamin Brown, Teele Rebane, Mark Oliver, Henrik Pettersson and Byron Manley, “How a rave celebrating life turned into a frenzied massacre,” *CNN Special Report*, October 14, 2023, <https://edition.cnn.com/interactive/2023/10/middleeast/hamas-music-festival-attack-investigation-cmd-intl/> (accessed February 21, 2024).

²³⁴ COI report para 95.

²³⁵ Erin Burnett, “Hear woman’s account of her capture by Hamas and escape,” October 24, 2023, video clip, CNN, <https://edition.cnn.com/videos/world/2023/10/24/hostage-hamas-released-israel-ebob-sot-vpx.cnn> (accessed February 13, 2024); “ממש” אף פעם לא העליתי פה ריאיון באורך כזה: זו כמעט חצי שעה של שיחה עם יסמין פורת על סיפור ההצלה שלה מהטבח בבארי. ממש” October 11, 2023, video clip, Facebook, https://www.facebook.com/watch/?v=2051819351861734&extid=CL-UNK-UNK-UNK-AN_GKoT-GK1C&ref=sharing&mibextid=Nif5oz (accessed February 13, 2024); “Israeli civilians were killed also by the IDF | Yasmin Porat, who survived Kibbutz Be’eri,” October 18, 2023, video clip, YouTube, https://www.youtube.com/watch?v=FHPWtxlzj_c (accessed February 13, 2024); Human Rights Watch remote interview with Yasmin Porat, October 30, 2023; “Israeli civilians were killed also by the IDF | Yasmin Porat, who survived Kibbutz Be’eri,” October 18, 2023, video clip, YouTube, https://www.youtube.com/watch?v=FHPWtxlzj_c (accessed February 13, 2024); Kereneubach (@kereneubach) post to X (formerly known as Twitter) November 15, 2023, <https://twitter.com/kereneubach/status/1724782876150128702> (accessed February 13, 2024); Nir Hasson, Lisa Rozowski, Joshua (Josh) Breiner, “The Hamas massacre led to the spread of horror stories, not all of which happened in reality. The truth is hard enough,” *Haaretz*, December 3, 2023, https://www.haaretz.co.il/news/politics/2023-12-03/ty-article-magazine/.premium/0000018c-2036-d21c-abae-76be08fe0000?utm_source=App_Share&utm_medium=Android_Native&utm_campaign=Share (accessed February 13, 2024); middleeastmonitor (middleeastmonitor) post to Instagram, December 11, 2023, <https://www.instagram.com/reel/CotKA-stHbo/?igshid=MzRiODBiNWFlZA%3D%3D> (accessed February 13, 2024); Human Rights Watch remote interview with a journalist, December 6, 2023; “Battle of Kibbutz Be’eri,” *The Israel Defense Forces (IDF) Official Page*, July 11, 2024, <https://www.idf.il/en/mini-sites/7-10-the-inquiries/all-of-the-7-10-inquiries/battle-of-kibbutz-be-eri-the-inquiry/> (accessed July 12, 2024).

and geolocated to Be’eri shows smoke coming from many houses and a tank inside the kibbutz. At 5:33 p.m., a tank fires one round toward the Cohen residence where fighters were reportedly holding hostages.²³⁶ The Israeli news outlet N12 interviewed two members of the Israeli military’s Joint Chiefs of Staff Negotiations Unit who were in Be’eri to deal with the situation. The soldiers said that a tank fired two warning shots near the Cohen residence before firing into the yard and then onto the roof of the home.²³⁷ In early January 2024, the families of those killed wrote to the Israeli authorities calling for an investigation into the incident, which the military agreed to launch in February.²³⁸ The Israeli media outlet Channel 12 reported in April that, based on an internal military report produced by the Armored Corps, which has not been released, the hostages were not all killed by tank fire.²³⁹ *Haaretz* also reported that an investigation by archaeologists from the Israeli Antiquities Authority who volunteered to assist with an investigation found that fragments from tank fire did not penetrate the kitchen of the home, one of the two areas they say where civilian hostages were concentrated.²⁴⁰ According to *Haaretz*, the report also says that “shell casings” from Kalashnikov assault rifles were found in both areas and that “the firing was executed from inside the structure,” as well as that “the area in which human remains were found was not

²³⁶ “Exclusive documentation | While the fighting is raging in Kibbutz Bari - hundreds of soldiers were waiting outside,” *Mako News*, December 19, 2023, <https://www.mako.co.il/news-military/6361323dde5a810/Article-5de7f6883ef7c81026.htm> (accessed January 16, 2024). The time was determined according to the timestamp of the video.

²³⁷ “What led to Brigadier General Barak Hiram’s decision to authorize shooting at Pesi’s house,” March 16, 2024, *N12*, https://www.mako.co.il/news-n12_magazine/2024_q1/Article-68b35d2e7a83e81027.htm (accessed June 24, 2024). A subsequent report by the *Times of Israel* said that the Israeli military’s probe concluded that three rounds were fired near the house and one onto the roof. Emmanuel Fabia, “Failure and Slaughter: IDF’s Be’eri probe shows army’s colossal errors, resident’s bravery,” *Times of Israel*, July 11, 2024, <https://www.timesofisrael.com/failure-and-slaughter-idfs-beeri-probe-shows-armys-colossal-errors-residents-bravery/> (accessed July 11, 2024).

²³⁸ “Families of 13 people killed in October 7 Kibbutz Be’eri firefight demand probe,” *The Times of Israel*, January 6, 2024, <https://www.timesofisrael.com/families-of-13-people-killed-in-october-7-kibbutz-beeri-firefight-demand-probe/> (accessed February 13, 2024); Yaniv Kubovich, “Israeli Army Probing Death of 12 Hostages in Kibbutz Be’eri House Shelled on Orders of Senior Officer,” *Haaretz*, February 6, 2024, <https://www.haaretz.com/israel-news/2024-02-06/ty-article/.premium/idf-probing-death-of-12-hostages-in-beeri-house-shelled-on-orders-of-senior-officer/0000018d-7b6c-d008-agcd-fbfdboo40000> (accessed February 13, 2024).

²³⁹ Hilo Glazer, “Who Is Barak Hiram, the IDF General Who Ordered Tank Fire on a Kibbutz Home With 13 Hostages Inside?” *Haaretz*, <https://www.haaretz.com/israel-news/2024-05-31/ty-article-magazine/.highlight/who-is-the-idf-general-who-ordered-tank-fire-on-a-kibbutz-home-with-13-hostages-inside/0000018f-ca16-da41-a9cf-db3eaa080000> (accessed June 24, 2024); “Investigation clears IDF general of wrongdoing in failed Oct. 7 hostage rescue,” April 3, 2024, *JNS*, <https://www.jns.org/investigation-clears-idf-general-of-wrongdoing-in-failed-oct-7-hostage-rescue/> (accessed June 24, 2024); גרין (@negevistn01) post to X (formerly known as Twitter) April 2, 2024, <https://twitter.com/negevistn01/status/1775224067756314807> (accessed June 24, 2024).

²⁴⁰ Hilo Glazer, “Who Is Barak Hiram, the IDF General Who Ordered Tank Fire on a Kibbutz Home With 13 Hostages Inside?” *Haaretz*, <https://www.haaretz.com/israel-news/2024-05-31/ty-article-magazine/.highlight/who-is-the-idf-general-who-ordered-tank-fire-on-a-kibbutz-home-with-13-hostages-inside/0000018f-ca16-da41-a9cf-db3eaa080000> (accessed June 24, 2024).

damaged by outside fire.”²⁴¹ On July 11, the Israeli military released its findings on the military’s conduct in Be’eri and found that only two civilians were injured by tank fire outside the building, and while “further inquiries and reviews of additional findings are necessary,” it was likely that the fighters killed the other hostages.²⁴²

In a separate incident, Aviv Azulay, who had witnessed Shifroni jumping out of his window, said he witnessed a chaotic scene from his window and saw two groups of Israeli soldiers fire on each other. He believes that one factor was that some gunmen wore clothes that appeared to be Israeli army uniforms—a laws-of-war violation.²⁴³ He did not know if any casualties resulted.

Kibbutz Kfar Aza

The attack on Kibbutz Kfar Aza killed civilians (reportedly 56), injured civilians (reportedly 4), and fighters took civilians hostage (reportedly 18, of whom 7 were children).²⁴⁴

Kibbutz Kfar Aza is located in the Sha’ar HaNegev region about two kilometers from the border with Gaza. It had about 900 members and students as of 2022.²⁴⁵

²⁴¹ Hilo Glazer, “Who Is Barak Hiram, the IDF General Who Ordered Tank Fire on a Kibbutz Home With 13 Hostages Inside?” *Haaretz*, <https://www.haaretz.com/israel-news/2024-05-31/ty-article-magazine/.highlight/who-is-the-idf-general-who-ordered-tank-fire-on-a-kibbutz-home-with-13-hostages-inside/0000018f-ca16-da41-a9cf-db3eaa080000> (accessed June 24, 2024).

²⁴² “Battle of Kibbutz Be’eri,” *The Israel Defense Forces (IDF) Official Page*, July 11, 2024, <https://www.idf.il/en/mini-sites/7-10-the-inquiries/all-of-the-7-10-inquiries/battle-of-kibbutz-be-eri-the-inquiry/> (accessed July 12, 2024).

²⁴³ Human Rights Watch interview with Aviv Azulay, Dead Sea, October 24, 2023.

²⁴⁴ Numbers derived from the AFP victim count. Human Rights Watch remote interview with Lior Tzuman, October 21, 2023; Human Rights Watch remote interview with Bar Elisha, November 6, 2023; Human Rights Watch interview with Rotem Holin, Shefayim, October 20, 2023; Human Rights Watch interview with Dorin Cohen, Shefayim, October 20, 2023; Human Rights Watch remote interview with Marc Yoffe, October 17, 2023; Human Rights Watch interview with Marc Yoffe, Shefayim, October 21, 2023; Human Rights Watch interview with Avihai Brodutch, Shefayim, October 22, 2023; Human Rights Watch remote interview with Batia Cohen, November 16, 2023; Human Rights Watch interview with Rachel Stelman, Shefayim, October 20, 2023; Human Rights Watch interview with Iftach Yacobi, Shefayim, October 20, 2023; Human Rights Watch interview with Meitar Yacobi, Shefayim, October 20, 2023; Human Rights Watch remote interview with Sigal Yacobi, November 22, 2023; Human Rights Watch remote interview with Ronen Yacobi, November 22, 2023; Human Rights Watch remote interview with Gal K., November 27, 2023; Human Rights Watch interview with Sergei Yankelevitch, Shefayim, October 20, 2023; Human Rights Watch remote interview with Yosi Sosna, December 11, 2023; Human Rights Watch remote interview with Lital Rosenfeld Dishon, December 12, 2023; Human Rights Watch interview with “Eilam,” December 12, 2023; Human Rights Watch interview with Inbar Rozenfeld, December 12, 2023; Human Rights Watch interview with Mazi Eilon, December 14, 2023; “The children believed held hostage in Gaza, many of whom could be freed in Hamas deal,” *The Times of Israel*, November 22, 2023, <https://www.timesofisrael.com/the-children-believed-held-hostage-in-gaza-many-of-whom-could-be-freed-in-hamas-deal/> (accessed June 24, 2024).

²⁴⁵ Human Rights Watch interview with Rachel Stelman, Shefayim, October 20, 2023.

Human Rights Watch interviewed 18 members of Kibbutz Kfar Aza, 17 of whom were at home at the time of the attack, and one relative of a member.

Kfar Aza residents said the attack began at 6:30 a.m., when they heard a siren and then gunfire in the kibbutz. One said he looked out of the window and saw three men landing in the kibbutz in what looked to him like parachutes.²⁴⁶

Accounts from Survivors

Dorin Cohen, 30, was in the safe room in her home in Kfar Aza for 28 hours with her husband and two young sons, ages 3 years and 4 months. She said gunmen appeared to have taken over her home to use it as a base. She remembers that only minutes after hearing the sirens, she heard gunfire, screams, and voices shouting in Arabic.²⁴⁷

“That’s how we understood there was a terrorist in the kibbutz, but we didn’t understand how many,” Cohen said.²⁴⁸ She said that over the course of the day, the stress and dehydration caused her breasts to dry up and that her baby started to scream, putting them at further risk: “We only had a tiny bit of water, which I needed to save for my older son, but my baby needed something to drink so I put his pacifier into the water to moisten it and then put it into his mouth.” Cohen said the shelter became stifling.

Then, her house came under attack from the Israeli military, which blew some holes into the walls. This ventilated the room but also brought in smoke, and when her family was finally rescued, she said they all had black ash caked around their nostrils.

Iftach Yacobi, 21, was in his safe room in Kfar Aza with his parents and his grandmother who uses a wheelchair, when gunmen came into their home:

They shouted, ‘Open the door! Come [out]!’ They were banging on the door and trying to turn the handle while my father and I were holding the handle up. Then they opened fire on the door three or four times. The first bullet

²⁴⁶ Human Rights Watch interview with Iftach Yacobi, Shefayim, October 20, 2023.

²⁴⁷ Human Rights Watch interview with Dorin Cohen, Shefayim, October 20, 2023.

²⁴⁸ Human Rights Watch interview with Dorin Cohen, Shefayim, October 20, 2023.

skimmed my chest, the second hit the inside of my right wrist. My father luckily didn't get shot.²⁴⁹

Yacobi said he used a shirt as an improvised tourniquet and his mother sat on the wound to stem the bleeding, while his father kept hold of the door handle. Through the bullet holes in the door, Yacobi said he saw five gunmen in black uniforms. He said the men stayed in their house for three hours, eating their food and smashing their possessions. Yacobi received medical treatment only after he was evacuated on the morning of October 8. His hand was in a cast when he spoke to researchers.²⁵⁰ His mother and grandmother were unharmed.

Lior Tzuman, 38, was at home alone in Kfar Aza on October 7.²⁵¹ Between 7:30 and 8 a.m., he received a message from his neighbor and friend, Yahav Wiener, saying gunmen were right outside the window of the house that Wiener shared with his wife, Shay-Li Atari. "I only found out later that, moments after that, gunmen tried to get into their safe room through the window."²⁵²

Atari ran out of the safe room and house with their one-month-old baby and Wiener stayed to keep the gunmen from entering through the window, she later told reporters. She hid in the bushes, behind doors, and ultimately in the safe room of another home.²⁵³

Eilam S., a neighbor living about 70 meters away from Wiener's home, said he heard attackers arriving in his area of the kibbutz, known as the "grandmother's neighborhood," at around 7:20 a.m., and start moving between the houses.²⁵⁴ At around 8:30 a.m., Eilam saw a group of six gunmen, most in tiger stripe-patterned camouflage uniforms and wearing green headbands, talking and laughing. They had large black bags with them and were well-armed. One man wearing a red shirt seemed to be giving orders and was speaking into a two-way radio receiver. Eilam saw them throw several grenades through

²⁴⁹ Human Rights Watch interview with Iftach Yacobi, Shefayim, October 20, 2023.

²⁵⁰ Human Rights Watch interview with Iftach Yacobi, Shefayim, October 20, 2023.

²⁵¹ Human Rights Watch remote interview with Lior Tzuman, October 21, 2023.

²⁵² Human Rights Watch remote interview with Lior Tzuman, October 21, 2023.

²⁵³ Ran Boker, "They tried to harvest sperm from Israeli singer's slain husband, but it was too late," *Ynetnews*, October 11, 2023, <https://www.ynetnews.com/article/sk8v2bvza> (accessed February 13, 2024).

²⁵⁴ Human Rights Watch interview with Eilam S., December 12, 2023.

the window of Wiener’s house, and soon the house was on fire.²⁵⁵ Wiener was later found dead in the safe room.²⁵⁶

The media reported that Lital Dishon, who lives in Kfar Aza with several family members, received a last text message from her sister, Hadar Berdichevsky, 30, at 6:54 a.m. that read, “The most fun is to stay with a bag of poo in the safe room.”²⁵⁷ Hadar and her husband Itai Berdichevsky, 30, had 10-month-old twins, Guy and Roi. Dishon’s other sister asked a member of the rapid response team to check on them. The member of the rapid response team passed by their home and told Dishon’s family he heard the twins crying and saw the cartridge of an AK-style assault rifle at the entrance. He said he was not able to enter the home to check on them as it was too dangerous. At night when the military arrived, a neighbor went to the Berdichevsky home and informed the family that he had found Hadar’s body in the kitchen with a bullet wound to the head. Itai was dead in the safe room, with bullets to the chest and head. Both twins were alive—one was clothed and on a bed in the safe room, the other was naked; the neighbor said it looked like Itai had been changing him. The door of the safe room had bullet holes in it. Though some later articles said Hadar or Itai had fought back, Lital told Human Rights Watch that Itai’s gun was still in its safety box, and both had been unarmed when they were killed.²⁵⁸ The twins went without milk or food all day.

Gal K. was in his safe room with his wife at 8 a.m., when they received messages from their son Yuval, who also lived in Kfar Aza, saying that his house was under attack. Gal said:

At 8 a.m. or something like that, my son said some terrorists were attacking. So, he went out with a knife and stabbed one of them in the head and kicked another one of them. And they shot him and wounded him. I told him to tie something to his leg, like a tourniquet. In the meantime, my

²⁵⁵ Human Rights Watch interview with Eilam S., December 12, 2023.

²⁵⁶ Human Rights Watch interview with Eilam S., December 12, 2023.

²⁵⁷ Oleksandra Bashchenko, “Israeli couple kills 7 Hamas terrorists to save their children: Details,” *RBC-Ukraine*, October 10, 2023, <https://newsukraine.rbc.ua/news/israeli-couple-kills-7-hamas-terrorists-to-1696948992.html> (accessed February 13, 2024).

²⁵⁸ Oleksandra Bashchenko, “Israeli couple kills 7 Hamas terrorists to save their children: Details,” *RBC-Ukraine*, October 10, 2023, <https://newsukraine.rbc.ua/news/israeli-couple-kills-7-hamas-terrorists-to-1696948992.html> (accessed February 13, 2024); “Hadar and Itay Berdichevsky, 30: Killed protecting their babies,” *The Times of Israel*, October 16, 2023, <https://www.timesofisrael.com/hadar-and-itay-berdichevsky-30-killed-protecting-their-10-month-old-twins> (accessed February 13, 2024); Human Rights Watch remote interview with Lital Dishon, January 23, 2024.

grandchildren were writing, ‘Grandpa, come save us! The terrorists are here!’ There was a long WhatsApp correspondence. I tried to calm them down. Around 10:30, Yuval, who was injured before, said many terrorists were coming in and he was going out to fight them and he was not sure he would come back, and he loved us. A week later we got a message that he had been killed.

During the attack, about half of the kibbutz lost power, likely because the power cables were affected by the attack, and one of the backup generators did not switch on. This exacerbated the dire situation some were facing in their safe rooms.²⁵⁹

Sergei Yankelevitch from the rapid response team said that he saw at least 60 gunmen during the attack. Lior Tzuman said he heard men speaking Arabic outside his window.²⁶⁰ He looked out and saw four gunmen, at least one wearing a white headband and another wearing a red one, in the process of stealing the car of Ofir Libstein, 50, head of Sha’ar HaNegev Regional Council, who was killed earlier that day.²⁶¹ They ultimately did not take the car after someone started shooting at them.

Two families in Kfar Aza described interactions with Palestinian fighters. Gal K. said his son Roni K. told him that he approached gunmen entering his house and offered them coffee and cookies.²⁶² One, who was injured, went to the bathroom to tend to a wound. While the gunmen were distracted, Roni told Gal he was able to sneak his wife and children out of the window of their safe room without the gunmen’s knowledge. Roni then stayed in the house with the gunmen, who did not harm him.

Rotem Holin, 44, was at home with her children, ages 5 and 7, in their safe room when, at noon, six gunmen in black uniforms entered the house and fired once at the safe room door. The bullet skimmed her hand, and the door opened. She said:

²⁵⁹ Human Rights Watch interview with Rachel Stelman, Shefayim, October 20, 2023; Human Rights Watch remote interview with Batia Cohen, November 16, 2023.

²⁶⁰ Human Rights Watch remote interview with Lior Tzuman, October 21, 2023.

²⁶¹ “Ofir Libstein, 50: Head of local council killed defending town,” *The Times of Israel*, October 16, 2023, <https://www.timesofisrael.com/ofir-libstein-50-head-of-local-council-killed-defending-town/> (accessed February 27, 2024).

²⁶² Human Rights Watch remote interview with Gal K., November 27, 2023.

I stood in front of them and told them I had two kids with me. Something changed because they discussed among themselves and then one man, who seemed like the one in charge, said in English, ‘I am a Muslim. We are not going to hurt you.’²⁶³

The gunmen then asked her where “the soldiers” were, expecting the Israeli military to be present. One asked whether they were currently in Kfar Aza or in Kibbutz Sa’ad. For the next two hours, one gunman sat in the safe room watching her and her children, while the rest ate, drank, and used the toilet, before they eventually left.

Footage from the Attack

Human Rights Watch verified footage shared by the South First Responders on their Telegram channel. This footage, which had been recovered from cameras on the bodies of Palestinian fighters, documents gunmen walking through Kfar Aza around 10:30 a.m.²⁶⁴ The videos show fighters armed primarily with AK-style assault rifles moving between houses in a southern section of the kibbutz as gunfire rings out in the background. While some are wearing camouflage or all-black uniforms, most of the men are wearing civilian attire, some with body armor. At least one fighter is wearing a green headband associated with the Qassam Brigades. In addition to AK-style rifles, some fighters carry RPGs and machine guns.

Two videos verified by Human Rights Watch posted on the South First Responders Telegram channel and recorded in Kfar Aza after the attack show dead bodies next to shot-up vehicles. In the post, South First Responders said the bodies shown belonged to fleeing civilians. Human Rights Watch could not confirm this. The first shows three bodies—one in civilian attire, one partially unclothed, and one wearing a black load-bearing vest—lying next to a Kia

²⁶³ Human Rights Watch interview with Rotem Holin, Shefayim, October 20, 2023.

²⁶⁴ South First Responders (@southfirstresponders) post to Telegram channel, October 12, 2023, (accessed February 21, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 12, 2023, (accessed February 21, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 14, 2023, (accessed February 21, 2024). The time was determined according to shadows visible in all three videos that fall to the northwest and the shadow lengths approximate to the objects creating them, indicating the videos were recorded at around 10:30 a.m.

Forte car with an Israeli license plate on the western edge of the kibbutz.²⁶⁵ The other video nearby shows a man with a charred face on the ground next to two parked cars.²⁶⁶

Taking of Hostages

Just before 7 a.m., Avigail Idan, who is now 4-years-old, ran to her neighbors' home after fighters killed her mother and father.²⁶⁷ Avigail's brother and sister, ages 9 and 6, stayed behind and reportedly hid in a closet in their home for the next 14 hours.²⁶⁸ When Avigail reached the home of Avihai Brodutch, 42, and his family, Brodutch, a member of the rapid response team, was leaving to protect the community.²⁶⁹ Brodutch's wife Hagar, 40, sent him a message at 11 a.m. saying, "They are coming in." When Brodutch returned home, he found that Avigail, his wife and his children—Ofri, 10, Yuval, 8 and Oriya, 4—were all gone.²⁷⁰ They were among the hostages taken to Gaza. All of them were released in late November.

Yuri Levin was almost taken hostage from Kfar Aza.²⁷¹ He said in a media interview that a man with a knife and another wielding an axe were trying to lead him out of the kibbutz, but he managed to escape. Neither assailant was carrying a gun.

A CCTV video posted on the South First Responders Telegram channel shows attackers dragging a woman across a field near Kfar Aza at 10:59 a.m. The woman, identified by Human Rights Watch as Amit Soussana, struggles against her captors and eventually falls to the ground, where fighters strike her.²⁷² She was taken to Gaza and held hostage, and released in November 2023.

²⁶⁵ South First Responders (@southfirstresponders) post to Telegram channel, October 10, 2023, (accessed February 27, 2024).

²⁶⁶ South First Responders (@southfirstresponders) post to Telegram channel, October 12, 2023, (accessed February 27, 2024).

²⁶⁷ "RELEASED: 4-year-old US-Israeli Avigail Idan, whose parents were both slain," *The Times of Israel*, November 26, 2023, <https://www.timesofisrael.com/taken-captive-three-year-old-avigail-idan-hid-with-the-neighbors/> (accessed February 13, 2024).

²⁶⁸ COI report para 174.

²⁶⁹ Human Rights Watch interview with Avihai Brodutch, Shefayim, October 22, 2023.

²⁷⁰ Human Rights Watch interview with Avihai Brodutch, Shefayim, October 22, 2023.

²⁷¹ @13newsil post to Instagram, November 13, 2023, <https://www.instagram.com/reel/Czk6yMOslgH/?igshid=MTc4MmM1YmlzNg%3D%3D> (accessed February 27, 2024).

²⁷² South First Responders (@southfirstresponders) post to Telegram channel, December 5, 2023, (accessed February 27, 2024). Soussana later spoke to a media outlet about her experience of sexual violence while she was held in captivity, as referenced later in this report. On December 4, 2023, Channel 12 aired the CCTV footage with the consent of Amit Soussana, the woman shown in the video, after she was released from captivity. "Now-freed hostage seen in video fighting against her 7

Response of the Rapid Response Team

Members of the community rapid response team said a large group of gunmen were waiting near the kibbutz armory when rapid response teams arrived there to pick up their weapons just before 7 a.m.²⁷³

Inbar Rozenfeld, whose family is from Kfar Aza but who lives in Tel Aviv, was gathering information and passing it on to the authorities during the attack. Rozenfeld said rapid response team head Tal Eilon, and his colleague, Uri Ruso, rushed to the armory to get weapons at the beginning of the attack. They fired on the gunmen but were killed between 7 and 7:20 a.m. near the swimming pool of the kibbutz.²⁷⁴ Eilon's wife, Mazi, confirmed that he left home at 6:30 a.m. for the armory. She said he sent her a message at 7:04 a.m., and then made a final call to the chief of security of the rapid response team of Kibbutz Sa'ad at 7:15 a.m., saying he was wounded and needed help.²⁷⁵ His body was later found in the kibbutz.²⁷⁶

Kibbutz resident Yosi Sosna said he saw another member of the rapid response team, Ofir Libstein, and his next-door neighbor and member of a local municipality emergency team, Omer Tzadikevitch, leave for the armory at about 6:30 a.m. He said others saw the two men leaving the armory and head toward their homes. Neither survived the attack. Sosna, a close friend of both families, said Libstein's son eventually found his father's body lying just meters from their home, after using the "Find My" feature on his iPhone. Tzadikevitch's body was found next to his car, outside his house.

Hamas kidnappers on October 7," *The Times of Israel*, December 5, 2023, <https://www.timesofisrael.com/footage-shows-now-freed-hostage-fighting-against-amas-kidnappers-on-october-7/> (accessed June 24, 2024). "Now-freed hostage seen in video fighting against her 7 Hamas kidnappers on October 7," *The Times of Israel*, December 5, 2023, <https://www.timesofisrael.com/footage-shows-now-freed-hostage-fighting-against-amas-kidnappers-on-october-7/>. The time was determined according to the timestamp on the video.

²⁷³ Human Rights Watch remote interview with Bar Elisha, November 6, 2023; Human Rights Watch interview with Sergei Yankelevitch, Shefayim, October 20, 2023.

²⁷⁴ Human Rights Watch remote interview with Inbar Rozenfeld, December 12, 2023; Eran Navon, "We will be strong for father, always': The Elon family lost Father Tal, but not his legacy," *Israel Hayom*, October 19, 2023, <https://www.israelhayom.co.il/magazine/shishabat/article/14729449> (accessed January 17, 2024).

²⁷⁵ Human Rights Watch remote interview with Mazi Eilon, December 14, 2023.

²⁷⁶ Human Rights Watch remote interview with Mazi Eilon, December 14, 2023; "With all due respect, I'm not a hero - I'm a survivor," *Mako*, January 10, 2024, https://www.mako.co.il/tv-special/win_together-articles/Article-c93cbbce8cfec81026.htm?utm_source=Whatsapp&utm_medium=Share&Partner=Whatsapp_Share/ (accessed February 13, 2024).

Batia Cohen, 83, Tzadikevitch's mother-in-law, said both her sons-in-law, Omer Tzadikevitch and Shakhar Aviani, 50, were killed during the attack on Kfar Aza, leaving her eight grandchildren fatherless.²⁷⁷ Aviani headed the rapid response team and was armed at the time he was killed.²⁷⁸

Bar Elisha, 41, another member of the rapid response team, said when he and some other colleagues were moving around the kibbutz during the attack, they found a map of the kibbutz on the ground, marked up in Arabic.²⁷⁹ Sergei Yankelevitch, also from the rapid response team, said the gunmen used the kibbutz dining hall as a base of operations for at least some of the day.²⁸⁰ Yankelevitch was shot in the right leg and left hip at 8:45 a.m.²⁸¹

Gunmen killed seven of the kibbutz's 14-member rapid response team during the attack, residents said.

Israeli Armed Forces' Response

Rachel Stelman, the head of the kibbutz's community emergency unit, recalled receiving messages from the son of a friend and colleague saying his parents had been killed early on October 7.²⁸² At that point, Stelman said she started calling as many military contacts as she could find to rescue the community, and simultaneously managed communications with residents. "Nobody answered me," Stelman said. "I felt frustrated that I could not give an answer to people who were asking 'When will the army come?'"

Residents said some troops eventually arrived during the afternoon of October 7, but they were unable to secure the area or evacuate civilians. Bar Elisha, the member of the rapid response team, said that while he and his colleagues, as well as members of the rapid response team from Kibbutz Sa'ad who came to support them, were trying to fight off the gunmen, Israeli soldiers arrived in a military vehicle. However, gunmen fired an RPG at the vehicle, killing the soldiers inside.²⁸³ Elish's gun jammed so he was unable to keep firing.

²⁷⁷ Human Rights Watch remote interview with Batia Cohen, November 16, 2023.

²⁷⁸ Human Rights Watch remote interview with Batia Cohen, November 16, 2023.

²⁷⁹ Human Rights Watch remote interview with Bar Elisha, November 6, 2023; Human Rights Watch interview with Sergei Yankelevitch, Shefayim, October 20, 2023.

²⁸⁰ Human Rights Watch interview with Sergei Yankelevitch, Shefayim, October 20, 2023.

²⁸¹ Human Rights Watch interview with Sergei Yankelevitch, Shefayim, October 20, 2023.

²⁸² Human Rights Watch interview with Rachel Stelman, Shefayim, October 20, 2023.

²⁸³ Human Rights Watch remote interview with Bar Elisha, November 6, 2023.

He described hiding and watching as “they started going into houses. I heard screaming, shooting, bombing. It was terrifying.”

When Stelman, her daughter, and her daughter’s boyfriend were all eventually evacuated from their home by the military at 8 p.m. on October 7, soldiers told them they had killed a gunman in her house. The military was only able to start evacuating most people from their homes on the morning of October 8, and community members left the kibbutz as a group by 4 p.m. As people were evacuated, they came under more gunfire. Residents said fighting in Kfar Aza continued through October 11.²⁸⁴

Sergei Yankelevitch, from the Kfar Aza rapid response team, said when he was evacuated from the kibbutz in a helicopter, soldiers also evacuated a friend of his who he said had lost both of his hands when gunmen used an explosive to try to blow open the door to his safe room.²⁸⁵

Meitar Yacobi, 30, the sister of Iftach Yacobi, was not in Kfar Aza at the time of the attack.²⁸⁶ She said that at 10:30 a.m. on October 7, Iftach called her from Kfar Aza to say that he and his parents were alive. That night, the Israeli military went to their home. Iftach and his parents said the military spoke on a loudspeaker outside their home in Hebrew and in Arabic, telling them to come out of their safe room.²⁸⁷ Because the family heard Arabic, they were not sure the soldiers could be trusted. The next thing they remember was their entire house shaking—the military was shaking the house with an excavator. Soldiers told Meitar they did this to prompt some kind of reaction from any gunmen inside. Once there was no reaction, the military decided to move on, saying they feared the house was booby-trapped and presumed Iftach and his parents had been killed.²⁸⁸ The family survived and was able to evacuate on the morning of October 8.

²⁸⁴ Human Rights Watch interview with Rachel Stelman, Shefayim, October 20, 2023; Human Rights Watch remote interview with Gal K., November 27, 2023.

²⁸⁵ Human Rights Watch interview with Sergei Yankelevitch, Shefayim, October 20, 2023.

²⁸⁶ Human Rights Watch interview with Meitar Yacobi, Shefayim, October 20, 2023.

²⁸⁷ Human Rights Watch interview with Iftach Yacobi, Shefayim, October 20, 2023; Human Rights Watch remote interview with Sigal Yacobi, November 22, 2023; Human Rights Watch remote interview with Ronen Yacobi, November 22, 2023.

²⁸⁸ Human Rights Watch interview with Iftach Yacobi, Shefayim, October 20, 2023; Human Rights Watch interview with Meitar Yacobi, Shefayim, October 20, 2023; Human Rights Watch remote interview with Sigal Yacobi, November 22, 2023; Human Rights Watch remote interview with Ronen Yacobi, November 22, 2023.

Dorin Cohen, 30, was in the safe room of her house in Kfar Aza with her husband and two young boys when gunmen entered the house at midnight.²⁸⁹ Her husband had damaged the outer handle to the safe room, impeding the ability of attackers to open it. Cohen said the fighters tried to use explosives to blow open the door, but were unable to get in. Gunmen then used their home as a base for the next 10 hours, with the Israeli military firing what she believes were various munitions at the house, targeting the gunmen. Cohen spoke to military and police contacts multiple times on the night of October 7, saying her family was alive and giving their house number. Once attacks started to target her home, she sent multiple messages to the community before her phone battery ran out, telling them her family was alive.

Cohen's neighbor, Lior Tzuman, said that at around 10 or 11 p.m. on October 7, at least 10 Israeli soldiers came to his home and started using it as an operating base.²⁹⁰ He said they were battling gunmen from there, telling him two were inside a house nearby:

At some point they opened my back window, and I saw Dorin's place on fire. It was almost completely destroyed. I said to them, 'This is the house? This is the home of a family!' They told me there were two terrorists in there and the house was under siege. So I assumed the family was dead, but I said you have got to go in and try to see what happened to this family, they have two young kids. The soldiers told me they tried but couldn't go in. I assumed they were dead. When I saw Dorin's husband's parents when I was evacuated, I turned away from them, I didn't want to face them. They knew from my reaction that something was wrong.²⁹¹

Cohen told Human Rights Watch:

Our next door neighbor, who was rescued, told me that when she saw soldiers firing at our house, she said, 'There is a family inside, what are you doing?' She said one soldier replied, 'Nobody can survive what happened in this house. If there was a family there, they are dead.'

²⁸⁹ Human Rights Watch interview with Dorin Cohen, Shefayim, October 20, 2023.

²⁹⁰ Human Rights Watch remote interview with Lior Tzuman, October 21, 2023.

²⁹¹ Human Rights Watch remote interview with Lior Tzuman, October 21, 2023.

At around 7 a.m. on October 8, Cohen heard a military vehicle passing by, so she quietly opened the window and tried to signal to the vehicle that they were inside, “I waved to the soldiers, but they thought we were the terrorists, and they start shooting at the window.” Finally, at around 10 a.m., she yelled out to soldiers from the window, and they saw her and were able to rescue her and her family, while gunmen were still in her home. When they left their house, they saw parts of it had been totally destroyed.

Tzuman said his father, Reuven Tzuman, 77, was injured by Israeli forces. He said his father did not want to speak about the experience, but Tzuman reported what his mother who was there told him:

The IDF were banging on some doors. They banged on his and then opened it. My father had a gun. He thought they were Hamas and fired. They shot him. He shot them again, and they shot him again. He got one bullet in his hand, one in his belly, and one in the leg.²⁹²

He pointed out that some gunmen had been wearing Israeli armed forces uniforms, which caused much confusion. Adding to that, Sigal Yacobi, Iftach’s mother, said that at some point during the attack a tank drove by. Soldiers later told her that the tank had been taken over by Palestinian attackers.²⁹³

Israeli authorities have not reported on the number of Israeli civilians who were inadvertently killed by Israeli troops on October 7.

Sexual Violence

The UN Special Representative on sexual violence in conflict wrote:

The mission team collected information from first responders who reported discovering bodies of women naked with their hands tied behind their backs and gunshot wounds to the head. While verification of sexual violence against these victims was not possible at this point, available circumstantial information – notably the recurring pattern of female victims

²⁹² Human Rights Watch remote interview with Lior Tzuman, October 21, 2023.

²⁹³ Human Rights Watch remote interview with Sigal Yacobi, November 22, 2023.

found undressed, bound, and shot – indicates that sexual violence, including potential sexualized torture, or cruel, inhuman and degrading treatment, may have occurred.²⁹⁴

The UN Commission of Inquiry wrote in its June 2024 report that it had documented “cases indicative of sexual violence” in and near Kfar Aza, including the bodies of two women that appeared to have clothing removed or displaced leaving their genitals exposed.²⁹⁵

Ofakim

The armed attack on Ofakim killed civilians, reportedly 40.²⁹⁶

Ofakim is a city of about 35,000 people in the Merhavim region, about 20 kilometers from the border with Gaza.²⁹⁷

Human Rights Watch interviewed one survivor of the attack and verified 11 videos shared on social media showing the perpetration of the attack and its immediate aftermath.²⁹⁸

The attack mostly centered around a roughly 200-meter radius area in the west of the city, near one of the main roads that runs through the center. The videos show the shooting of one civilian and document the bodies of at least two more people who were killed in the city.²⁹⁹

²⁹⁴ SRSG-SVC report, para 68. United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024.

²⁹⁵ Col supplement 3, paras. 141-143.

²⁹⁶ Number derived from the AFP victim count.

²⁹⁷ Regional Statistics, *The Central Bureau of Statistics (CBS)*, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed January 16, 2024).

²⁹⁸ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

²⁹⁹ South First Responders (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024); South First Responders (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024); South First Responders (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024); South First Responders (@South First Responders) post to Telegram channel, October 16, 2023, (accessed February 23, 2024); South First Responders (@South First Responders) post to Telegram channel, November 2, 2023, (October 16, 2023); Yorrick de Vries (@hugeglassofmilk) post to X (formerly known as Twitter), October 8, 2023, (accessed February 23, 2024); Visioner (@visionergeo) post to X (formerly known as Twitter), November 10, 2023, (accessed February 23, 2024); STN (@ScytaleNews) post to X (formerly known as Twitter), October 7, 2023, (accessed February 23, 2024).

On October 7, Michal Tzabar Bilia, 30, was visiting her mother-in-law, also called Michal Bilia, in Ofakim. There were 11 people in the house, including the two women, the younger Bilia’s husband and four children, and her brother-in-law with his wife and two children.³⁰⁰

Bilia said they were not alarmed when the sirens went off at 6:30 a.m., as they were used to the sound. Since her mother-in-law’s house in Ofakim is old, it does not have a safe room.³⁰¹ Instead, the family sheltered under the stairs. After a few minutes, when they started hearing unfamiliar sounds, Bilia and a few family members went outside and realized they were hearing gunfire. They ran back in and upstairs to a room on the second floor.³⁰²

Bilia said that from the second floor, she saw what appeared to be three uniformed Israeli soldiers.³⁰³ Then she saw a policeman across the road who appeared to also think the men were Israeli forces and moved to join them. “But then we saw the attackers shoot him,” Bilia said. “My husband screamed, ‘Don’t shoot, he is ours!’ But they kept moving. We didn’t understand why they would shoot at a cop. We thought maybe he was a terrorist.”³⁰⁴

Human Rights Watch verified CCTV footage posted to X and aired by Kan 11, an Israeli state-owned TV channel, that shows two fighters jumping a fence at 6:41 a.m. and entering the side yard of the home immediately north of Bilia’s mother-in-law’s residence.³⁰⁵ Both men are armed with AK-style assault rifles and wearing body armor. One is dressed in all-black clothing, the other appears to be wearing civilian attire under his equipment. Another CCTV clip posted to X from the same broadcast shows one more fighter hopping over the fence and walking toward a door connecting the side yard to Bilia’s mother-in-law’s home at 6:44 a.m.³⁰⁶

³⁰⁰ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰¹ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰² Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰³ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰⁴ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰⁵ Visioner (@visionergeo) post to X (formerly known as Twitter), November 10, 2023, (accessed February 23, 2024). The time was determined according to a timestamp of the video.

³⁰⁶ Visioner (@visionergeo) post to X (formerly known as Twitter), November 10, 2023, (accessed February 23, 2024). The time was determined according to the video’s timestamp, which is consistent with statements from the witness. A large wall clock in the background of the videos displays the time as one hour later than the CCTV footage. However Human Rights Watch determined that the wall clock was likely incorrectly set.

Bilia, who understands some Arabic, described what happened next:

I told my husband to close the window. Before he did, we heard them speaking Arabic. They were saying things like, “Go there,” they said a name, I think Ahmed, “Go check this,” or “Mohammed,” short commands. ... I don’t know if they saw my husband when he yelled out. They were busy killing the policeman, and maybe they didn’t care.

We told our kids to keep silent and then we heard [people] trying to get into the house. ... They tried to get in through the door, but we had locked it before going upstairs. Then we realized they were coming into the house. We don’t have bars on the windows. We then heard sounds [as if] they had gotten inside, we heard them so clearly but weren’t sure if they were inside or outside. We understood we needed to escape.³⁰⁷

Bilia’s brother-in-law, Ariel Bilia, 28, stood with a big iron rod by the door while his wife opened the window and the family crawled out onto the roof. “From there, we climbed to the roof of the neighbor, and we hid under the solar panels on the roof of my neighbors,” Bilia said. The family thought Ariel remained hiding in the house and did not realize until later that he had been shot and killed.³⁰⁸

A CCTV video posted on the South First Responders Telegram channel verified by Human Rights Watch documents the moment Ariel was shot.³⁰⁹ After nine of his family members, including at least four children, are seen climbing through a second story, north-facing window, Ariel attempts to do the same. He manages to get his right leg through the window before suddenly pausing as a round of gunfire rings out. Ariel goes limp and slowly falls onto the roof.

“We stayed on the neighbor’s roof for four or five hours with our kids and we heard the whole war around us,” Bilia said, adding that there were gunmen on a nearby roof throwing grenades and firing RPGs. At one point, she said they heard return fire:

³⁰⁷ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰⁸ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³⁰⁹ South First Responders, (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024).

Ordinary folks who had guns came out and started to fight back. On our street, two of them died. We heard someone scream ‘grenade’ in Hebrew, then a boom, and then silence. ... I heard a boom like this at least four or five times. And shooting all the time, automatic fire.³¹⁰

At one point while they were on their neighbors’ roof, Bilia and her family saw smoke coming from below the roof of their own house. They were later told that her mother-in-law’s house had been hit by a grenade or an RPG. Her house was the one on her street that sustained the most damage, but there was also damage to other buildings and cars, and debris all around.³¹¹

CCTV footage posted to X recorded between 8:30 and 10 a.m. and shared during the Kan 11 broadcast, shows the Israeli military coordinating with local security teams to fight attackers in the vicinity of Bilia’s mother-in-law’s house.³¹² Soldiers fire toward the north face of the house and appear to throw flash-bang grenades down the side yard where fighters entered earlier that morning. Apparent rapid response teams in civilian attire armed with pistols are visible alongside the armed forces. Three drone videos posted on the South First Responders Telegram channel and recorded at roughly 9 a.m., show soldiers and community members advancing through streets and across rooftops toward Bilia’s mother-in-law’s house.³¹³ A police officer in one of these videos fires a rifle at a target inside the house. Ariel lies dead in the same position where he was shot and had fallen from the window earlier that morning.³¹⁴

After some five hours of gunfire, Israeli armed forces took control of the street and were sweeping the roofs for gunmen. Bilia’s husband held up their toddler and a *kippah*—a skullcap traditionally worn by Jewish men—and the forces checked via drone to see who they were before a soldier came onto the roof and rescued them.³¹⁵

³¹⁰ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³¹¹ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³¹² Visioner (@visionergeo) post to X (formerly known as Twitter), November 10, 2023, (accessed February 23, 2024). The time was determined according to the timestamp on the video.

³¹³ South First Responders, (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024); South First Responders, (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024). The time was determined according to the analysis of the shadows in the video.

³¹⁴ South First Responders, (@South First Responders) post to Telegram channel, November 2, 2023, (accessed February 23, 2024).

³¹⁵ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

When Bilia’s husband told the soldier about his brother hiding in the house, the soldier showed them Ariel’s body. “He had fallen from the window to a lower part of the roof and was lying there,” Bilia said. “He had been shot in the head. We didn’t have time to look around, they took us down and pushed us into the neighbor’s house, because there were still terrorists in the street.”³¹⁶

Human Rights Watch verified four additional videos posted on the South First Responders Telegram channel recorded by fighters showing their entrance into Ofakim.³¹⁷ The fighters in these videos, all recorded around 7:15 a.m., move on foot through the city wearing vests over civilian attire and carrying AK-style assault rifles. One video shows an attacker walk by the bloodied body of an apparent civilian around 120 meters southeast of Bilia’s mother-in-law’s house.³¹⁸ Another video posted on the South First Responders Telegram channel, recorded approximately 110 meters further south, shows another body, motionless, bloodied and apparently dead, lying on the sidewalk.³¹⁹

Kibbutz Nir Oz

In the attack on Kibbutz Nir Oz, at least 38 civilians were killed and fighters took 75 hostages including at least 15 children, the highest number of hostages taken from a single attack site.³²⁰

Kibbutz Nir Oz, in the Eshkol region, about 2.4 kilometers from Gaza, was home to 380 people as of 2022.³²¹

³¹⁶ Human Rights Watch remote interview with Michal Tzabar Bilia, October 16, 2023.

³¹⁷ South First Responders, (@South First Responders) post to Telegram channel, October 16, 2023, (accessed February 23, 2024); South First Responders, (@South First Responders) post to Telegram channel, October 16, 2023, (accessed February 23, 2024).

³¹⁸ South First Responders, (@South First Responders) post to Telegram channel, October 16, 2023, (accessed February 23, 2024).

³¹⁹ South First Responders, (@South First Responders) post to Telegram channel, October 16, 2023, (accessed February 23, 2024).

³²⁰ The numbers of civilians killed and taken hostage are based on Human Rights Watch interviews with witnesses and family members of the victims. These figures correspond with the numbers tallied by AFP. Human Rights Watch remote interview with Eran Smilansky, October 25, 2023; Human Rights Watch remote interview with Shay Yohanan, October 30, 2023; Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

³²¹ Regional Statics, Central Bureau of Statistics (CBS), <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed January 17, 2024).

The three community members interviewed by Human Rights Watch include a man whose father was taken hostage and whose brother was killed during the attack; a woman whose grandmother and uncle were taken hostage during the attack; and a man whose parents survived the attack unharmed.³²² Researchers also spoke to a woman who went to Nir Oz the day after her father, a kibbutz member, was killed in the attack.³²³

A video recorded at approximately 7 a.m. on October 7 and shared by the Qassam Brigades Telegram channel, shows fighters just inside Israel’s barrier with Gaza. Nir Oz was the closest kibbutz to the area in the video, which was one of the 12 locations at which fighters breached the barrier.

In the video, the fighters remove Israeli soldiers from an Israeli armored vehicle which is on fire, then kick one of them and drag him away, while two other soldiers lie motionless on the ground.³²⁴ Two videos posted to X recorded in the same location about one to two hours later, geolocated by online open-source investigators and confirmed by Human Rights Watch, show men in civilian attire congregating near the armored vehicle inside the fence and moving toward Nir Oz.³²⁵

A report on an Israeli television channel included CCTV footage, which Human Rights Watch verified, that shows fighters breaching the kibbutz gates at about 6:49 a.m. One clip from the report recorded moments later shows at least three fighters in camouflage carrying AK-style assault rifles walking through the northern gate after firing at the nearby guard station. Another clip recorded at 7:57 a.m. shows five fighters carrying AK-style rifles and a machine gun riding an all-terrain vehicle inside Nir Oz’s southern gate down a road to the west toward the kibbutz. At 8:21 a.m., the video shows the same vehicle, or one similar, with six fighters driving from the west to the north of the kibbutz.³²⁶

³²² Human Rights Watch remote interview with Lior Peri, October 15, 2023; Human Rights Watch interview with Orian Adar, Luzit, October 15, 2023; Human Rights Watch remote interview with Sivan, October 23, 2023.

³²³ Human Rights Watch interview with Yael Benezra, Lehavim, October 18, 2023.

³²⁴ كتائب الشهيد عز الدين القسام post to Telegram channel, October 17, 2023, (accessed June 24, 2024). The time was determined according to sunlight and shadows visible in the video.

³²⁵ Geo Confirmed (@GeoConfirmed) post to X (formerly known as Twitter), October 11, 2023, (accessed March 15, 2024); Geo Confirmed (@GeoConfirmed) post to X (formerly known as Twitter), October 11, 2023, (accessed March 15, 2024).

³²⁶ The report with these clips was broadcast on Keshet 12, an Israeli television channel, “Security footage shows how Hamas turned Kibbutz Nir Oz from paradise into hell - Keshet 12 News,” October 23, 2023, video clip, YouTube, https://www.youtube.com/watch?v=_sMwE16bWfE (accessed February 23, 2024). The times were determined according to their timestamps.

Response of the Rapid Response Team

Eran Smilansky, 28, said that when he woke up, the gunmen were already in the kibbutz.³²⁷ As a member of the community rapid response team, he was armed and monitoring the team's WhatsApp group, where messages began to be exchanged about the situation at 6:45 a.m. "I was hiding and waiting for instructions on what to do." Then, Smilansky said, the leader of the unit sent a message to the group saying he had been injured and was in his safe room.

Smilansky said that by 8 a.m., he started seeing attackers in the kibbutz, some dressed in military uniforms and carrying guns, and others dressed in civilian clothes, many of whom also carried firearms.³²⁸ From about 9 a.m. from his house, he saw two trucks, a white van, and many motorbikes. Some of the gunmen carried RPG launchers, and he saw at least one truck with a heavy machine gun mounted on it. He said at one point about 100 armed men were gathered near his house. The gunmen, he said, appeared to be taking orders and speaking on radios.

Smilansky said at least eight men dressed as Israeli soldiers entered his house. When he was sure they weren't Israeli forces, he opened fire and hit several of the men as they repeatedly attacked his home, until they left the house.³²⁹ When Smilansky could finally leave his house around 1:30 p.m., he decided to try to go and assist his neighbors who had been sending frantic messages asking for help. He found that many of his neighbors and friends had been killed:

All the kibbutz was in smoke. Not something you can even dream of. So I understood that it's not just the ones who told me they were in need of rescuing. It was all of the kibbutz. And then I just started to go inside the houses, and I saw many, many dead bodies, many, many dead friends.³³⁰

One of the first places Smilansky went was to his mother's house, where he saw that her neighbors had been shot dead. After about an hour, the Israeli military arrived and Smilansky began searching the kibbutz with them to find survivors and try to identify the

³²⁷ Human Rights Watch remote interview with Eran Smilansky, October 25, 2023.

³²⁸ Human Rights Watch remote interview with Eran Smilansky, October 25, 2023.

³²⁹ Human Rights Watch remote interview with Eran Smilansky, October 25, 2023.

³³⁰ Human Rights Watch remote interview with Eran Smilansky, October 25, 2023.

dead.³³¹ He worked with Israeli soldiers going house-to-house until around midnight. In total, he said they went to over 100 houses and they found about 30 bodies of residents. Smilansky said that all the safe rooms he saw were riddled with bullet holes and that many of the bullets had penetrated the doors.

Smilansky went to the house of his friends, Yonatan (“Jonny”) and Tamar Kedem-Siman Tov, who had three children. “I heard from other friends who said they thought Jonny had a problem,” Smilansky said. “When I got there, they were already dead.” He said the parents had been shot, but the children appeared to have died from asphyxiation inside the bomb shelter because their home was burned. When Smilansky returned to Nir Oz on October 27, he took photographs of the shelter, showing the room’s floor covered in blood, which he shared with Human Rights Watch.

Smilansky said the gunmen fled Nir Oz before the Israeli forces arrived, so there were no firefights inside the kibbutz between the Israeli military and the Palestinian armed groups.³³²

Another member of the community rapid response team, Shay Yohanan, 37, said he got his family into the safe room after the alarms sounded.³³³ When he started hearing small arms fire, he took his M16 assault rifle and went outside, where he said he saw two armed men about 100 meters away and what appeared to be a man issuing orders to others. One man wearing civilian clothes and a bulletproof vest and holding a rifle was shouting and appeared to be giving directions to others behind him. The other man was dressed all in green, he said, “just like any soldier.”³³⁴ Yohanan said after he moved another 30 meters, he came under fire from both sides and fired back in an attempt to repel the assailants.³³⁵ After 40 minutes, he was able to get back into his house and his safe room with his family, he said. Later, people speaking Arabic entered their home. Yohanan said they spent around three-and-a-half hours in his house. They stole things but did not attempt to break into the safe room. Yohanan said:

³³¹ Human Rights Watch remote interview with Eran Smilansky, October 25, 2023.

³³² Human Rights Watch remote interview with Eran Smilansky, October 25, 2023; Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

³³³ Human Rights Watch remote interview with Shay Yohanan, October 30, 2023.

³³⁴ Human Rights Watch remote interview with Shay Yohanan, October 30, 2023.

³³⁵ Human Rights Watch remote interview with Shay Yohanan, October 30, 2023.

They ate lunch in my kitchen. They took the food that I brought for my family reunion during the holiday, and they ate it. They cooked it in my microwave. They took everything that they could. They took money, they took TVs. They broke what wasn't really worth money. They took my wife's underwear. They took sunglasses. They took my son's Xbox.³³⁶

Accounts from Survivors

Yam Cohen, 23, remembers receiving WhatsApp messages at about 7 a.m. saying that gunmen had entered the kibbutz from the front and back gates and were inside the kibbutz.³³⁷ He then heard people approaching his house, speaking Arabic and firing their guns, and he saw about 15 gunmen wearing black, most with green headbands. He said he hid in the safe room with his girlfriend as the gunmen broke into their home and smashed their belongings:

They reached the safe room door. We put our hands on the handle to hold it in place so it wouldn't open. Each time they tried to turn the handle, we held it up. They tried to open the door five times. Eventually they ran away. We stayed in the safe room for nine hours. We had no food and only one glass of water.³³⁸

Yael Benezra, 48, whose parents lived in Nir Oz, though she lives elsewhere, said that at 7 a.m., her parents called to tell her that "terrorists" were in the kibbutz. She did not hear from them again that day. The next morning, she drove to Nir Oz to find them. She described the scene as she arrived: "It looked like something out of a movie. There were lots of burned cars and motorcycles and burning fields and houses. The entire neighborhood of my parents was burned."

In her parents' home, Benezra discovered that many of their possessions were missing, but she found the phone of her mother, Adina Moshe, 72, which contained messages Adina had sent to a friend at 9:31 and at 9:44 a.m. on October 7, saying gunmen had fired at the house and seriously injured her husband, Benezra's father, Said Moshe, 75. Benezra

³³⁶ Human Rights Watch remote interview with Shay Yohanan, October 30, 2023.

³³⁷ Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

³³⁸ Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

found his body on the floor. “My father had been wearing a white shirt—by Sunday it was all brown, dried blood brown,” Benezra said. “He was lying in a position as if he had been holding the door.”

Benezra saw bullet holes in the walls and windows. She also said it looked like the attackers had used explosives to blow through the metal bars on the safe room windows, which is how they seem to have entered. The door to the house was still locked from the inside when Benezra arrived.

Benezra later learned that her mother had been taken hostage. She was released in late November.³³⁹

Benezra said attackers also looted her brother’s home in Nir Oz: “They took the children’s clothes, including a Lionel Messi jersey, jewelry, money, four suitcases, and the televisions.”³⁴⁰

Lior Peri said his father, Chaim Peri, 79, was abducted from his home in Nir Oz, where he had been living for 60 years.³⁴¹ Lior learned about the circumstances surrounding his father’s abduction from Chaim’s wife, Osnat Peri, 71, who was with him at the time of the attack but was not abducted. Lior recounted, based on his conversation with Osnat Peri:

On Saturday [October 7]... they started to get WhatsApp messages from the security team of the kibbutz saying [close] your safe rooms and stay inside because there might be a penetration. And then the terrorists arrived they tried to break into the safe room, but my father had barricaded the door. He was helping his wife to hide behind a small sofa in the safe room. When they came back a second time, he came out of the safe room so they wouldn't force their way in and find her.

³³⁹ Sivan Hilai, Yael Chechenover, “Arrogance in captivity: “They thought they would be executed. When they realized they would be released, Adina asked the terrorist to release an older woman,” *Ynet*, November 26, 2023, <https://www.ynet.co.il/news/article/xeb1i2rx11h6> (accessed January 17, 2024).

³⁴⁰ Human Rights Watch interview with Yael Benezra, Lehavim, October 18, 2023.

³⁴¹ Human Rights Watch remote interview with Lior Peri, October 15, 2023.

Lior said that Osnat heard the gunmen come in again and trash the house. It was not until about four hours later that the Israeli military arrived and secured the area, she told him. Chaim Peri was killed in Gaza.³⁴²

Lior said his brother, Danny Darlington, a 34-year-old British citizen, was among those killed in Nir Oz, along with Caroline Boll, a visiting German friend of his.³⁴³ Darlington and Boll were found dead in the home of a friend where they had been sleeping. The last time Peri heard from his brother was on October 7 at 7 a.m., a text message that read, “Shit, big *balagan* [mess] in the kibbutz.”³⁴⁴ Fellow Nir Oz resident Shahar Vahab later told another resident that he saw the bodies of Darlington and Boll riddled with bullets lying just inside the doorway of the house, with bullet holes also in the front door.³⁴⁵

Orian Adar had 12 family members living in Nir Oz at the time of the attack.³⁴⁶ She said gunmen entered the home of her grandfather, Yoram Adar, 87, and his wife, Pesia Powker, 80. After being unable to enter the safe room where they were hiding, gunmen set the house and their car on fire. Armed forces came soon after and were able to evacuate the couple, who suffered burns. Yoram also suffered lung damage and was hospitalized for days after the attack.

Gunmen also set fire to the home of Orian’s cousin, Vered Adar, 50, and Vered’s daughter, Zohar Adar, 17.³⁴⁷ Zohar told Orian she was gripping the door handle of the safe room for three hours to keep out attackers. At some point, the handle became too hot to hold, so she and her mother jumped out of the window, hid in the bushes, and then ran to a shelter. Israeli soldiers came soon after and evacuated them.

Gunmen took hostage Orian’s grandmother, 85-year-old Yaffa Adar, and uncle, 38-year-old Tamir Adar.³⁴⁸ She said that during the attack, Tamir’s wife and children were in the safe room, while Tamir was outside trying to protect them. In the last message from Tamir to his

³⁴² “Israel confirms deaths of four more hostages in Gaza,” *BBC*, June 3, 2024, <https://www.bbc.com/news/articles/cgrrng3ljro> (accessed June 13, 2024).

³⁴³ Human Rights Watch remote interview with Lior Peri, October 15, 2023.

³⁴⁴ Human Rights Watch remote interview with Lior Peri, October 15, 2023.

³⁴⁵ Human Rights Watch remote interview with Yam Cohen, December 12, 2023.

³⁴⁶ Human Rights Watch interview with Orian Adar, Luzit, October 15, 2023.

³⁴⁷ Human Rights Watch interview with Orian Adar, Luzit, October 15, 2023.

³⁴⁸ Human Rights Watch interview with Orian Adar, Luzit, October 15, 2023.

wife, at 9 a.m., he told her not to open the safe room for anyone, including him. In late November, Yaffa was released. Tamir was pronounced dead in January 2024; his body had been found inside Israel in the aftermath of the attack, but had not been identified until then.³⁴⁹

An Israeli military statement issued on April 5, 2024, said that an internal inquiry found that an Israeli military helicopter apparently killed Nir Oz resident Efrat Katz, 68, as fighters were attempting to take her, her daughter, Doron Katz-Asher and her two granddaughters, from Nir Oz back to Gaza in a tractor. Doron Katz-Asher and her 2-year-old daughter Aviv were wounded during the incident.³⁵⁰ Palestinian armed groups held her daughter and granddaughters hostage in Gaza until November, when they released them.³⁵¹

Footage of Abuses

A video uploaded by Kan (Israel Public Broadcasting) to X on April 17, 2024, consists of two clips, reportedly from October 7,, showing a group of people dressed in civilian attire with Yarden Bibas, who was also taken hostage from Nir Oz. Bibas is on the back of a motorcycle, surrounded by people, while the driver waves a handgun briefly before putting it away.³⁵² The second clip shows a new scene with significantly more people gathered around the motorcycle. A group of men are attacking Bibas. They stop as three shots are heard, and apparently cause the crowd to disperse. Bibas appears injured, with blood on his hands and face. Meanwhile, a person can be heard saying, “You can’t hurt him... Nobody shoot,” in Arabic while gesturing to move the crowd away from Bibas. Human Rights Watch could not confirm the location or time of the two clips due to the lack of geographic information in the video.

In one video posted to the website “ Hamas Massacre,” two people on a motorcycle are seen transporting a limp body through one of the breaches of the fence near Nir Oz into

³⁴⁹ “Kibbutz Nir Oz announces death of Tamir Adar, 38, presumed kidnapped on October 7,” *The Times of Israel*, January 5, 2024, <https://www.timesofisrael.com/kibbutz-nir-oz-announces-death-of-tamir-adar-38-presumed-kidnapped-on-october-7/> (accessed February 23, 2024).

³⁵⁰ “Released hostage says she survived captivity for sake of her daughters held with her,” *The Times of Israel*, December 17, 2023, <https://www.timesofisrael.com/released-hostage-says-she-survived-captivity-for-sake-of-her-daughters-held-with-her/> (accessed June 24, 2024).

³⁵¹ “Findings of the conduct of the Air Force during the kidnapping of the late Efrat Katz on October 7,” *The Israel Defense Forces (IDF) Official Page*, May 4, 2024, <https://www.idf.il/190673> (accessed June 13, 2024).

³⁵² חדשות כאן (@kann_news) post to X (formerly known as Twitter) April 17, 2024, (accessed June 13, 2024).

Gaza.³⁵³ Media reported that fighters transported the bodies of at least two civilians killed in the attack on Nir Oz into Gaza.³⁵⁴

Footage verified by Human Rights Watch shows many groups of people, both armed and unarmed, entering Nir Oz throughout the morning. The footage also shows armed and unarmed people in civilian attire working alongside uniformed fighters and playing a substantial role in acts of violence, hostage taking, and looting. CCTV video used in an Israeli television report and verified by Human Rights Watch shows apparently unarmed people in civilian clothing walking on the inside of Nir Oz's southern gate at about 8:28 a.m. Twelve minutes later, more apparently unarmed people in civilian attire are seen inside the same gate, alongside armed fighters. Several motorbikes are visible, parked next to the gate.³⁵⁵ Another clip from the broadcast shows a fighter wearing camouflage carrying an RPG walking by the guard station at the kibbutz's northern gate, timestamped 6:50 a.m.³⁵⁶

Recirculated segments from a video, recorded around 8:30 a.m., show two men riding north on a motorbike toward Nir Oz. The men get off the vehicle and walk toward a small, fenced-off building.³⁵⁷ A video posted on the Qassam Brigades Telegram channel at 8:53 a.m. shows at least seven people in civilian dress who appear to be dead lying on the floor of the building, the interior walls of which are covered in blood. Eight seconds into the video, the footage freezes for about two seconds. Once it resumes, the arm of one of the

³⁵³ "Terrorists kidnapping an Israeli into Gaza," *Hamass Massacre*, October 2023, <https://www.hamass-massacre.net/content/terrorists-kidnapping-an-israeli-into-gaza> (accessed February 23, 2024).

³⁵⁴ Agence France-Presse, "Body of US-Israeli Killed in Hamas Attack Still in Gaza, Kibbutz Says," *VOA*, December 22, 2023, <https://www.voanews.com/a/body-of-us-israeli-killed-in-hamas-attack-held-in-gaza-kibbutz-says-/7409674.html> (accessed February 24, 2024); Nir Hasson, Ofer Aderet, "Israeli Hostage Killed on October 7, Body Being Held in Gaza, His Kibbutz Announces," *Haaretz*, January 5, 2024, <https://www.haaretz.com/israel-news/2024-01-05/ty-article/.premium/israeli-hostage-killed-on-october-7-body-being-held-in-gaza-his-kibbutz-announces/0000018c-d8ea-d751-ad8d-fee89ab0000> (accessed February 23, 2024).

³⁵⁵ The report with these clips was broadcast on Keshet 12, an Israeli television channel. "Security footage shows how Hamas turned Kibbutz Nir Oz from paradise into hell - Keshet 12 News (IL)," October 23, 2023, video clip, YouTube, https://www.youtube.com/watch?v=_sMwE16bWfE (accessed February 24, 2024). The time was determined according to the timestamp on the video.

³⁵⁶ The report with these clips was broadcast on Keshet 12, an Israeli television channel, "Security footage shows how Hamas turned Kibbutz Nir Oz from paradise into hell - Keshet 12 News (IL)," October 23, 2023, video clip, YouTube, (accessed February 24, 2024).

³⁵⁷ The X user OSINTtechnical referred to the video as parts of a Facebook livestream. The time is according to shadows visible in the footage and verified by Human Rights Watch. The livestream has been taken down, but clips were recirculated on X, formerly Twitter, and Telegram. GeoConfirmed (@GeoConfirmed) post to X (formerly known as Twitter), October 11, 2023, (accessed February 23, 2024); « سلاح الإشارة «الإحتياطية» post to Telegram channel, October 17, 2023, (accessed June 24, 2024).

people lying on the floor moves and a man in black attire fires an AK-style assault rifle at the victim and then continues to shoot into the room. Due to the interruption in the video, Human Rights Watch was unable to determine if the movement of the arm was prior to or in response to the gunshot.³⁵⁸

The Quds Brigades, the armed wing of the Palestinian Islamic Jihad, shared a video on its official Telegram channel showing apparent brigade fighters armed with AK-style assault rifles riding in a white truck toward the kibbutz's southern gate around 9 a.m. Fighters are later shown breaking windows of homes and taking 84-year-old Ditz Hayman hostage.³⁵⁹ The brigade shared another video recorded at roughly the same time showing armed men in civilian clothing wearing vests breaking into a home and taking hostage a man and a woman, identified by their relatives as Yair Yaakov and Meirav Tal.³⁶⁰ The faces of the armed men are blurred in the video, but those of Yaakov and Tal are not.

A Palestinian Gaza-based journalist recorded multiple scenes of attacks that day in a video verified by Human Rights Watch.³⁶¹ Clips recorded around 9:30 a.m. show more than a dozen people in civilian attire, some armed with assault rifles and machine guns, inside the kibbutz's western gate next to parked motorbikes. The people are filmed taking items from storage containers. Nearby, cars bearing Israeli license plates are visible with doors ajar. Two houses and two vehicles are ablaze. Other clips from the video recorded inside the kibbutz show men in civilian clothes carrying AK-style rifles attempting to break into homes. Two men try to force open door locks and a window screen using an electric drill and a hammer.³⁶²

³⁵⁸ «الإحتياطية» سلاح الإشارة - سرايا القدس post to Telegram channel, October 17, 2023, (accessed June 24, 2024).

³⁵⁹ سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 17, 2024, (accessed June 24, 2024). The time was determined based on the angle and length of shadows visible in the video.

³⁶⁰ Rachel Maddow, "Like no nightmare I can ever imagine"; Israeli seeks help in the return of his abducted family members," October 9, 2023, video clip, YouTube, <https://www.msnbc.com/rachel-maddow/watch/-like-no-nightmare-i-can-ever-imagine-israeli-seeks-help-in-the-return-of-his-abducted-family-members-194780741839> (accessed February 23, 2024); سرايا القدس الإعلام الحربي (الرسمية) Telegram channel, October 8, 2023, (accessed June 24, 2024).

³⁶¹ X (@AlertChannel) post to X (formerly known as Twitter) October 7, 2023, (accessed June 24, 2024); الصحفي مثنى النجار post to Telegram channel, (accessed June 24, 2024); החדשות - N12 (@N12News) post to X (formerly known as Twitter) October 11, 2023, <https://twitter.com/N12News/status/1712003826461339912> (accessed June 24, 2024).

³⁶² "Abducting an elderly woman, looting homes, and setting fire," Hamas Massacre, October 2023, <https://www.hamas-massacre.net/content/abducting-an-elderly-woman,-looting-homes,-and-setting-fires> (accessed February 23, 2024). The time was determined based on shadow length and direction visible in the video.

The Palestinian journalist's video shows armed men taking several hostages from Nir Oz. A man in civilian clothing who appears to be unarmed, accompanied by a man carrying a rifle with a scope on it, walks a boy wearing no shoes away from the kibbutz near the western gate. In one scene, a group of men, some wearing uniform and some holding assault rifles, encircle an older woman whom they have put on a golf cart, and in another, 32-year-old Shiri Bibas, the wife of Yarden Bibas, is filmed holding her two children, 9-month-old Kfir and 4-year-old Ariel.³⁶³

Three verified CCTV videos posted on the South First Responders Telegram channel recorded around 10 a.m. in the northeast section of Nir Oz, show people in civilian clothing riding on bicycles and apparently stealing a motorcycle and tractors.³⁶⁴

Residents were not evacuated from the kibbutz until the evening of October 8.³⁶⁵

Sderot

The armed attack on Sderot killed civilians—reportedly 35—in the attack on the city of Sderot.³⁶⁶ Israel's armed forces said five military personnel and six Sderot police officers were also killed.³⁶⁷

³⁶³ “Abducting an elderly woman, looting homes, and setting fire,” Hamas Massacre, October 2023, <https://www.hamas-massacre.net/content/abducting-an-elderly-woman,-looting-homes,-and-setting-fires> (accessed February 23, 2024); “Taken captive: Shiri Bibas and her redheaded babies,” *The Times of Israel*, January 22, 2024, <https://www.timesofisrael.com/taken-captive-shiri-bibas-and-her-redheaded-babies/> (accessed February 23, 2024); Emanuel Fabian, “IDF investigating ‘cruel’ Hamas claim that Bibas children, mother killed in Gaza,” *The Times of Israel*, November 22, 2023, <https://www.timesofisrael.com/idf-investigating-cruel-hamas-claim-that-bibas-children-mother-killed-in-gaza/> (accessed February 23, 2024).

³⁶⁴ South First Responders (@South First Responders) post to telegram channel, October 16, 2023, (accessed February 23, 2024). The time is according to the timestamp on one CCTV video and analyzing the shadows in the other two videos to identify the approximate time of the day.

³⁶⁵ Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

³⁶⁶ Number derived from the AFP victim count.

³⁶⁷ “מתעדכנת רשימה | ברזל חרבות” במלחמת ההנופלים הנרצחים שמות,” *Israel Hayom*, November 15, 2023, <https://www.israelhayom.co.il/news/defense/article/14712943> (accessed February 23, 2024); “Sderot IDF and police casualties announced,” *The Jerusalem Post*, October 9, 2023, <https://www.jpost.com/breaking-news/article-765282> (accessed February 23, 2024). According to AFP, the neighboring *moshav* of Yachini also came under attack, and seven civilians were killed.

The city of Sderot, in the northwest Negev region, about 1.3 kilometers from the border with Gaza, was home to 33,002 people as of 2022.³⁶⁸

Human Rights Watch interviewed five residents of Sderot and verified 36 photographs and 53 videos from October 7.³⁶⁹ The videos and photographs show the bodies of at least 33 civilians.³⁷⁰ Three of the videos show four more people who appeared to have been shot or severely wounded, but Human Rights Watch could not confirm whether they subsequently died from their injuries or survived.³⁷¹

Early morning attacks

Merav Denino, a 50-year-old kindergarten teacher, lived in a third-floor apartment. When rocket fire started at 6:38 a.m., Denino went into her safe room with her 20-year-old son,

³⁶⁸ Human Rights Watch interview with Merav Denino, Lehavim, October 18, 2023; Human Rights Watch remote interview with Nomika Zion, October 17, 2023; Human Rights Watch interview with Elinor Khazan, Eilat, October 17, 2023; Human Rights Watch interview with Nir Ohana, Eilat, October 17, 2023; Human Rights Watch remote interview with Yoav A., October 23, 2023.

³⁶⁹ Human Rights Watch interview with Merav Denino, Lehavim, October 18, 2023; Human Rights Watch remote interview with Nomika Zion, October 17, 2023; Human Rights Watch interview with Elinor Khazan, Eilat, October 17, 2023; Human Rights Watch interview with Nir Ohana, Eilat, October 17, 2023; Human Rights Watch remote interview with Yoav A., October 23, 2023.

³⁷⁰ “Surprise Hamas attack leaves multiple bodies on streets of Israeli town,” October 7, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1744797> (accessed February 23, 2024); “‘I saw a sea of bodies’ - Israeli man recounts Hamas attack on his town,” October 7, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1744690> (accessed February 23, 2024); “‘I saw a sea of bodies’ - Israeli man recounts Hamas attack on his town,” October 7, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1744685> (accessed February 23, 2024); “‘I saw a sea of bodies’ - Israeli man recounts Hamas attack on his town,” October 7, 2023, video clip, YouTube, <https://reuters.screenocean.com/record/1744691> (accessed February 23, 2024); *AFP*, <https://news.afp.com/#/c/main/search/videos?search=H4sIAAAAAAAAA11OTQ%2BCMAz9NTtCuhIkOyqGxDsnbtNVJSJLxofx39uBNsTDmr6391FVHBRiZ%2FvbZG8o8K6yvcojSX1E%2BVFhyctANlZutT1%2FJYhz68gvjkXwoPflB%2FeLWHJn2oookhsFR8KMYq8rWXft8zZkbY5EVdtN1LYstfgnxKAgFmiIYFdrYEpWEcKAI1Ujv5Pr5MMajBM5etIjTHN%2FyllaLm6tScngsDHk%2BRuRSLhM7CCHY%2FYpRASflpHblRciorjB9KEzWiHAQAA&id=newsml.afp.com.20231007T150901Z.doc-33xp6pp&type=video> (accessed June 27, 2024); South First Responders (@South First Responders) post to telegram channel, October 15, 2023, (accessed February 23, 2024); South First Responders (@South First Responders) post to telegram channel, October 8, 2023, (accessed February 23, 2024); Telegram profile @the_slaughter, accessed February 23, 2024); South First Responders (@South First Responders) post to telegram channel, November 5, 2023, <https://t.me/southfirstresponders/371> (accessed February 23, 2024); South First Responders (@South First Responders) post to telegram channel, October 16, 2023, (accessed February 23, 2024).

³⁷¹ South First Responders (@South First Responders) post to telegram channel, November 5, 2023, (accessed February 23, 2024); South First Responders (@South First Responders) post to telegram channel, November 5, 2023, (accessed February 23, 2024); *AFP*, <https://news.afp.com/#/c/main/search/videos?search=H4sIAAAAAAAAA11OTQ%2BCMAz9NTtCuhIkOyqGxDsnbtNVJSJLxofx39uBNsTDmr6391FVHBRiZ%2FvbZG8o8K6yvcojSX1E%2BVFhyctANlZutT1%2FJYhz68gvjkXwoPflB%2FeLWHJn2oookhsFR8KMYq8rWXft8zZkbY5EVdtN1LYstfgnxKAgFmiIYFdrYEpWEcKAI1Ujv5Pr5MMajBM5etIjTHN%2FyllaLm6tScngsDHk%2BRuRSLhM7CCHY%2FYpRASflpHblRciorjB9KEzWiHAQAA&id=newsml.afp.com.20231007T091643Z.doc-33xp76k&type=video> (accessed June 27, 2024).

with whom she shared the apartment. Then, she said, they heard a lot of gunfire. Denino was concerned about neighbors with young children. She said she and others checked in with each other by texting, instead of speaking. “Everyone was silent,” she said. “You didn’t even hear a cat in the street.”³⁷²

Denino said minutes later she saw 15 gunmen out of the window:

Most were wearing black uniforms, like army or military. All of them had a long gun, an AK, I think. Two had RPGs. All were wearing bulletproof vests, three were wearing green headbands. They were shouting. A group of 10 came together, and then split up at the roundabout, going in different directions, and then another five came.

Human Rights Watch reviewed eight CCTV videos from Menachem Begin Road: three were recorded at roughly 6:55 a.m., determined using visible daylight, at the second and third roundabouts east from Highway 34, and five were recorded between 7:01 and 7:13 a.m., further east at the intersection of Menachem Begin Road and Jerusalem Road.³⁷³

Videos from a roundabout in Sderot show at least 18 fighters, mostly in camouflage uniforms and wearing white headbands, in two white trucks with machine guns mounted on the roofs.³⁷⁴ At least one of the videos shows an attacker wearing a white headband with green text and the Qassam Brigades insignia on it.³⁷⁵

Denino tried to call the police and others, including her cousin, who told her to keep quiet. She said she did not want to stay in the safe room because being there was distressing for her son. She described what she saw through the shutters:

³⁷² Human Rights Watch interview with Merav Denino, Lehavim, October 18, 2023.

³⁷³ The first three videos are South First Responders (@southfirstresponders) post to Telegram channel, October 18, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 18, 2023, (accessed March 18, 2024). The other five are South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024). The time was determined according to the timestamp on the video.

³⁷⁴ South First Responders (@southfirstresponders) post to Telegram channel, October 18, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 18, 2023, (accessed March 18, 2024).

³⁷⁵ South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024).

There are small villas behind my house and the first group of 10 [gunmen] were trying to open each house, and if they heard a noise, they opened fire in that direction. Two of them managed to get through the gate of one house behind my building. They got upset that there were bars on the window, so they put their guns through the bars and opened fire. I don't know if anyone was inside.

She said the second group of five entered an apartment building in front of her house:

[T]hey tried to open doors. They saw two [Israeli] civilians with guns who tried to help protect that building. Then two policemen arrived and almost shot the civilians by accident. I don't know what happened to all of them. ... I was checking to make sure they weren't coming close to our building. They kept going from one house to another. Then it was silent for a while.

Denino went downstairs to lock the main door of the building and blocked the door with some planks of wood. She then brought another family living in her building to her own apartment and tried to calm everyone down.

Nomika Zion, who lived in the urban kibbutz of Migvam inside Sderot, said that at 6:30 a.m. “there was a bunch of rockets out of the blue.” She said, “No one was ready for that, it lasted a very long time ... something like 15 minutes... We understood it was unusual. ... We ran to the safe room in our sleepwear.” Around 7:30 or 8 a.m., Zion began receiving videos from people from Sderot, taken at places she recognized: “Some people were saying, ‘Look, there are Hamas people here, look at their vehicles, with machine-guns.’ It was so close to us, a few streets away. [I got] horrible pictures of people who had been killed. You could see women and children on the street and blood.”³⁷⁶

Elinor Khazan, 38, said her family was awakened by sirens at 6:30 a.m. and went into their safe room.³⁷⁷ When she, her husband, and three children came out to get some fresh air on the balcony at about 9 a.m., they heard gunfire. “I said to my husband, ‘there is shooting

³⁷⁶ Human Rights Watch remote interview with Nomika Zion, October 17, 2023.

³⁷⁷ Human Rights Watch interview with Elinor Khazan, Eilat, October 17, 2023.

in the city,” Elinor said. “My husband said it was probably an echo. Then we realized it was coming from different directions.”

Khazan said:

We closed all the windows and shutters and made it all dark. We put a cabinet in front of the door to block it from opening, and we went into the safe room. There was shooting everywhere and [there were] sirens all the time. My cousin who is a cop was calling us and telling us, ‘Don’t move, the situation is very severe.’ Her husband had been en route to Sderot and was shot at in his car. The car was full of glass. Somehow, he was able to drive off in a different direction.

Nir Ohana, a 41-year-old resident of Sderot, was driving to Be’eri to bicycle in its forest with friends and his younger brother on the morning of October 7. At 6:37 a.m., the rocket fire began, and Ohana pulled up to a gas station in Kfar Aza and sheltered in the safe room.³⁷⁸ “My friends started saying, ‘Our wives are messaging us to get back.’ So we knew we had to go home,” he said. Ohana described the drive back from Kfar Aza at 6:45 a.m.:

[A] friend was driving in front of us in a white Toyota. I was in the car with [another] friend, and my little brother was in the car behind us, a Toyota RAV4. Suddenly the Toyota stopped, made a U-turn, and as it did, it got shot up with bullets. I screamed at my friend to make a U-turn. My brother kept driving straight and his car was totally shot up. We were getting bullets from behind.

Ohana shared with Human Rights Watch a video he recorded south of Kfar Aza on October 7, about a 10.3-kilometer drive to Sderot, of his brother’s damaged RAV4, with multiple bullet holes on the front of the car, including one in the driver’s side windshield. His brother was not injured.³⁷⁹

³⁷⁸ Human Rights Watch interview with Nir Ohana, Eilat, October 17, 2023.

³⁷⁹ Video on file with Human Rights Watch.

As the group arrived back in Sderot, from a distance they saw gunmen with assault rifles in white trucks. Ohana made it home, and into his safe room with his family. From there he was able to watch the live feed of the CCTV camera he had installed at the front of his house.

Ohana said through the feed he saw gunmen shoot Yossi, a neighbor, who was walking in the street toward the synagogue. Yossi fell into a coma but eventually recovered, Ohana told Human Rights Watch in an April 2024 message. Ohana said gunmen shot another neighbor, an older man, on his porch. Ohana said one friend living in an apartment building managed to render the elevator inoperable as a way of protecting those living upstairs from attackers.

A CCTV video shared on the South First Responders Telegram channel and verified by Human Rights Watch shows fighters firing assault rifles at a passing civilian vehicle in Sderot around 6:50 a.m.³⁸⁰ The car pulls over to the side of the road and two adults exit the front. They were identified as Dolev and Odaya Swisa in a televised report by the Israeli public broadcaster KAN.³⁸¹ They each pick up one of their two children, ages 6 and 3, from the back seat and run in different directions. The attackers shoot Dolev Swisa, who falls to the ground. KAN reported that he died from his wounds.³⁸²

In another CCTV video posted on the South First Responders Telegram channel from a camera located outside of the city's police station, recorded minutes later, fighters fire at a small black SUV. Swisa, her two children, and Amar Odeh Abu Sabila, a Palestinian Bedouin construction worker who came to the family's rescue after Dolev Swisa was killed and who tried to drive them to safety, were in the vehicle according to KAN.³⁸³ According to KAN, Swisa and Abu Sabila were both killed.³⁸⁴ Moments later, the CCTV video shows fighters shooting the driver of a passing red SUV.³⁸⁵ It is not known whether the driver survived.

³⁸⁰ South First Responders (@southfirstresponders) post to telegram channel, October 18, 2023, (accessed March 15, 2024). The timestamp displayed on the video shows 03:57 but due to the daylight and events known to be around that time, Human Rights Watch has identified the time to be around 6:50 a.m.

³⁸¹ "Amar rescued two girls - then was slaughtered by Hamas terrorists," November 12, 2023, video clip, YouTube, https://www.youtube.com/watch?v=_qcp9PrK_mg (accessed March 15, 2024).

³⁸² Ibid.

³⁸³ South First Responders (@southfirstresponders) post to telegram channel, November 5, 2023, (accessed March 15, 2024).

³⁸⁴ "Amar rescued two girls - then was slaughtered by Hamas terrorists," November 12, 2023, video clip, YouTube, https://www.youtube.com/watch?v=_qcp9PrK_mg (accessed March 15, 2024).

³⁸⁵ South First Responders (@southfirstresponders) post to telegram channel, November 5, 2023, (accessed March 15, 2024).

In a video posted on the South First Responders Telegram channel filmed minutes later, police officers and others in civilian dress approaches the station, where no fighters are visible. One of the officers runs to the small black SUV and removes two children from the back seat.³⁸⁶

Attack on the police station

The city's police station and the area around it was the scene of a prolonged firefight, as Palestinian fighters took over the station and then the Israeli military counterattacked. Human Rights Watch verified 10 videos shared on the South First Responders Telegram channel, Facebook, Telegram and X, recorded from different vantage points, showing fighters taking control of the station on the morning of October 7, and six videos showing Israeli police and military later engaging the fighters throughout the day and into the night.³⁸⁷

As fighters took control of the station, two videos, recorded at around 7 a.m., show them stopping and shooting at three vehicles driving by the station, including the small black SUV, resulting in the deaths of Odaya Swisa and Amar Odeh Abu Sabila. Human Rights Watch could not confirm if others were killed or injured in these attacks.³⁸⁸

In a video uploaded to X, filmed from a rooftop and recorded around 6:50 a.m., at least eight fighters in a white truck stop their vehicle to fire at a passing police car about 170

³⁸⁶ South First Responders (@southfirstresponders) post to telegram channel, November 5, 2023, (accessed March 15, 2024).

³⁸⁷ Clash Report (@ClashReport), post to X (formerly known as Twitter), October 12, 2023, (accessed February 27, 2024); South First Responders (@SouthFirstResponders) post to telegram channel, November 5, 2023, (accessed February 27, 2024); South First Responders (@SouthFirstResponders) post to telegram channel, November 5, 2023, (accessed February 28, 2024); وكالة شهاب post to Telegram channel, (accessed June 24, 2024); C Schmitz, (@chrisschmitz), post to X (formerly known as Twitter), October 7, 2023, (accessed February 28, 2024); Emanuel (Mannie) Fabian (@manniefabian) post to X (formerly known as Twitter), October 7, 2023, (accessed February 28, 2024); Free People of Jenin (@a7rarjenin) post to Telegram channel, October 7, 2023, (accessed February 28, 2024); South First Responders (@SouthFirstResponders) post to telegram channel, November 5, 2023, (accessed February 28, 2024); השבוע בדרום, October 8, 2023, video clip, Facebook, (accessed February 28, 2024); South First Responders (@SouthFirstResponders) post to telegram channel, November 5, 2023, (accessed February 28, 2024).

³⁸⁸ South First Responders (@SouthFirstResponders) post to Telegram channel, November 5, 2023, (accessed June 24, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, November 5, 2023, (accessed June 24, 2024); وكالة شهاب post to Telegram channel, October 7, 2024, (accessed June 7, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, November 5, 2023, (accessed June 24, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, November 5, 2023, (accessed June 24, 2024). The time of the attack was determined according to an analysis of the early morning light in the video.

meters from the station. Three police officers are visible on the roof of the station.³⁸⁹ A recording from CCTV shared on the South First Responders Telegram channel captures minutes later a different white truck carrying at least 11 fighters arriving at the police station. They park, stop a civilian vehicle, and fire at the driver inside. An attacker then fires an RPG at the second story of the station. Eight fighters move toward the building, and another walks to the car and appears to fire into the back seat. It is unclear if those in the car survived.³⁹⁰ In another video recorded from a nearby apartment and posted on X, attackers are trying to enter through the south fence of the station as gunfire rings out.³⁹¹

One video posted to Facebook, recorded at around 7:15 a.m. according to the series of events seen in the video, after fighters had captured the police station, shows three police officers firing assault rifles and a handgun toward the building.³⁹² A video posted on Telegram and recorded around 10:45 a.m., shows an Israeli soldier firing a shoulder-launched rocket toward the station.³⁹³

A video posted to Telegram and recorded between 1:30 and 2:30 p.m., shows Israeli soldiers firing assault rifles at the station's south entrance and then throwing an object into the station. A subsequent explosion is consistent with a grenade.³⁹⁴ Two videos posted to X recorded from an apartment window on the night of October 7 show a bulldozer demolishing the southern portion of the station and another, in which gunfire can be heard, shows smoke and fire rising from the station.³⁹⁵ Four media photographs taken on October 8 claim to show the bodies of Palestinian fighters who died inside or

³⁸⁹ Mostafa (@m_osint) post to X (formerly known as Twitter) October 7, 2023, (accessed March 15, 2024) The time determined according to the lightly illuminated skies, lack of harsh lighting on visible buildings, and events known to be happening around that time.

³⁹⁰ South First Responders (@South First Responders) post to telegram channel November 5, 2023, (accessed March 15, 2024).

³⁹¹ Clashreport (@Clashreport) post to X (formerly known as Twitter), October 12, 2023, (accessed March 15, 2024).

³⁹² "המשטרה מתחנת קצין בגבורה שחילץ לאחר מניתוח מתאושש שדרות צ"רבש" October 8, 2023, video clip, Facebook, (accessed March 15, 2024).

³⁹³ חדשות לפני כולם בטלגרם - ביחד ננצח (@hadshotbeforeeveryone) post to Telegram channel, October 7, 2023, (accessed March 15, 2024). The time was determined according to an analysis of the shadows cast in the video.

³⁹⁴ Free Jenin (@a7rarjenin) post to Telegram channel, October 7, 2023, (accessed March 15, 2024). The time was determined according to an analysis of the shadows cast in the video.

³⁹⁵ Emanuel (Mannie) Fabian (@manniefabian) post to X (formerly known as Twitter), October 7, 2023, (accessed March 15, 2024); C Schmitz (@chrisschmitz) post to X (formerly known as Twitter), October 7, 2023, (accessed March 15, 2024).

nearly the station.³⁹⁶ Human Rights Watch was unable to confirm this.

Footage by Reuters and Agence France-Presse published on October 7, 8, and 11 shows the police station largely destroyed and excavators digging through the rubble to remove bodies.³⁹⁷ Southern District Commander of the Israel Police, Amir Cohen, said that eight police officers were killed on October 7 during the attack on the station.³⁹⁸ Two police officers were reportedly killed in an attempt by Israeli forces to recapture the roof of the police station, while a third officer reportedly died outside the station.³⁹⁹

Two photographs and a video taken near the station by Reuters in the days following its demolition show rescue workers taking white body bags away from the debris.⁴⁰⁰ Other

³⁹⁶ Three of the photographs were taken by Agence France-Presse photographers and one by Picture Alliance and distributed by Getty Images and verified by Human Rights Watch. Graphic content / The body of a Palestinian fighter lies next to damaged car near an Israeli police station where a battle took place to dislodge Hamas militants who were stationed inside, on October 8, 2023. (Photo by JACK GUEZ / AFP) (Photo by JACK GUEZ/AFP via Getty Images), (accessed March 15, 2024); 08 October 2023, Israel, Sderot: Israeli soldiers stand near the bodies of militants at the scene of the deadly attack on a police station in the city of Sderot on the second day of the ongoing conflict between Israel and the Palestinian militant group Hamas. Photo: Ilia Yefimovich/dpa - ATTENTION: graphic content (Photo by Ilia Yefimovich/picture alliance via Getty Images); (accessed March 15, 2024); Graphic content / An Israeli soldier inspects the body of Palestinian fighter in front of an Israeli police station in Sderot, on October 8, 2023, after battles to dislodge Hamas militants who were stationed inside. (Photo by JACK GUEZ / AFP) (Photo by JACK GUEZ/AFP via Getty Images) (accessed March 15, 2024); Graphic content / TOPSHOT - Volunteers of the Zaka Israeli ultra-Orthodox Jewish emergency response team remove the bodies of killed Palestinian Hamas militants from outside the police station in Sderot on October 11, 2023 after it was heavily damaged during battles to dislodge the militants stationed there. (Photo by Menahem KAHANA / AFP) (Photo by MENAHEM KAHANA/AFP via Getty Images), (accessed March 15, 2024).

³⁹⁷ "Israel's defence minister says Hamas will pay the price for the attack," October 8, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1744865> (accessed March 15, 2024); "Israel's Sderot hit by Hamas rocket, workers recover bodies of dead militants," October 11, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1745435> (accessed March 15, 2024); A view shows a police station which was the site of a battle following a mass infiltration by Hamas gunmen from the Gaza Strip, in Sderot, southern Israel October 8, 2023. REUTERS/Ronen Zvulun, <https://pictures.reuters.com/archive/ISRAEL-PALESTINIANS--RC2603AHBWJ7.html> (accessed March 15, 2024); A view shows a police station that was the site of a battle following a mass-infiltration by Hamas gunmen from the Gaza Strip, in Sderot, southern Israel October 8, 2023. REUTERS/Ronen Zvulun, <https://pictures.reuters.com/archive/ISRAEL-PALESTINIANS--RC2803AD0J8I.html> (accessed March 15, 2024); "Charred Israeli police station in Sderot briefly seized by Hamas" video clip, AFP, October 8, 2023, (accessed July 2, 2024); "Charred Israeli police station in Sderot, soldiers retrieve bodies" video clip, AFP, October 8, 2023, (accessed July 2, 2024); "Israeli firefighters search for bodies in Sderot" video clip, AFP, October 8, 2023, (accessed July 2, 2024).

³⁹⁸ יינר יגנה "הלחימה, הפציעה וההוקרה: מפקד מחוז דרום במשטרה מבקש לא לקרוא לו גיבור" October 19, 2023, *News Walla*, <https://news.walla.co.il/item/3617242> (accessed June 28, 2024).

³⁹⁹ "First Sgt. Mor Shakuri, 29: Police officer was planning a June wedding," *The Times of Israel*, February 29, 2024, <https://www.timesofisrael.com/first-sgt-mor-shakuri-29-police-officer-was-planning-a-june-wedding/> (accessed June 13, 2024); "Command Sgt. Maj. Yaron Dayan, 52: Cop 'fought until his last moment'," *The Times of Israel*, February 27, 2024, <https://www.timesofisrael.com/command-sgt-maj-yaron-dayan-52-cop-fought-until-his-last-moment/> (accessed June 13, 2024).

⁴⁰⁰ Israeli rescue workers work to remove dead bodies from near a destroyed police station that was the site of a battle following a mass-infiltration by Hamas gunmen from the Gaza Strip, in Sderot, southern Israel, October 11, 2023.

content distributed by Getty Images shows bodies of fighters stripped of their clothing and strewn about on a lawn across from the police station.⁴⁰¹

Killings on the intersection of Highway 34 and Route 232

The intersection of Highway 34 and Route 232 in Sderot appears to have been the site of a large number of killings by Palestinian armed groups. From footage posted online, Human Rights Watch documented at least 16 civilian deaths. One dashcam video posted on Telegram filmed at around 6:50 a.m. shows a car slowing down as it reaches the intersection. A fighter approaches and then shards of glass fly across the camera lens as the armed man appears to fire through the window into the car as it drives away. The driver appears to survive the encounter.⁴⁰² At the same intersection a little over an hour later, two CCTV videos posted on the South First Responders Telegram channel show at least 11 civilian vehicles and one police vehicle stopped on the road, with at least one of the cars ablaze.⁴⁰³ The videos show fighters firing into two vehicles multiple times, in both cases pulling the limp bodies of the drivers, all in civilian dress, out of their seats. A slumped adult male body is visible inside a minivan. A video recorded later that day and posted to the News Kodkod Group Telegram channel shows the same man dead alongside four other

REUTERS/Violeta Santos Moura, <https://pictures.reuters.com/archive/ISRAEL-PALESTINIANS-GAZA-RC29Q3A2TPVX.html> (accessed March 15, 2024); Israeli rescue workers work to remove dead bodies from near a destroyed police station that was the site of a battle following a mass-infiltration by Hamas gunmen from the Gaza Strip, in Sderot, southern Israel, October 11, 2023. REUTERS/Violeta Santos Moura, <https://pictures.reuters.com/archive/ISRAEL-PALESTINIANS-GAZA-RC29Q3AECXHG.html> (accessed March 15, 2024); "Israel's Sderot hit by Hamas rocket, workers recover bodies of dead militants," October 11, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1745435> (accessed March 15, 2024).

⁴⁰¹ Graphic content / The body of a Palestinian fighter lies next to damaged car near an Israeli police station where a battle took place to dislodge Hamas militants who were stationed inside, on October 8, 2023. (Photo by JACK GUEZ / AFP) (Photo by JACK GUEZ/AFP via Getty Images), (accessed March 18, 2024); Israeli soldiers stand near the bodies of militants at the scene of the deadly attack on a police station in the city of Sderot on the second day of the ongoing conflict between Israel and the Palestinian militant group Hamas. Photo: Ilia Yefimovich/dpa - ATTENTION: graphic content (Photo by Ilia Yefimovich/picture alliance via Getty Images), (accessed March 18, 2024); Graphic content / An Israeli soldier inspects the body of Palestinian fighter in front of an Israeli police station in Sderot, on October 8, 2023, after battles to dislodge Hamas militants who were stationed inside. (Photo by JACK GUEZ / AFP) (Photo by JACK GUEZ/AFP via Getty Images), (accessed March 18, 2024); Volunteers of the Zaka Israeli ultra-Orthodox Jewish emergency response team remove the bodies of killed Palestinian Hamas militants from outside the police station in Sderot on October 11, 2023 after it was heavily damaged during battles to dislodge the militants stationed there. (Photo by Menahem KAHANA / AFP) (Photo by MENAHEM KAHANA/AFP via Getty Images), <https://www.gettyimages.com/detail/news-photo/graphic-content-topshot-volunteers-of-the-zaka-israeli-news-photo/1718380098> (accessed March 18, 2024).

⁴⁰² (deleted account) post to Telegram Channel, November 5, 2023. Video on file with Human Rights Watch. (accessed June 24, 2024). The time was estimated using the position of the sun.

⁴⁰³ South First Responders (@southfirstresponders) post to Telegram channel, October 17, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed March 18, 2024). The time was estimated according to the visible shadows.

bodies in civilian clothing inside and directly next to the minivan. Four additional bodies are visible on the ground nearby, next to shot-up vehicles.⁴⁰⁴ Photographs and videos by Reuters verified by Human Rights Watch and taken later on October 7 show at least five more bodies in civilian attire, as well as many other stopped cars riddled with bullets, on Highway 34.⁴⁰⁵

Killings on the intersection of Menachem Begin and Jerusalem Roads

Human Rights Watch verified five CCTV videos posted to the South First Responders Telegram channel timestamped between 7:01 a.m. and 7:13 a.m. and recorded from the intersection of Menachem Begin and Jerusalem Roads. In two videos filmed from the same location at 7:01 and 7:06 a.m. according to the timestamps on the videos, fighters fire at a car approaching the intersection of Menachem Begin and Jerusalem Roads. The driver, in civilian dress, exits and runs away.⁴⁰⁶

One video recorded at 7:09 a.m. shows a fighter wearing a white headband with green text associated with the Qassam Brigades firing an RPG, hitting the front of an approaching vehicle with a flashing red light, destroying the hood, and bringing the vehicle to a standstill. The driver exits the vehicle and appears to push the vehicle forward but is shot and killed as he attempts to flee. The fighters then shoot and kill a man in civilian attire riding a motorcycle roughly 50 meters east of the first victim.⁴⁰⁷

Two photographs and two videos captured later on October 7 and published online by Reuters, Getty Images, and a Telegram channel that is no longer available, show the

⁴⁰⁴ (@news_kodkodgroup) post to Telegram channel, October 7, 2023, (accessed March 18, 2024).

⁴⁰⁵ "I saw a sea of bodies' - Israeli man recounts Hamas attack on his town," October 7, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1744690> (accessed March 18, 2024); "I saw a sea of bodies' - Israeli man recounts Hamas attack on his town, October 7, 2023, video clip, Reuters, <https://reuters.screenocean.com/record/1744685> (accessed March 18, 2024). (note, there are more videos showing cars and these bodies on the highway but they show similar scenes).

⁴⁰⁶ South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 18, 2024).

⁴⁰⁷ South First Responders (@southfirstresponders) post to Telegram channel, October 30, 2023, (accessed March 30, 2024).

bodies of at least 10 additional civilians near this intersection, including the bodies of at least two women. They are all next to shot-up vehicles.⁴⁰⁸

Elsewhere in Sderot, many residents remained in their safe rooms. Zion said, “We spent about 30 hours in the safe room. Just going to the bathroom was so frightening. We didn’t have the lights on and all the time we were communicating by messages on many groups.”⁴⁰⁹

Ohana received a message from a friend saying there were gunmen in their apartment building. “Then hourly we were getting messages about street battles, gunshots, and the military fighting them. At 6 p.m., I decided to open the safe room and get food. Then I closed the door and blocked it with furniture. We stayed inside until the next morning and then we fled Sderot.”⁴¹⁰

Fighting in Sderot continued for days, said Merav Denino, who stayed there with her son for another week.⁴¹¹

Kibbutz Alumim

The armed attack on Kibbutz Alumim killed at least 22 civilians—10 Nepali men and 12 Thai men—and fighters took one Thai man and one Nepali man hostage.⁴¹² Fighters also injured

⁴⁰⁸ “Surprise Hamas attack leaves multiple bodies on streets of Israeli town,” October 7, 2023, video clip, Reuters, (accessed March 18, 2024); 07 October 2023, Israel, Sderot: A body of dead Israeli lies inside a car following the attacks of Hamas. Palestinian militants in Gaza unexpectedly fired dozens of rockets at Israeli targets early on Saturday, the Israeli army said. Photo: Ilia Yefimovich/dpa (Photo by Ilia Yefimovich/picture alliance via Getty Images), (accessed March 18, 2024); 07 October 2023, Israel, Sderot: Bodies of dead Israelis lie on the ground following the attacks of Hamas. Palestinian militants in Gaza unexpectedly fired dozens of rockets at Israeli targets early on Saturday, the Israeli army said. Photo: Ilia Yefimovich/dpa (Photo by Ilia Yefimovich/picture alliance via Getty Images), (accessed March 18, 2024); @the_slaughter Telegram channel profile, (accessed March 18, 2024).

⁴⁰⁹ Human Rights Watch remote interview with Nomika Zion, October 17, 2023.

⁴¹⁰ Human Rights Watch interview with Nir Ohana, Eilat, October 17, 2023.

⁴¹¹ Human Rights Watch interview with Merav Denino, Lehavim, October 18, 2023.

⁴¹² The numbers of civilians killed and taken hostage are based on Human Rights Watch interviews with witnesses. Human Rights Watch remote interview with Gilad Hunwald, October 25, 2023; Human Rights Watch interview with Ronit Vinshtein, Netanya, October 22, 2023; Human Rights Watch interview with Stanley Kay, Netanya, October 22, 2023; Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023; Human Rights Watch remote interview with Korawit Kaeokoed, January 4, 2024; Human Rights Watch remote interview with Chakkrit Thitkrathok, January 29, 2024;

Bruce Maddy-Weitzman, “Black Sabbath, The defenders of Kibbutz Alumim fought off Palestinian terror squads on Oct. 7 and saved their homes and families,” *Tablet*, Israel & Middle East, March 20, 2024, <https://www.tabletmag.com/sections/israel-middle-east/articles/black-sabbath-kibbutz-alumim-hamas> (accessed June 13, 2024).

four members of the community rapid response team, two other kibbutz residents, and four Nepali men.⁴⁴³

Kibbutz Alumim, an agricultural community in the Sdot Negev region and about 3.7 kilometers from the border with Gaza, had a population of 531 people in 2022.⁴⁴⁴ Human Rights Watch interviewed three kibbutz members, and three Nepali and two Thai nationals working or working and studying in Israel, living in the kibbutz. Human Rights Watch verified eight videos showing the assault on Alumim and its aftermath and spoke to someone who had interviewed other Thai survivors of the attack.⁴⁴⁵

The population of the kibbutz included 26 Thais, 25 of whom were working on the farmland at the time of the attack, and 17 Nepalis who had arrived at the kibbutz three weeks earlier to work the land and study agriculture as part of an Israeli government program called “Learn and Earn,” according to Thai and Nepali interviewees.⁴⁴⁶

Witnesses said the attack began at 6:30 a.m., when they heard a siren and then gunfire in the kibbutz.⁴⁴⁷ Dozens of fighters entered the kibbutz through the front and back gates on motorcycles.⁴⁴⁸ While the rapid response team was able to fight them off and stop them from entering the main part of the kibbutz, the fighters had relatively free access to the area around a cluster of agricultural factories in the southern part of the kibbutz, as well as the two buildings housing the Thai and Nepali workers. This resulted in a high number of casualties and hostage-taking among the foreign workers and students.⁴⁴⁹ Satellite

⁴⁴³ Bruce Maddy-Weitzman, “Black Sabbath, the defenders of Kibbutz Alumim fought off Palestinian terror squads on Oct. 7 and saved their homes and families,” *Tablet*, Israel & Middle East, March 20, 2024, <https://www.tabletmag.com/sections/israel-middle-east/articles/black-sabbath-kibbutz-alumim-hamas> (accessed June 13, 2024).

⁴⁴⁴ Regional Statistics, The Central Bureau of Statistics (CBS), <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed January 17, 2024).

⁴⁴⁵ Human Rights Watch remote interview, October 22, 2023.

⁴⁴⁶ Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴⁴⁷ Human Rights Watch remote interview with Gilad Hunwald, October 25, 2023; Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Ronit Vinshtein, Netanya, October 22, 2023; Human Rights Watch interview with Stanley Kay, Netanya, October 22, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴⁴⁸ Human Rights Watch remote interview with Gilad Hunwald, October 25, 2023.

⁴⁴⁹ Human Rights Watch remote interview with Gilad Hunwald, October 25, 2023; Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Ronit Vinshtein, Netanya, October 22,

imagery reviewed by Human Rights Watch shows that several of the agricultural buildings were damaged or destroyed during the attack. Fighting abated at about 6 p.m., when emergency responders were able to evacuate the injured.⁴²⁰

Experiences of Nepali and Thai Workers and Students

Unlike kibbutz members, the Nepali and Thai students and migrant workers did not have dedicated safe rooms or shelters inside their accommodations. The Nepalis had a small structure a few meters away from the building they slept in to shelter in, with no door or windows. The 17 Nepalis ran to the shelter when the siren went off at about 6:30 a.m., the three Nepalis interviewed said.⁴²¹ At about 8 a.m., they heard men’s voices, and assumed they were Israelis. “We heard shouting. Two of my friends went outside, thinking they had come to save us,” one said.⁴²² Instead, the fighters opened fire, killing Dipesh Raj Bista and Ganesh Nepali, both about 25, the three interviewed said. Then fighters threw two grenades into the shelter. One Nepali, Bipin Joshi, grabbed one of the grenades and threw it outside, but the second detonated, injuring five men—Narayan Neupane lost his toes on one foot; Lokendra Singh Dhimi’s leg was injured; Anand Shah’s legs were both injured, Bidhan Sejwal’s right calf muscle was ripped open; and Dhan Bahadur Chaudhary was injured by metal fragments in his right thigh and left ankle.⁴²³

About 15 minutes later, two members of the kibbutz rapid response team, Gilad Hunwald and Amichai Shacham, came and told the 10 Nepalis who were uninjured to move to a nearby kitchen area, to shelter with some of the Thai men, several witnesses said.⁴²⁴ They told the five who were injured to stay in the shelter while they called for an ambulance. Chaudhary said he decided to leave the shelter and hide in his bedroom at about 10 a.m.

2023; Human Rights Watch interview with Stanley Kay, Netanya, October 22, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴²⁰ Human Rights Watch remote interview with Gilad Hunwald, October 25, 2023.

⁴²¹ Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴²² Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴²³ Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴²⁴ Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023; Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023; Human Rights Watch remote interview with Gilad Hunwald, October 25, 2023.

Soon after, Neupane and Dhama joined him.⁴²⁵ Shortly thereafter, Chaudhary said, Neupane heard a vehicle outside and, thinking it was an ambulance, ran out, at which point fighters outside shot him twice in the chest. Both Neupane and Dhama died of their injuries.

Prabin Dangi and Himanchal Kattel went to the kitchen with the eight others who were uninjured at that point: Bipin Joshi, Pramod K.C., Birendra Chaudhary, Rajan Phulara, Padam Thapa, Ashish Chaudhary, Rajesh Swornakar, and Prabesh Bhandari.⁴²⁶ There, they found at least six Thai men, and they all sheltered there together. At about 10:30 a.m., four or five fighters stormed into the kitchen and opened fire. Dangi said:

Some of my friends were shot in the head, others in the neck or chest. At least two were killed immediately. Then I heard a pause and the reloading of a gun, and [the fighter] shot me in the upper right thigh. Then he was pointing the gun at my head. By the grace of God, I moved, and the bullet only grazed the side of it. ... Then I heard some of the Thais saying, “We are from Thailand,” [in English] as they put up their hands. The gunman grabbed a few of them and took them out. Then they threw two smoke grenades into the room and closed the door... I spent the whole day in the blood of everyone. The blood was flowing to the corner of the room we were in. ... Friends started to die one by one.⁴²⁷

Dangi filmed himself in the dark and sent the video to a group of fellow student workers saying, “I’m going to die.”⁴²⁸ The video later went viral.

When fighters took the group of Thai men out, they also took Bipin Joshi, the Nepali. Five of the injured Nepalis bled to death over the subsequent hours. Kattel said that after the first spray of gunfire, Ashish Chaudhary, who had also been hit, moved slightly, so a gunman fired at him again, killing him. Kattel was shot in both shoulders and a hand and had four broken ribs. He spent the next six hours holding a jacket over his wounds, trying to stem the bleeding.

⁴²⁵ Human Rights Watch remote interview with Dhan Bahadur Chaudhary, October 25, 2023.

⁴²⁶ Human Rights Watch interview with Himanchal Kattel, Tel Aviv, October 25, 2023; Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴²⁷ Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴²⁸ Copy of video on file with Human Rights Watch.

Dangi was injured by bullets to the left leg and right thigh. He had undergone five surgeries by the time he spoke to researchers. Many of the student workers had been close friends for years. A month after the attack, Dangi said the attack “took everything from me, my hope, my dreams, my happiness. Everything is gone, everything is destroyed. ... I have lost all hope.” He said he was unable to sleep, because he would hear the sound of gunfire. He said that though he survived the attack, he wished he had not, so he could “be with my friends who had loved me and who I had loved.”⁴²⁹

Pramod K.C., the only Nepali student who was unharmed during the attack, had hidden in a kitchen cabinet. Birendra Chaudhary, who had hidden in the oven, was injured only slightly.

Korawit Kaeokoed, 36, from Thailand, was working on a farm in Alumim that morning.⁴³⁰ He had been working in Israel for four years. Kaeokoed had finished milking the cows at 6 a.m. and was continuing his work when the rocket fire began. He and three friends went to a communal bomb shelter just meters from where the Nepalis were sheltering. Kaeokoed thought he heard a rocket impact, and then went out to see what had happened:

When we came out to see, it wasn't actually a bomb, it was a Gaza militant raiding the camp from the back gate. First, my colleagues saw them [the gunmen] and asked if they were Israeli soldiers. Then when I saw them, I said, ‘No, those are from Gaza. We have to hide.’ ... We saw two motorcycles coming in, there were four people on them. And they started shooting.⁴³¹

He said the gunmen were in military uniforms with green headbands, carrying AK-style assault rifles and an RPG launcher.

Kaeokoed ran and hid in the milking room, while his friends went back into the bomb shelter.⁴³² He said after the gunmen had killed two of the Nepalis, he spoke to the two rapid response team members who came to the area of their housing to help them. “I asked them to put some men there to guard the Thai workers, because it was not safe. [They] said that we should go hide in our dormitory, in our bedrooms. But I said the

⁴²⁹ Human Rights Watch interview with Prabin Dangi, Jerusalem, October 23, 2023.

⁴³⁰ Human Rights Watch remote interview with Korawit Kaeokoed, January 4, 2024.

⁴³¹ Human Rights Watch remote interview with Korawit Kaeokoed, January 4, 2024.

⁴³² Human Rights Watch remote interview with Korawit Kaeokoed, January 4, 2024.

bedroom is not safe because it cannot be locked properly.” Kaeokoed’s friends went into the dormitory, but he went to hide in the room used to store medicine for the cattle.⁴³³ Soon after, he heard another round of gunfire, shouts, and people talking on some kind of two-way radio receiver, though he could not understand what they were saying. Then he heard them catching one of his friends:

They asked him where he was from. And the guy said he was not the boss, but that he was just a Thai worker. ... When the guy said he was Thai and not the boss, the soldiers just started shooting nonstop while shouting ‘Allahu akbar!’

They killed the man. Then Kaeokoed realized that the room next to his was on fire:

I thought I wouldn’t make it, so I sent a text to my partner [in Thailand], saying that I would not return home and that there was a Gaza militant raid, and they have killed a lot of Thai and Nepali people. I was losing it. I also texted an Arab friend and asked him to inform the boss.

The fire did not spread to his room, and he stayed there hidden for the rest of the day. “At about 3 p.m.,” he said, “my [mobile] connection was lost so I didn’t know who survived and who didn’t.”

An individual who interviewed several of the Thai survivors of the attack said they told them that of the 24 Thais in Alumim that day, 12 were killed, 11 were injured but survived, and one was taken hostage.⁴³⁴ While some had sheltered in the kitchen, others had hidden in their living quarters. One survivor told the interviewer that fighters shot him three times as he tried to escape out of the window of the quarters after fighters threw a grenade inside. He told them that before a fighter threw in the grenade, he yelled, “Hello Thailand,” and then in Hebrew, “You like to work so hard, now you will die.” Another survivor who also escaped from the window hid in the stables under heaped cow dung for hours to save himself.⁴³⁵

⁴³³ Human Rights Watch remote interview with Korawit Kaeokoed, January 4, 2024.

⁴³⁴ Human Rights Watch remote interview, November 10, 2023.

⁴³⁵ Human Rights Watch remote interview, November 10, 2023.

Human Rights Watch verified two CCTV videos posted on the South First Responders Telegram channel from October 7 that show men dressed in civilian clothes rounding up a total of five people and leading them into a building in Alumim between 10:20 a.m. and 10:33 a.m.⁴³⁶ Smoke is billowing in the background. Two of the people they rounded up are visibly injured, one hopping into the building and another limping. Human Rights Watch was not able to determine what happened to the captured group. Three photographs posted on the South First Responders Telegram channel on October 9 show first responders carrying at least 14 body bags into the back of a vehicle outside the same building captured in the CCTV footage.⁴³⁷

One video shared directly with Human Rights Watch shows at least six people in a small room.⁴³⁸ The floor is covered in blood, grunts of pain can be heard, and outside an alarm is ringing. Two of the people are lying motionless while the person filming the video points the camera at them and narrates in English that they are dead. Human Rights Watch could not independently verify the video but Alumim Thai worker Chakkrit Thitkrathok, who was not present on the day of the attack, confirmed the veracity of the video and said he recognized four of the people in the video—three Thai workers and one Nepali student worker.⁴³⁹

While the remains of most of the Thai nationals were discovered at the attack site later, at least one Thai national was taken as a hostage to Gaza. He was released in late November.⁴⁴⁰ On November 19, the Israeli military released two clips from two CCTV cameras, as well as six stills from two additional CCTV cameras reportedly from al-Shifa Hospital in Gaza, showing what they said were Thai and Nepali hostages taken to the hospital in the morning hours of October 7.⁴⁴¹ Human Rights Watch could not confirm their nationalities or identities or if they were hostages taken from Israel, though Himanchal Kattel said that, based on the height, posture and clothing on one of the men, he believed it was Bipin Joshi.⁴⁴² The first video shows men dressed in civilian attire forcibly dragging a person across a hallway. The second video shows the same men moving what appears to

⁴³⁶ Posted by South First responders (@southfirstresponders) post to Telegram channel, November 6, 2023, (accessed March 18, 2024). The time was determined according to timestamps on the video.

⁴³⁷ South First Responders (@southfirstresponders) post to Telegram channel, October 9, 2023, (accessed March 18, 2024).

⁴³⁸ Video on archive with Human Rights Watch.

⁴³⁹ Human Rights Watch remote interview with Chakkrit Thitkrathok, January 29, 2024.

⁴⁴⁰ Human Rights Watch remote interview, November 10, 2023.

⁴⁴¹ Israel Defense Forces, post to Telegram channel, November 19, 2023, (accessed March 18, 2024).

⁴⁴² Human Rights Watch remote interview with Himanchal Kattel, November 23, 2023.

be a heavily injured hostage on a hospital bed, while still dragging the second hostage, perhaps Joshi, who now has his face covered. Human Rights Watch verified one of the CCTV stills at al-Shifa Hospital showing the men later seen inside one of the hospital buildings.⁴⁴³

Other people who did not live or work in the kibbutz were killed in the kibbutz's vicinity. A compilation of CCTV videos uploaded to the South First Responders Telegram channel on November 20 and verified by Human Rights Watch captures the moment a group of Israeli men and women in civilian dress arrive at the eastern entrance to Alumim around 7 a.m. Shortly after arriving, three fighters wearing Qassam Brigades headbands and armbands run toward the civilians from inside the kibbutz, pointing their guns at them and making hand gestures. The gate quickly opens, and the civilians begin running back toward the highway. One gunman catches up with two women and kills them at close range—one of them about 20 seconds after she had stopped running and was crouched on the ground.⁴⁴⁴

Israeli Armed Forces' Response

Israeli media outlets reported on the death of 24-year-old Ofek Atun, who was accidentally killed by an Israeli soldier as he hid with his girlfriend Tamar Kam in a home in Alumim after fleeing the grounds of the Supernova music festival.⁴⁴⁵ The soldier apparently mistook him for an assailant, and shot him and Kam, who survived the attack.

Moshav Netiv Ha'asara

The armed attack on the *moshav* (cooperative agricultural community) of Netiv Ha'asara killed civilians—reportedly 20—including four members of the rapid response team.⁴⁴⁶ Two residents of the *moshav* were also killed that day in Zikim, in the attack discussed below.

⁴⁴³ Israel Defense Forces, post to Telegram channel, November 19, 2023, (accessed March 18, 2024).

⁴⁴⁴ South First Responders (@SouthFirstResponders) post to Telegram channel, November 20, 2023, (accessed March 18, 2024).

⁴⁴⁵ Josh Breiner, Bar Peleg, "Israeli Nova Partygoer Was Misidentified as Hamas Terrorist on October 7 and Killed by Israeli Forces," *Haaretz*, February 22, 2024, <https://www.haaretz.com/israel-news/2024-02-22/ty-article-magazine/.premium/nova-partygoer-was-misidentified-as-hamas-terrorist-on-oct-7-killed-by-israeli-forces/0000018d-d14f-df79-a5cd-f17f934d0000> (accessed March 18, 2024); Bruce Maddy-Weitzman, "Black Sabbath, The defenders of Kibbutz Alumim fought off Palestinian terror squads on Oct. 7 and saved their homes and families," *Tablet*, Israel & Middle East, March 20, 2024, <https://www.tabletmag.com/sections/israel-middle-east/articles/black-sabbath-kibbutz-alumim-hamas> (accessed June 13, 2024).

⁴⁴⁶ Number derived from the AFP victim count. Human Rights Watch remote interview with Guy Rappaport, October 26, 2023.

Netiv Ha'asara, in the Hof Ashkelon region, was home to 944 people in 2022.⁴⁴⁷ The *moshav* is adjacent to the northern barrier with Gaza and next to the Erez crossing.

Human Rights Watch interviewed one resident of the *moshav* and reviewed media reports.⁴⁴⁸ The resident, Guy Rappaport, as well as media reports citing other residents and a video verified by Human Rights Watch, said that some fighters arrived on motor-powered parachutes, paragliders, or “automated gliders.”⁴⁴⁹

Rappaport, 58, his wife Nava, 55, and their daughters heard rockets and then shooting starting at around 6:30 a.m. on October 7.⁴⁵⁰ The family went into their safe room and, five minutes later, a rocket hit a house 10 to 15 meters from theirs, Rappaport said. The person living there was in his safe room and was not hurt. When the glass windows in the Rappaports' shelter were hit by metal fragments, they closed the metal shutters. Then, they heard gunshots. They stayed in the safe room for 11 hours. Fighters did not enter their house.⁴⁵¹ Human Rights Watch did not gather detailed information into the deaths that occurred during the attack.

Human Rights Watch verified a video posted to YouTube recorded near the Nir Press Observatory in Netiv Ha'asara around 6:45 a.m. on October 7 that shows attackers landing two paragliders near Netiv Ha'asara.⁴⁵²

⁴⁴⁷ Regional Statistics, The Central Bureau of Statistics (CBS), <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed January 17, 2024).

⁴⁴⁸ Human Rights Watch remote interview with Guy Rappaport, October 26, 2023.

⁴⁴⁹ Human Rights Watch remote interview, Guy Rappaport, October 26, 2023; Jeremy Sharon, *The Times of Israel*, October 13, 2023, <https://www.timesofisrael.com/there-was-no-air-force-no-soldiers-we-were-alone-says-hamas-massacre-survivor/> (accessed January 17, 2024); Matan Tzuri, *Ynet*, October 12, 2023, <https://www.ynetnews.com/article/h1yx3zhwt> (accessed January 17, 2024); “Gilad documented the terrorists and the rockets just before he was murdered: “Photography was a passion for him,” *Ynet*, October 16, 2023, https://www.ynet.co.il/vacation/flights/article/ryuz90511t?utm_source=ynet.app.android&utm_medium=social&utm_campaign=general_share&utm_term=ryuz90511t&utm_content=Header (accessed January 17, 2024); “**נתיב 7.10 מבוקר תיעודי: העשרה על העשרה תיעודים יצאו כבר הבוקר על העשרה**” Video clip, Facebook, October 29, 2023, (accessed June 24, 2024).

⁴⁵⁰ Human Rights Watch remote interview with Guy Rappaport, October 26, 2023.

⁴⁵¹ Human Rights Watch remote interview with Guy Rappaport, October 26, 2023.

⁴⁵² “**הרקטות המחבלים את תיעוד גלעד**,” מור שמעוני, <https://www.youtube.com/shorts/x1uLJ-Ohq3U> (accessed June 24, 2024); “**תשוקה בשבילו היה הצילום: שנרצח לפני רגע**,” *Ynet*, October 16, 2023, https://www.ynet.co.il/vacation/flights/article/ryuz90511t?utm_source=ynet.app.android&utm_medium=social&utm_campaign=general_share&utm_term=ryuz90511t&utm_content=Header (accessed January 17, 2024); The time was determined according to the early morning light in the video and a media report that match the events in the video from around this time.

Zikim Beach

The Zikim beach area, a broad sandy beach with dunes, extends north for several kilometers from the border with Gaza. Just over two kilometers north of Gaza there are gazebos, restrooms, and a large parking lot. There is also a large Israeli military base less than two kilometers to the north of Gaza and about 400 meters to the east of the water's edge.

On October 7, fighters who came on boats from sea and by land attacked and killed civilians—reportedly 19—at the beach, both in the formal area serviced by the parking lot and further south closer to Gaza.⁴⁵³ They also attacked the Zikim military base.

Human Rights Watch interviewed three survivors of the attack on the Zikim beach area and reviewed media reports on the attack as well as three videos shared on social media and three filmed by witnesses.⁴⁵⁴

A group of more than 20 Israelis who worked at a restaurant had gathered on the beach on the night of October 6 for a staff party. Ahiad Ben Yitzchak, 29, a student who worked as a cook, said he and a woman got there first and tried to pick a spot for the party away from the main beach and other people.⁴⁵⁵ “[W]e went 500 to 600 meters south and closer to Gaza. We wanted to be alone as we had had a lot of equipment—speakers, food, and a tent. There were about 25 to 30 people in total.”

They found a spot about 800 meters from a closed gate that prevented them from driving further down the beach and required them to park their cars right next to the military base. Lior Alush, 24, a student and a waitress at the restaurant, said she arrived that night and parked her car near the Zikim base. Alush and Ben Yitzchak said they partied until early morning. Sometime between 4 and 5:30 a.m., people went to sleep. “Everyone sleeping together under the sky,” Ben Yitzchak said. “Fifteen people lying next to each other.” Then everything changed. Ben Yitzchak remembers waking up confused:

⁴⁵³ Number derived from the AFP victim count. Curriel, “Alina spent time with her friends, Arya and Eli went fishing: 19 were murdered at Zikim Beach in the surprise attack,” *Ynet*, November 4, 2023, <https://www.ynet.co.il/news/article/sjrbo1eq6> (accessed March 18, 2024).

⁴⁵⁴ Human Rights Watch remote interview with Ahiad Ben Yitzchak, October 23, 2023; Human Rights Watch remote interview with Lior Alush, October 19, 2023. Human Rights Watch interview, Omri Elon, 44, October 19, 2023.

⁴⁵⁵ Human Rights Watch remote interview with Ahiad Ben Yitzchak, October 23, 2023.

I remember in the morning—I don’t remember what time—there was a thin layer of blue in the sky and everything else [was] black. I woke up from a hard blast. I thought to myself it was a joke, like maybe the guys had made the blast with the speakers. I thought it wasn’t funny, then I heard the Iron Dome and I understood it’s not a joke. Everyone woke up and we sought cover between two shipping containers. Everyone just sitting together and hugging together.

Two videos recorded by Ben Yitzchak and verified by Human Rights Watch show the group between two shipping containers as the sounds of explosions and gunfire echo across the sky.⁴⁵⁶

The group waited by the containers until they started hearing gunfire. “You can see a lot of [glass] bottles exploding next to us. Then you realize it’s personal. You are a target,” Ben Yitzchak said. Both Alush and Ben Yitzchak said they saw small rubber boats heading toward them from the south, from the direction of Gaza. Alush said she saw three boats and in each boat, it looked like there were six to eight people. A video recorded by someone in the group shows an Israeli patrol boat firing at one of the boats.⁴⁵⁷

Human Rights Watch verified a CCTV video shared on Telegram by South First Responders of attackers landing one small boat on Zikim beach around 6:45 a.m.⁴⁵⁸ Five fighters disembark and run east toward the beach’s restroom building and parking lot, about 600 meters north of where Alush and Ben Yitzchak had been sheltering. A second verified video posted to X shows at least five people in civilian attire inside the beach restroom while an apparent Israeli soldier in military fatigues appears to be fixing the optic on a Tavor-style assault rifle while protecting the civilians in the restroom.⁴⁵⁹ As gunfire is heard outside, the soldier exits the restroom. Two clips, verified by Human Rights Watch, from a longer montage video shared by the official Qassam Brigades Telegram channel, and recorded by one of the fighters show the bodies of at least five civilians covered in blood on the floor of the beach’s restroom. The video later shows at least two fighters, one

⁴⁵⁶ Copies of videos on file with Human Rights Watch.

⁴⁵⁷ Copies of video on file with Human Rights Watch.

⁴⁵⁸ South First Responders (@SouthFirstResponder) post to Telegram channel, December 4, 2023, (accessed June 27, 2024). The time was determined according to the timestamp on the video.

⁴⁵⁹ Jason Jay Smart (@officejjsmart) post to X (formerly known as Twitter) October 8, 2023, (accessed June 24, 2024).

holding an RPG launcher and the other holding two assault rifles, one of which appears to be a Tavor-style assault rifle, entering the parking lot. They appear to take a white van and drive east.⁴⁶⁰

Shortly after the gunfire started, Alush and Ben Yitzchak's group decided to run back to their vehicles and the military base. "It was awful," Ben Yitzchak said. "When people run for their lives, they fall, and they are screaming. And it's an awful feeling I can't describe." Ben Yitzchak said he heard the whistling of the bullets, which were coming from the direction of the sea.

About 20 people from the party reached the gate of the military base. There they pleaded with the soldiers at the gate to let them in so that they could take shelter. The soldiers eventually let them in. Ben Yitzchak said he could hear the chaos unfolding on the soldiers' radios: "We're hearing on the radio people dying, screaming, shooting, wanting ammo, wanting backup. You just don't know what to do," Ben Yitzchak said. "Some people were calling their families and telling them they love them, and that they were sorry."

As the gunfire came closer, some decided to flee in their cars. Ben Yitzchak said he was in the first car to leave. He didn't have his keys, so he got into someone else's car. Another man and a woman joined them.

The four were able to make it to Highway Number 4 and sped away from the beach for one to two minutes before Ben Yitzchak said they encountered a stopped white van and a man lying on his stomach on the ground. Ben Yitzchak said that at that moment they were fired upon from multiple directions, including from the fields alongside the road and from the white van. Fearing they would surely be killed if they turned around, they sped toward the car. Ben Yitzchak said they all crouched as low as possible and sped toward the vehicle in an attempt to get past it. Ben Yitzchak and the driver were shot, Ben Yitzchak in the lower left leg. They kept driving for several minutes, but the car broke down and they were forced to abandon it.

⁴⁶⁰ كتائب الشهيد عز الدين القسام post to Telegram channel, October 8, 2023, (accessed June 24, 2024).

The four hid in the bushes until they saw an Israeli military truck. They waved to it, and it stopped to come to their aid. Ben Yitzchak said the soldiers applied a tourniquet to his leg and that they wrote the time, 8:50, on him.

Some at the base eventually also attempted to flee but were told to turn back by friends who had also tried to flee. A soldier at the base helped defend the nine partygoers who remained outside the base until Israeli armored vehicles arrived at the base around 2:30 p.m. to escort them out, Alush said.

Alush was able to drive her own car out of the beach area and described horrific scenes: “All the way home I saw dead bodies along the way. I feel like I’m doing a driving test but navigating through bodies... I think I saw five bodies of terrorists on the beach. When I got away from the beach, I saw the bodies of three civilians on the way home.”

Kibbutz Holit

The armed attack on Holit killed civilians—reportedly 15—including four foreign nationals, and fighters took at least four hostages.⁴⁶¹

Kibbutz Holit, in the Eshkol region, about two kilometers from the border with Gaza, had a population of 210 as of 2022.⁴⁶²

Human Rights Watch interviewed a survivor of the attack on Kibbutz Holit, as well as a Palestinian Bedouin man whose four relatives were taken hostage from the kibbutz, and reviewed media sources regarding the attack.⁴⁶³

Shir Azulay, a 32-year-old resident of Holit, said she went out to film after hearing incoming rockets and, in the distance, saw people dressed like soldiers, some wearing green headbands.⁴⁶⁴ She ran back inside to her safe room, where she sat armed with a kitchen

⁴⁶¹ Number derived from the AFP victim count.

⁴⁶² Central Bureau of Statistics (CBS), settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 13, 2024).

⁴⁶³ Human Rights Watch interview with Shir Azulay, Ein Gedi, October 18, 2023; Human Rights Watch interview with Dhaham al-Ziadna, Rahat, October 14, 2023.

⁴⁶⁴ Human Rights Watch interview with Shir Azulay, Ein Gedi, October 18, 2023.

knife. Azulay heard gunshots and then screams. She said she heard the gunmen pass by her house twice, but they did not try to enter the safe room.⁴⁶⁵

Sometime later, a neighbor phoned Azulay and told her she needed to get out, as her house was on fire. Azulay was leaving her house barefoot, carrying two knives, when she got a message from a neighbor in distress who said that her house was also burning and that she was suffocating. Azulay went to the neighbor's house, smashed the window and rescued her, as well as another neighbor who was unconscious and covered in ash. Azulay was able to revive the woman and they all fled to another house, as gunmen were closing in and shooting.⁴⁶⁶

They stayed in that house for hours, hearing gunfire and gunmen shouting, "Who is this?" in Hebrew. They did not trust messages they received saying that Israeli armed forces were in Holit until someone sent them a picture of a special unit and women belonging to the unit came to their door.

Azulay said her car was the only one in the kibbutz that survived the attack undamaged. That night, she drove it to Kibbutz Gvulot nearby. "We saw a horror movie on the road. ... I saw bodies and burned cars. ... When we reached Kibbutz Gvulot, it looked like a refugee camp of Holit."

From Holit, fighters took hostage Youssef al-Ziadna, 53, and Youssef's sons Hamza, 22, and Bilal, 19, and daughter, Aisha, 17, Youssef's cousin, Dhaham, said.⁴⁶⁷ The al-Ziadnas live in a Palestinian Bedouin village in the Negev region. Youssef and his sons were day laborers on the farm at Kibbutz Holit. On October 7, Aisha also went there with her father and brothers to harvest olives. After the attack on the kibbutz, the family could not reach Youssef, Hamza, Bilal, or Aisha, and Dhaham said that at about 10 a.m. they saw a photograph posted online of Bilal and Hamza on the ground, with fighters pointing guns at them.⁴⁶⁸

Dhaham added that the person in charge of the kibbutz farm contacted him days later to tell him that CCTV footage from the farm entrance showed images of fighters taking

⁴⁶⁵ Human Rights Watch interview with Shir Azulay, Ein Gedi, October 18, 2023.

⁴⁶⁶ Human Rights Watch interview with Shir Azulay, Ein Gedi, October 18, 2023.

⁴⁶⁷ Human Rights Watch interview with Dhaham al-Ziadna, Rahat, October 14, 2023.

⁴⁶⁸ Human Rights Watch interview with Dhaham al-Ziadna, Rahat, October 14, 2023.

Youssef and Aisha away.⁴⁶⁹ Human Rights Watch did not gain access to or review this footage. Aisha and Bilal were released in late November, but, at time of writing, Youssef and Hamza might still be held hostage, as far as the family knew.⁴⁷⁰

Dhaham said that another Palestinian Bedouin relative, also working in Holit, told him that attackers had stopped him as he tried to flee in his car. The man told Dhaham, “I told them, ‘I am Muslim like you.’ They said, ‘No, you are *kufaar* [a derogatory term for non-Muslims], you are Jewish, we need to kill you.” As this was going on, the relative said, the military was firing on the attackers and, in the chaos, he was able to escape.

Kibbutz Kissufim

The armed attack on Kissufim killed civilians—reportedly 13—in Kibbutz Kissufim and fighters took four others hostage.⁴⁷¹

Kibbutz Kissufim, in the Eshkol region about 2.3 kilometers from the border with Gaza, was home to 294 people as of 2022.⁴⁷²

Human Rights Watch interviewed a survivor of the attack on Kibbutz Kissufim and reviewed media reports about the attack.

The civilian fatalities included Sagi Zak, 15, and his parents Itay and Eti, as well as six Thai workers. Those abducted included three kibbutz residents, two of them a couple, according to the survivor. Fighters shot at residents and set homes on fire. In addition, eight soldiers from the 51st Golani Battalion, which fought the assailants for several hours, were reportedly killed.⁴⁷³ Residents were evacuated the same night.

⁴⁶⁹ Human Rights Watch interview with Dhaham al-Ziadna, Rahat, October 14, 2023.

⁴⁷⁰ “Two Bedouin teens released from Gaza; father and older brother still held hostage,” *The Times of Israel*, November 30, 2023, <https://www.timesofisrael.com/two-bedouin-teens-still-held-in-gaza-with-father-and-older-brother/> (accessed March 27, 2024).

⁴⁷¹ Number derived from the AFP victim count.

⁴⁷² CBS, Regional Statistics, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed March 26, 2024).

⁴⁷³ “The heroic story of the late Sa'ar: 'I'm going to save the house,'” October 15, 2023, <https://www.srugim.co.il/851860-סיפור-הגבורה-של-סער-זל-אני-הולך-להציל-א> (accessed March 26, 2024).

Dr. Yeela Raanan, a resident, was awakened by the siren at 6:30 a.m. She ran to the room of her daughter, 12, which also functioned as the safe room from where, for the first hour, she heard gunfire and explosions.⁴⁷⁴ “But I didn’t put two and two together,” she said.

Raanan could not leave the safe room to retrieve her own phone, since the force of some incoming explosions had broken the door handle. She used her daughter’s phone to contact people. “I was trying to get someone to come to the house to open [the door] from the outside, but no one came,” she said.⁴⁷⁵

From the window, she saw a car speed by with a uniformed man holding a rifle in the passenger seat. Later, when Raanan escaped through a window with her daughter and fled to a community shelter, she heard people speaking Arabic in the area. She said, “People were texting, ‘We have terrorists in our house, can someone please come?’”⁴⁷⁶ Raanan later learned that assailants had entered her house, shot out the windows, destroyed the door, and looted the house.⁴⁷⁷ “They looked through the drawers and cupboards, they took my daughter’s backpack with an iPad, and money from her purse, but didn’t touch my stuff. They took my electric car. I can track it and see that it is in Gaza now. And they took the keys to my motorcycle, but not the motorcycle itself.”⁴⁷⁸

Raanan said the electricity went off early in the morning and the generator, which had kicked in, was destroyed between 11 a.m. and 1 p.m., knocking out communications in the area, which relies heavily on wireless internet.⁴⁷⁹

Human Rights Watch verified a video recorded by an apparent member of the Qassam Brigades. The video was posted on Telegram by South First Responders, and it places members of the brigade near Kissufim on the morning of October 7. The video, recorded around 7 a.m., shows at least 20 fighters wearing green camouflage and what largely resemble Israeli military uniforms, as well as green Qassam Brigades headbands, riding

⁴⁷⁴ Human Rights Watch remote interview with Dr. Yeela Raanan, November 3, 2023.

⁴⁷⁵ Human Rights Watch remote interview with Dr. Yeela Raanan, October 17, 2023.

⁴⁷⁶ Human Rights Watch remote interview with Dr. Yeela Raanan, October 17, 2023.

⁴⁷⁷ Human Rights Watch remote interview with Dr. Yeela Raanan, October 17, 2023.

⁴⁷⁸ Human Rights Watch remote interview with Dr. Yeela Raanan, October 17, 2023.

⁴⁷⁹ Human Rights Watch remote interview with Dr. Yeela Raanan, October 17, 2023.

motorcycles and on foot, going east on Road 242.⁴⁸⁰ They stop 750 meters south of Kissufim, where they beat a man standing inside a nearby shelter with his car close-by. A fighter forces the man out of the shelter and back into his car and a second fighter beats his shoulders multiple times with the butt of a rifle, while the person recording the video looks for valuables before taking a necklace that the victim offers him. As this is taking place, one of the fighters is shot in his lower right leg either by himself or another fighter close by. The moment he is shot is obscured by the man passing by the camera. Another attacker then kicks the man from the shelter in the head before a fighter moves him to the ground and ties his hands and feet together with white zip ties.

The fighters fire their AK-style assault rifles at another car as it speeds by. At 7:14 a.m., according to a closeup of a watch of an attacker, the video ends with the person filming the video draping a green Qassam Brigades banner over the back window of the white car and driving it away.⁴⁸¹

Raanan said Israeli soldiers arrived in the late afternoon or early evening and told people to remain in the shelter, returning early the next morning to evacuate them.

Kibbutz Nahal Oz

The armed attack on Nahal Oz killed civilians—reportedly 12—and fighters took another five hostage.⁴⁸²

Kibbutz Nahal Oz, in the Sha’ar HaNegev region about 1.2 kilometers from the border with Gaza, was home to 479 people, as of 2022.⁴⁸³

Human Rights Watch interviewed three survivors of the attack on Kibbutz Nahal Oz and reviewed media reports.⁴⁸⁴

⁴⁸⁰ South First Responders (@SouthFirstResponders) post to Telegram channel, November 8, 2023, (accessed June 24, 2024). The time was determined according to an analysis of the low position of the sun and the shadows cast and a watch showing the time later in the video.

⁴⁸¹ South First Responders (@SouthFirstResponders) post to Telegram channel, November 8, 2023, (accessed March 27, 2024).

⁴⁸² Numbers derived from the AFP victim count.

⁴⁸³ CBS Site, Settlements, Regional Statistics, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed March 28, 2024).

⁴⁸⁴ Human Rights Watch remote interview with Hadar Shuman, November 21, 2023; Human Rights Watch remote interview with Dani Rachamim Benezra, October 22, 2023; Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

Survivors said the attack began with the sound of rockets, followed by gunfire, grenades, and RPGs. Some residents had no electricity in their homes or shelters from 9 a.m. to 6 p.m., and the internet and phones also appear to have functioned only sporadically.

Nadav Tzabari, 34, a sixth-grade teacher, and his partner, Rotem, who was responsible for crisis and emergency management at Nahal Oz, were awakened by the sounds of rockets, sirens, and phone notifications.⁴⁸⁵ Tzabari and Rotem took their dog into the safe room. “We’ve been experiencing [rockets] for years, we’ve gotten used to it. I actually thought I’d go back to sleep because it’s nothing new and we were in the safe room,” Tzabari said. After 20 minutes or so, he said, they understood that this was not a normal situation, given the relentlessness of the rockets. Around 7 a.m., they began hearing many gunshots nearby.⁴⁸⁶

Hadar Shuman, 40, said the bombings sounded different from the start—they were awoken by the sound of whistles before the sirens went off.⁴⁸⁷ She and her six children, between the ages of 4 and 15, and another child who was visiting, were locked in the safe room for 14 hours, while her husband kept guard outside, armed with a gun.

Tzabari said Rotem began contacting people and the couple started receiving messages that “terrorists were infiltrating the kibbutz.” He added: “The first feeling was horror... because you actually understand that the danger is not coming from missiles. These are actually people whose intention is to kill you.”⁴⁸⁸

Rotem sent the community a message to lock their doors and lock themselves in the safe rooms and keep quiet. Tzabari said, “I explained to [my partner] that the safe room was meant to keep us safe from rockets ... not from people who want to open the safe room, which is easy.... I told him my plan: that we need to run.”⁴⁸⁹

Tzabari kept watch with a knife, moving between his living room and kitchen for two hours. “We could hear everything [gunfights, screams, grenades, anti-tanks, RPGs]. It was like a

⁴⁸⁵ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁸⁶ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁸⁷ Human Rights Watch remote interview with Hadar Shuman, November 21, 2023.

⁴⁸⁸ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁸⁹ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

war movie,” he said. Looking out the windows, he saw men wearing outfits “very similar to IDF uniforms” and carrying AK-style assault rifles.⁴⁹⁰

Tzabari ran to a garden shed and retrieved a tool he could use to damage the safe room’s handle to prevent it from being opened from the outside. He and Rotem barricaded the back entrance with garden furniture and retreated to the safe room with some water and a little food.⁴⁹¹

They spent the rest of the day there, learning of the horrors befalling their friends and neighbors through phone calls, voice messages, and photographs. “The most terrifying thing is that the people you love and care about are asking for help and there is not much you can do to help them,” Tzabari said.⁴⁹² He started marking all houses from where Rotem was receiving calls for help on Google Maps and sent this information to the Israeli military.

While sheltering and scanning Facebook for information, Tzabari “realized the terrorists actually infiltrated some safe rooms and took the smartphones of my friends and neighbors and were posting footage on Facebook Live.”⁴⁹³ Facebook has subsequently removed livestream broadcasts from Nahal Oz by attackers on residents’ Facebook pages. However, clips from two livestreams were preserved and recirculated on social media.⁴⁹⁴

Ayelet Sela said gunmen kidnapped her cousin Judith Raanan, 59, along with her daughter, Natalie Raanan, a 17-year-old recent high school graduate, both dual Israeli and US nationals. They were visiting Nahal Oz from the United States to celebrate the birthday of Judith’s mother, Tammy, a kibbutz resident.⁴⁹⁵ Both were freed in a unique release unrelated to broader ceasefire negotiations in late October.⁴⁹⁶

⁴⁹⁰ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁹¹ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁹² Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁹³ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁴⁹⁴ “Press Release from the Elyakim and Arava Families Regarding the Kidnapping of Noam and His Family, Who Were Abducted by Hamas on Saturday and Have Since Lost Contact,” October 11, 2023, video clip, Facebook, (accessed March 29, 2024); Post to Telegram channel, “בישראל הגדולה החדשות קבוצת - בטלגרם בזמן חדשות” October 7, 2023, (accessed April 1, 2024).

⁴⁹⁵ Human Rights Watch remote interview with Ayelet Sela, October 15, 2023.

⁴⁹⁶ Jacob Magid, Emanuel Fabian, “Hamas releases two hostages, mother and daughter Judith and Natalie Raanan,” *The Times of Israel*, October 20, 2023, <https://www.timesofisrael.com/hamas-releases-two-hostages-american-mother-and-daughter-judith-and-natalie-raanan/> (accessed April 1, 2024).

Human Rights Watch verified one clip, originally from a longer video livestreamed around 10 a.m., according to the shadows visible when the attackers move between the houses, on October 7 on the Facebook page of a Nahal Oz resident, Dikla Arava. It begins by showing fighters dressed in camouflage and all-black uniforms detaining Arava, her 17-year-old son Tomer, her partner Noam Elyakim, and Elyakim's two daughters, Daphna and Ella, in Arava's home.⁴⁹⁷ The attackers ask the family for their IDs while Noam bleeds profusely from his left leg. Four minutes in, a gunman tells Tomer in English to come with him and tell his neighbors to open their doors. He leads Tomer out of the house toward other homes in their neighborhood, located in the northern section of the kibbutz, while asking Tomer where people are hiding. The fighter forces Tomer to knock on the door of a nearby house. Another fighter, already inside a different home, appears at a window, wearing a vest with the Qassam Brigades insignia on it.⁴⁹⁸

A clip from another video, originally livestreamed on Facebook shortly after and verified by Human Rights Watch, shows Tomer sitting on the floor of a different home next to Gali Shlezinger Idan, her husband Tzachi, and their two youngest children, Yael and Shachar. The video, streamed by attackers on Idan's Facebook page, shows the family on the floor as fighters wearing jeans and sports shoes order them not to move and gunfire rings out. Tzachi tries to comfort his son but has blood on his hands.⁴⁹⁹ Idan told the BBC this blood came from Idan's 18-year-old daughter Maayan, who attackers shot and killed inside their home earlier that day.⁵⁰⁰ The same report states that the fighters handcuffed Tzachi and drove him away from the kibbutz, leaving Idan and her children in the home.

Human Rights Watch verified a video shared by the official Quds Brigades Telegram channel showing members of the brigade transporting Noam Elyakim away from Nahal Oz,

⁴⁹⁷ Frankie McCamley, James Bryant, Jamie Ryan & Robert Greenall, "Family tell of heartbreak after Israel kidnap live-stream," *BBC*, October 17, 2023, <https://www.bbc.com/news/world-middle-east-67124745> (accessed April 1, 2024); Merav Sever, "A cold-blooded massacre, live on Facebook: How Hamas forced a 17-year-old to help them go door to door," *Israel Hayom*, October 19, 2023, <https://www.israelhayom.com/2023/10/19/a-cold-blooded-massacre-live-on-facebook-how-hamas-forced-a-17-year-old-to-help-them-go-door-to-door/> (accessed April 1, 2024).

⁴⁹⁸ "Press Release from the Elyakim and Arava Families Regarding the Kidnapping of Noam and His Family, Who Were Abducted by Hamas on Saturday and Have Since Lost Contact," October 11, 2023, video clip, Facebook, (accessed April 1, 2024).

⁴⁹⁹ Post to Telegram channel, "בישראל הגדולה החדשות קבוצת - בטלגרם בזמן חדשות," October 7, 2023, (accessed April 1, 2024).

⁵⁰⁰ Anna Foster, "'Hamas said they wouldn't shoot, then murdered my daughter,'" *BBC*, October 23, 2023, <https://www.bbc.com/news/world-middle-east-67192885> (accessed April 1, 2024).

apparently taking him hostage.⁵⁰¹ But reports surfaced 10 days later that Elyakim, Dikla Arava, and Tomer Arava Eliaz had been found dead in Israel.⁵⁰² The circumstances of their deaths remain unclear. Elyakim’s daughters, Daphna and Ella, ages 15 and 8, were reunited with their mother in November after being held hostage in Gaza for 51 days.⁵⁰³ Tzachi Idan is still being held hostage.

Three videos, two posted by South First Responders Telegram channel and one posted by the Aqsa Martyrs Brigades Telegram channel, show members of the Aqsa Martyrs Brigades and the National Resistance Brigades shooting and killing a person. One of the fighters is wearing a yellow Aqsa Martyrs Brigades headband and another has a red National Resistance Brigades patch on his vest.⁵⁰⁴ The caption of a video posted by South First Responders and confirmed by the Tanzanian government identifies the person as Joshua Mollel, “a 21-year-old student from Tanzania,” just outside the southwest fence of Nahal Oz around noon.⁵⁰⁵ In the first video, fighters hold onto Mollel’s shirt, shoving him back and forth while yelling at him. Mollel, who is bleeding from the right side of his face, is standing still and not fighting back. The second video begins with Mollel already on the ground, lying motionless with two gaping wounds in his abdomen and blood on his neck. A person in civilian attire is visible holding a bloody knife above his body, suggesting he just stabbed Mollel. One fighter steps on Mollel’s chest and then fires a rifle at his head eight times.⁵⁰⁶ The final video, shared by the Aqsa Martyr Brigades Telegram channel, shows one of their members wearing the yellow headband standing on Mollel’s bloodied head in the same location.⁵⁰⁷ Mollel’s body is covered in wounds and blood.

⁵⁰¹ الرسمية (سرايا القدس الإعلام الحربي) post to Telegram channel, October 7, 2024, (accessed June 2024).

⁵⁰² Merav Sever, “A cold-blooded massacre, live on Facebook: How Hamas forced a 17-year-old to help them go door to door,” *Israel Hayom*, October 19, 2023, <https://www.israelhayom.com/2023/10/19/a-cold-blooded-massacre-live-on-facebook-how-hamas-forced-a-17-year-old-to-help-them-go-door-to-door/> (accessed April 1, 2024).

⁵⁰³ “PHOTO: Maayan Zin reunited with her two daughters, Dafna, 15, Ela, 8,” *Times of Israel*, November 26, 2023, https://www.timesofisrael.com/liveblog_entry/photo-maayan-zin-reunited-with-her-two-daughters-dafna-15-ela-8/ (accessed April 1, 2024).

⁵⁰⁴ South First Responders (@SouthFirstResponders) post to Telegram channel, December 17, 2023, (accessed June 14, 2024).

⁵⁰⁵ South First Responders (@SouthFirstResponders) post to Telegram channel, December 17, 2023, (accessed April 1, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 17, 2023, (accessed April 1, 2024); Al-Aqsa Martyrs Brigades—Palestine (@nedalps) post to Telegram channel, October 7, 2023, (accessed April 1, 2024).

⁵⁰⁶ South First Responders (@South First Responders) post to Telegram channel, December 17, 2023, (accessed June 13, 2024).

⁵⁰⁷ فلسطين _ كتائب شهداء الأقصى post to Telegram channel, October 7, 2023, (accessed June 24, 2024).

The videos also indicate Joshua Mollel’s attackers stripped him of his clothing. In the first video, he is seen alive and clothed, in the second he is dead and clothed, and in the third he is dead and his shirt is pulled up near his head and his pants are mostly removed as the gunman steps on his corpse.⁵⁰⁸ A fourth video shared to Telegram shows Mollel’s body, bloody and without pants, in the back of a moving truck.⁵⁰⁹ Human Rights Watch was unable to determine where the vehicle was or where it was headed. The broadcaster ABC reported on December 14, 2023, that the Israeli Foreign Ministry believed Mollel’s body was being held in Gaza.⁵¹⁰

Hadar Shuman, the mother of six who had heard the whistles before the attacks started, said: “The sound of gunfire didn’t stop. ... They shot at our house, trying to get in the windows and doors. We heard them all the time around our house, speaking Arabic. Neighbors were sending messages saying, ‘Help us, why doesn’t anyone come?’”⁵¹¹

Tzabari said he and Rotem heard their windows and curtains swinging back and forth throughout the day but did not know whether it was from the explosions or from someone coming in and out of their home.⁵¹²

Shuman said, “When [the gunmen] were around our house, we were really, really quiet. ... Normally our dog barks at anyone who approaches the house, but this time she didn’t make any noise. Each time it got quiet around our house, my partner would bring us water, and open the door so we could breathe.”⁵¹³

Dani Rachamim and his wife were in constant contact with their daughter and her family, who lived 150 meters away. It was harder to reach their son, who was in his home 500 meters away with his three children.⁵¹⁴ Their SMS messages only went through two times,

⁵⁰⁸ South First Responders (@South First Responders) post to Telegram channel, December 17, 2023, (accessed June 13, 2024); South First Responders (@South First Responders) post to Telegram channel, December 17, 2023, (accessed June 13, 2024); كتائب شهداء الأقصى _فلسطين post to Telegram channel, October 7, 2023, (accessed June 26, 2024).

⁵⁰⁹ חדשות ישראל ללא צנזורה post to Telegram channel, December 17, 2023, (accessed June 26, 2024).

⁵¹⁰ Emma Ogao, “Tanzanian national taken hostage by Hamas confirmed dead,” *ABC News*, December 14, 2023, <https://abcnews.go.com/International/tanzanian-national-hostage-hamas-confirmed-dead/story?id=105654126> (accessed June 13, 2024).

⁵¹¹ Human Rights Watch remote interview with Hadar Shuman, November 21, 2023.

⁵¹² Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁵¹³ Human Rights Watch remote interview with Hadar Shuman, November 21, 2023.

⁵¹⁴ Human Rights Watch remote interview with Dani Rachamim Benezra, October 22, 2023.

and they could not call or use WhatsApp. “When we sent him a message at 9 a.m., it took 45 minutes for him to receive the messages. ... All around his neighborhood, [there were] lots of incidents and people being kidnapped. My wife Siobhan messaged asking our son to spell her name in English, to make sure it was him texting back, and he replied correctly. But then that was it, until the army came to take us.” Rachamim and his entire family ultimately survived unharmed.

Tzabari and Rotem, along with others in the kibbutz, were evacuated after 10 p.m., when Israeli forces arrived at the kibbutz and started securing the area house by house. Tzabari said that before he let the soldiers into their house at around 1:30 a.m., he spoke to them in Hebrew and asked them details about their military units to verify their identities. Tzabari said they barely had time to gather a few things before being taken to a bus that evacuated residents from a side road.⁵¹⁵

Shuman and her family were allowed back to visit their house in Nahal Oz for an hour-and-a-half in November. She said she realized then “how big of a miracle” their escape was, after seeing the gunshot marks on the façade of the building and balcony. “My 8-year-old son told me yesterday—just like that when we were getting ready in the morning— ‘Mom, you know, if they got into our house, they would have killed my father, and they would have kidnapped us, like my friends,’” Shuman said.⁵¹⁶ She added that as a community they had thought everything was safe. But, she said, of the experience of attacks, “the feeling, the hardest part about it is that we can’t trust [our safety] again.”

Kibbutz Mefalsim

The armed attack on Kibbutz Mefalsim killed at least 10 civilians at or near the entrance gate.⁵¹⁷

⁵¹⁵ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁵¹⁶ Human Rights Watch remote interview with Hadar Shuman, November 21, 2023.

⁵¹⁷ The number of civilians killed is based on Human Rights Watch interviews with witnesses and family members of the victims. The AFP victim count only identified four civilians killed. Human Rights Watch remote interview with Simcha L., November 1, 2023; Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

Kibbutz Mefalsim, in the Sha’ar HaNegev region about 1.2 kilometers from the border with Gaza, was home to 1,057 people as of 2022.⁵¹⁸

Human Rights Watch interviewed a survivor of the attack on Kibbutz Mefalsim and a survivor from Nir Oz whose brother was attacked near Mefalsim and verified videos and reviewed media reports related to the attack.

The videos show the assault underway as well as its immediate aftermath, including fighters shooting and killing three civilians. They also show the bodies of at least eight more civilians lying on the road along the border of the kibbutz, most within 100 meters of the fence, next to shot-up and burned-out cars.⁵¹⁹

A witness who was familiar with military weapons and equipment reported seeing fighters carrying RPGs, AK-style assault rifles, PK-style machine guns, large amounts of ammunition and grenades, charges used to open doors, a battering ram to break open locked doors, and zip ties.⁵²⁰ The fighters were dressed in both military-style and civilian clothing.

The South First Responders Telegram channel shared photographs of the cover and four pages from a document—dated October 2022, written in Arabic, and stamped with the Qassam Brigades insignia—allegedly found on the body of a fighter near Kissufim.⁵²¹ The document lays out the groups that would be involved in taking control of Mefalsim and the route into and through the kibbutz, as well as basic facts about the community, including

⁵¹⁸ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024),

⁵¹⁹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 14, 2024, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 14, 2024, (accessed June 13, 2024); أحرار فروعون - طولكرم post to Telegram channel, October 8, 2023, (accessed June 26, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 22, 2023, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 22, 2023, (accessed June 13, 2024); User via X, Video on file with Human Rights Watch; Twist (@TwistyCB) post to X, November 4, 2024 (accessed June 27, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 10, 2023, (accessed June 26, 2024).

⁵²⁰ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵²¹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2024, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2024, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2024, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2024, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 12, 2024, (accessed June 13, 2024).

population, location, and presence of security cameras. Human Rights Watch was unable to verify the authenticity of the document.⁵²²

In an interview with CNN, Mefalsim rapid response team members discussed a document allegedly found on the body of a fighter that apparently outlined a plan to attack Mefalsim. It is not clear if this is the same document as the one posted by the South First Responders channel. The document, which appears to have been translated into English and dated October 2022, allegedly instructs attackers where to enter and which streets to target, and to take hostages. It also allegedly includes an annotated map with an “access path” drawn from the barrier with Gaza toward Mefalsim’s north entrance gate.⁵²³

Simcha L., a member of the rapid response team, and his wife awoke to the sounds of sirens at 6:30 a.m., a “big barrage,” that sent them to their daughters’ room, which was also the safe room.⁵²⁴ A few minutes later, they heard gunshots and explosions, and Simcha got a message from the rapid response team that there was gunfire at the main gate of the kibbutz. “I put on my gear, took out my gun, and kissed my wife” before leaving, he said. That day, 8 of the 15 to 18 members of the rapid response team were in the kibbutz.⁵²⁵

When Simcha reached one of the kibbutz parking lots, he saw three black-clad men on a hill outside the kibbutz.⁵²⁶ Simcha was unsure of their identity until one turned, and he saw the man was carrying an AK-style assault rifle. Simcha fired at them, one man fell and the other two ran toward the gate. When Simcha reached near the gate, he saw at least 12 gunmen. “They were screaming, hugging, happy, and shouting orders,” he said.⁵²⁷

Simcha began shooting at the men and had fired almost his entire magazine, when the gunmen started firing back, so he retreated until he was joined by two men from the

⁵²² Human Rights Watch was unable to see a complete version the document posted by the South First Responders or establish the chain of custody.

⁵²³ “When Hamas attacked, this group of volunteers fought back and won,” video clip, YouTube, *CNN*, October 20, 2023, <https://www.youtube.com/watch?v=NYhUr7oaXZE> (accessed June 26, 2024).

⁵²⁴ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵²⁵ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵²⁶ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵²⁷ Human Rights Watch remote interview with Simcha L., November 1, 2023.

kibbutz armed with handguns.⁵²⁸ The three men began to patrol and saw that, while the attackers seemed to have broken the gate, they did not enter and seemed to be blocking the gate with their cars.

Other kibbutz residents were also firing at the attackers. At one point, Simcha and the two men with him shot at three attackers they saw walking around, one of them carrying things that appeared to have been taken from houses in the kibbutz, including a bicycle. One was hit and the others ran, he said.⁵²⁹

“It was starting to be obvious that they were doing something a lot bigger than we expected,” Simcha said, “It was the first time that I saw so many enemies at once, not one or two.”⁵³⁰

“Even looking at the bodies of the terrorists, they were big dudes. They had good gear or a lot of gear,” Simcha said. He said some were dressed in black combat clothes, others in paramilitary clothes or gray overalls, and that some had on civilian clothing. He said that until he heard armed men with Hebrew accents later in the day, and they asked him some questions, he didn’t trust that anyone was an Israeli soldier.⁵³¹

Simcha went outside the gate at some point, and said it looked like the scene from an “apocalyptic zombie movie”:

Cars were destroyed. Burned. There were bodies lying around the road. What made me furious was, it was obvious [to me] that most [of the dead] were civilians. ... There were cars as far as the eye could see. You could see bodies. ... Lying around in ditches, bodies burning in cars. There were bullet holes all over the cars. To the right of the gate were dozens of bodies. To the left, the same thing.

Simcha said there were 10 dead civilians at the gate and that at some point the kibbutz team regained control of the gate. “It was obvious [to me] that these were not combatants,

⁵²⁸ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵²⁹ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵³⁰ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵³¹ Human Rights Watch remote interview with Simcha L., November 1, 2023.

you know, they were wearing colors and they just came out from a festival. We tried to understand if there was something we could do for them. The only thing to do was cover them up so people wouldn't see them.”

Four CCTV videos and one dashcam video recorded near the north entrance of Mefalsim, shared on the South First Responders Telegram channel and verified by Human Rights Watch, show the attackers arriving at the kibbutz. The first, recorded around 6:52 a.m., according to the light in the video, shows a man in civilian clothes fall to the ground after being shot while running toward the kibbutz gate.⁵³² As the man lies motionless in a pool of blood, at least 13 fighters move toward Mefalsim's north entrance from the west by foot. Two white pickup trucks and a motorcycle drive toward the entrance.

Two fighters fire at the body of the man who was shot earlier. A dashcam video and two CCTV videos recorded near the same location roughly an hour later show attackers shooting a woman in the back as she attempts to run away to the west.⁵³³ The last CCTV video, recorded from the same camera at the main entrance of the kibbutz at around 7:42 a.m., shows the fighters in a firefight with members of Mefalsim's rapid response team.⁵³⁴ One fighter fires an RPG toward the gate while a second fighter appears to throw a grenade into a nearby bomb shelter. Fifteen seconds later, an explosion goes off. The fighter enters the bomb shelter and drags a person out toward the street, shoots the person at close range, then beats the body with his gun before disappearing behind cover.⁵³⁵

In addition to the footage from the gate of Mefalsim, Human Rights Watch verified four videos that show attacks on people on Route 232 near Mefalsim. In the first video posted to a Telegram channel called Farounnn, recorded by a fighter around 8:45 a.m., according to an analysis of the shadows cast by the cars, just under a kilometer from the kibbutz's north entrance, two attackers walk between two stopped cars. Three bodies are visible, two on the road and one still inside a car. One of the bodies on the road is visibly on fire.⁵³⁶

⁵³² South First Responders (@SouthFirstResponders) post to Telegram channel, October 14, 2024, (accessed June 13, 2024). The timestamp in the video shows the time as 7:52 a.m. However, Human Rights Watch determined that the CCTV camera time was likely incorrectly set.

⁵³³ South First Responders (@SouthFirstResponders) post to Telegram channel, December 22, 2023, (accessed June 13, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 22, 2023, (accessed June 13, 2024). The time was determined according to the timestamp on the video and verified by Human Rights Watch.

⁵³⁴ The time is according to shadows visible (the timestamp appears to be set at one hour ahead of the actual time).

⁵³⁵ South First Responders (@SouthFirstResponders) post to Telegram channel, October 14, 2024, (accessed June 13, 2024).

⁵³⁶ فرعون أحرار - طولكرم (@farounnn) post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

Another video posted to X recorded in the same location later on October 7 shows at least one other body on the road next to the stopped vehicles.⁵³⁷ The final two videos posted on X and on the South First Responders Telegram channel, recorded from vehicles on Route 232 toward Mefalsim's north entrance gate, show at least three more dead bodies strewn about the road alongside burned-out and shot-up vehicles.⁵³⁸

Yam Cohen, 23, a survivor from Nir Oz, said his 14-year-old brother, Itai Cohen, had come under attack near Mefalsim.⁵³⁹ Itai was riding his bicycle when the rocket attacks began. He and a friend, Zohar Shachar, got into the car of Shachar's father, Avi. Gunmen suddenly appeared and opened fire on the car. Shachar was injured in the shoulder and his father was injured in the hand. Itai lost sight in the right eye and had cuts to his face, "There are remains of a bullet at the back of his head, he was lucky it didn't penetrate," Yam said.⁵⁴⁰

Simcha said he found out that two grenades had been thrown into a bomb shelter outside the kibbutz gate and that three females had been killed.⁵⁴¹ One man had been pulled out from there and shot at close range. "I didn't go into the shelter, I didn't want to have this image in my head. I wanted to be as much in control as I could. One of the guys [went] and looked in." As evening fell, the rapid response team started to wonder if they should take the bodies out of the shelter, Simcha said. "Then I got a glimpse, which helped me to understand what we had to do. I could see three female bodies. You can imagine how they looked after a grenade exploded inside."⁵⁴²

Even before October 7, Mefalsim had problems with electricity and communications because its infrastructure had not kept pace with the growth of the kibbutz, according to Simcha. Ten minutes after the attack began, the problems worsened, making it harder for those under threat to communicate and coordinate. "[The gunmen] hit a generator, and it flipped the switch, even [for] land lines.."

⁵³⁷ User via X. Video on file with Human Rights Watch.

⁵³⁸ South First Responders (@SouthFirstResponders) post to Telegram channel, December 10, 2023, (accessed June 14, 2024); User via X. Video on file with Human Rights Watch. Video has been removed from X.

⁵³⁹ Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

⁵⁴⁰ Human Rights Watch remote interview with Yam Cohen, November 27, 2023.

⁵⁴¹ "Israel/Palestine: Videos of Hamas-Led Attacks Verified," Human Rights Watch news release, October 18, 2023, <https://www.hrw.org/news/2023/10/18/israel/palestine-videos-hamas-led-attacks-verified>.

⁵⁴² Human Rights Watch remote interview with Simcha L., November 1, 2023.

Kibbutz residents found two-way radio units on the bodies of dead gunmen, Simcha said.

Simcha said the gunmen in Mefalsim appear to have come in three groups. Simcha explained that the first group seemed like what he called commandos: “[T]hey were military equipped, I mean, clothes, gloves, everything they need.” He said they attacked the gate and then went around to another side of the kibbutz to attack them too. He said the second group was a “bit less professional,” and then the last group attacked from the south side. He said they were able to fight them off, although they all wore vests and carried weapons.⁵⁴³

Simcha remembered that he realized this attack was “something different” while at the gate, “They were targeting everyone. ... It was a feeling of a pogrom.”⁵⁴⁴

One of the hardest things to see was how happy the attackers looked, Simcha said: “I saw them giving high fives ... cheering and boosting each other ... They were just happy as a kite. I can’t even imagine this state of mind.”⁵⁴⁵ Many other survivors of attacks across various sites spoke about seeing the fighters jubilant, laughing and shouting with joy.⁵⁴⁶

Kibbutz Nir Am

The armed attack on Kibbutz Nir Am killed at least nine civilians at the kibbutz and eight at a nearby junction.

Kibbutz Nir Am, in the Sha’ar HaNegev region and about 2 kilometers from the border with Gaza, had a population of 726 people as of 2022.⁵⁴⁷

⁵⁴³ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵⁴⁴ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵⁴⁵ Human Rights Watch remote interview with Simcha L., November 1, 2023.

⁵⁴⁶ Human Rights Watch interview with Nirit Hunwald, Dead Sea, October 24, 2023; Human Rights Watch remote interview with Yoav A., October 23, 2023; Human Rights Watch interview with a Be’eri resident, Ein Gedi, October 19, 2023; Human Rights Watch interview with “Eilam,” December 12, 2023; Human Rights Watch remote interview with Lior Tzuman, October 21, 2023; Human Rights Watch interview with Hamad Abu Arar, Jaffa, October 25, 2023; Human Rights Watch interview with Nira Herman Sharabi, 54, Dead Sea, October 24, 2023; Human Rights Watch remote interview with Moti Hay, April 11, 2024; Human Rights Watch remote interview with a member of the Ein HaShaloshah rapid response team, April 9, 2024; Human Rights Watch remote interview with Eran Smilansky, October 25, 2023.

⁵⁴⁷ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

Human Rights Watch interviewed two survivors of the attack on Kibbutz Nir Am and reviewed media coverage.⁵⁴⁸ The survivors said that eight Palestinians, seven agricultural workers from Gaza and a Palestinian Bedouin bus driver were killed, and that four were injured. A kibbutz resident who was at the music festival was also killed.⁵⁴⁹

Ofer Liberman said that, after the sirens went off, he cancelled a bicycle ride he had planned. At around 7 a.m., he said he and his daughter Inbal, 25, the chief of security of the rapid response team of 12 members, “understood the magnitude of the event and that there are many terrorists.”⁵⁵⁰ He said Inbal had awoken when she heard the siren and that:

She was simply told to wake the rapid response team. Inbal decided to call them to the armory to get weapons. Soon after, the electricity cut off. Inbal asked that the generator not be turned on, so the [electric] kibbutz gate could not open, which was very smart of her. She managed to understand what was happening very quickly.⁵⁵¹

Liberman said that around 10:30 a.m., Israeli military forces arrived to help the rapid response team and “there was a big fight near the chicken hatchery right in front of the

⁵⁴⁸ Human Rights Watch remote interview, Ofer Liberman, November 30, 2023; Human Rights Watch remote interview with Nabil al-Barawi, May 7, 2024; Joseph Spier, “The Heroic Efforts Of Inbal Lieberman That Helped Save Kibbutz Nir Am,” *Alberta Jewish News*, November 1, 2023, https://albertajewishnews.com/the-heroic-efforts-of-inbal-lieberman-that-helped-save-kibbutz-nir-am/#google_vignette (accessed June 13, 2024); Ron Shimoni, “Israeli Woman Who Helped Save a Kibbutz: 'I'm Not a Hero, I Wasn't There by Myself',” *Haaretz*, October 11, 2023, <https://www.haaretz.com/israel-news/2023-10-11/ty-article/.premium/israeli-woman-who-helped-save-a-kibbutz-im-not-a-hero-i-wasnt-there-by-myself/000018b-1e4f-d47b-a7fb-bfdf2e560000> (accessed June 13, 2024); Wendell Steavenson, “How one kibbutz defended itself from Hamas,” *Financial Review*, October 20, 2023, <https://www.afr.com/policy/foreign-affairs/how-one-kibbutz-defended-itself-from-hamas-20231018-p5ed8j> (accessed June 13, 2024); Yuval Abraham, “A Gazan worked in Israeli kibbutzim for decades. Then came Oct. 7” *972 Magazine*, November 6, 2023, <https://www.972mag.com/gaza-workers-israel-kibbutzim-massacres/> (accessed June 14, 2023).

⁵⁴⁹ Human Rights Watch remote interview with Ofer Liberman, November 30, 2023; Joseph Spier, “The Heroic Efforts Of Inbal Lieberman That Helped Save Kibbutz Nir Am,” *Alberta Jewish News*, November 1, 2023, https://albertajewishnews.com/the-heroic-efforts-of-inbal-lieberman-that-helped-save-kibbutz-nir-am/#google_vignette (accessed June 13, 2024); Ron Shimoni, “Israeli Woman Who Helped Save a Kibbutz: 'I'm Not a Hero, I Wasn't There by Myself',” *Haaretz*, October 11, 2023, <https://www.haaretz.com/israel-news/2023-10-11/ty-article/.premium/israeli-woman-who-helped-save-a-kibbutz-im-not-a-hero-i-wasnt-there-by-myself/000018b-1e4f-d47b-a7fb-bfdf2e560000> (accessed June 14, 2024); Wendell Steavenson, “How one kibbutz defended itself from Hamas,” *Financial Review*, October 20, 2023, <https://www.afr.com/policy/foreign-affairs/how-one-kibbutz-defended-itself-from-hamas-20231018-p5ed8j> (accessed June 14, 2024); Yuval Abraham, “A Gazan worked in Israeli kibbutzim for decades. Then came Oct. 7” *972 Magazine*, November 6, 2023, <https://www.972mag.com/gaza-workers-israel-kibbutzim-massacres/> (accessed June 14, 2024).

⁵⁵⁰ Human Rights Watch remote interview with Ofer Liberman, November 30, 2023.

⁵⁵¹ Human Rights Watch remote interview with Ofer Liberman, November 30, 2023.

kibbutz to the west.” Later, he saw near the hatchery a smashed white car that had been hit by a tank, as well as a motorcycle and an older car.⁵⁵²

Nabil al-Barawi, a Palestinian from Gaza who worked for Liberman as the head of a lemon and grapefruit plantation, said that at around 6:15 a.m., a Palestinian Bedouin bus driver had dropped him and three other colleagues at the plantation in Nir Am, and then dropped seven other Palestinian workers at nearby Kibbutz Yad Mordechai, where they also worked in agriculture. Because of the rocket attacks, Yael, the Yad Mordechai team’s employer, called Nabil and told him the driver should drive all of them back to Rahat, the nearby city where the workers resided. As Nabil, his 10 colleagues, and the driver were leaving Nir Am, someone in a white jeep fired dozens of bullets at them before driving on. Nabil said the driver and three colleagues were lightly injured in the attack. They then drove back to the plantation, where they sought refuge until about 6 p.m., when Liberman and the military came and evacuated them.

Nabil’s brother Hashim managed a second group of Palestinians from Gaza working in the banana and avocado plantation, about 500 meters from the lemon and grapefruit plantation. Nabil said that during the assault, he heard gunfire coming from the direction of his brother’s team but only found out later that fighters had found and killed Hashim, his six colleagues, and the group’s driver. He did not know exactly where their bodies were found but Liberman said their bodies were found in their shot up bus, at a junction between Nir Am and the banana fields.⁵⁵³

Liberman said there were three points of fighting between the rapid response team members who were inside the kibbutz and the fighters who were outside: at the back gate of the kibbutz, where one fighter was killed; near the fence, where another fighter was killed; and at the avocado plantation to the south of the kibbutz, where a fighter was injured and arrested.⁵⁵⁴

⁵⁵² Human Rights Watch remote interview with Ofer Liberman, November 30, 2023.

⁵⁵³ Human Rights Watch remote interview with Ofer Liberman, November 30, 2023; Yuval Abraham, “A Gazan worked in Israeli kibbutzim for decades. Then came Oct. 7” *972 Magazine*, November 6, 2023, <https://www.972mag.com/gaza-workers-israel-kibbutzim-massacres/> (accessed June 14, 2024).

⁵⁵⁴ Human Rights Watch remote interview with Ofer Liberman, November 30, 2023.

Moshav Yesha and Moshav Mivtahim

The same group of fighters attacked Moshav Yesha and Moshav Mivtahim, including as people fled from the attacks on the Supernova music festival to the two *moshavim*. Three rapid response team members from Moshav Yesha and two rapid response team members from Mivtahim were killed in clashes with the fighters in the area.⁵⁵⁵ Five Thai workers were also killed during the attack and another four or five were taken hostage.⁵⁵⁶

Yuval and Noam Rabia, 2 of the 17 people reportedly killed by fighters at Psyduck, a small trance music festival that took place in the open fields near Kibbutz Nirim, were from Moshav Yesha.⁵⁵⁷

The *moshav*, or agricultural community of Yesha, in the Eshkol region, is about 5.5 kilometers from the border with Gaza, and was home to 426 people as of 2022.⁵⁵⁸ The neighboring *moshav* of Mivtahim was home to 455 people as of 2022.⁵⁵⁹

Human Rights Watch interviewed a survivor from Moshav Yesha who had also followed developments closely in Mivtahim, and another man who was attacked at a nearby intersection, and reviewed media coverage.⁵⁶⁰

⁵⁵⁵ The number of civilians killed is based on Human Rights Watch interviews with witnesses. These figures correspond with the numbers tallied by AFP. Human Rights Watch remote interview with Uri Patkin, November 30, 2023.

⁵⁵⁶ Human Rights Watch remote interview with Uri Patkin, November 30, 2023; Renee Ghert-Zand, “Shepherding life into the world following catastrophe brings hope to Israeli midwives,” *The Times of Israel*, November 12, 2023, <https://www.timesofisrael.com/shepherding-life-into-the-world-following-catastrophe-brings-hope-to-israeli-midwives/> (accessed January 19, 2024); “Israel’s Dead: The Names of Those Killed in Hamas Attacks, Massacres and the Israel-Hamas War,” *Haaretz*, October 19, 2023, <https://www.haaretz.com/haaretz-explains/2023-10-19/ty-article-magazine/israels-dead-the-names-of-those-killed-in-hamas-massacres-and-the-israel-hamas-war/0000018b-325c-d450-a3af-7b5cf0210000> (accessed January 19, 2024).

⁵⁵⁷ Victim count in various Israeli media outlets matched the number tallied by AFP. “Yuval and Noam Rabia, 33 & 30: Brothers slain at Psyduck festival,” *The Times of Israel*, November 11, 2023, <https://www.timesofisrael.com/yuval-and-noam-rabia-33-30-brothers-slain-at-psyduck-festival/> (accessed June 14, 2024); “How Hamas Attacked Israel, Minute-by-minute,” *Haaretz*, April 18, 2023, <https://www.haaretz.com/israel-news/2024-04-18/ty-article-static-ext/.premium/what-happened-on-oct-7/0000018e-c1b7-dc93-adce-eff753020000> (accessed June 14, 2024).

⁵⁵⁸ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024); Yesha, Israel Wikipedia page, https://en.wikipedia.org/wiki/Yesha,_Israel#cite_note-mapa-2 (accessed June 14, 2024).

⁵⁵⁹ The Central Bureau of Statistics (CBS), Settlements, https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv_ (accessed June 14, 2024); Mivtahim webpage, Netzah, <http://moshavimofisrael.netzah.org/mivtahim.php> (accessed June 14, 2024).

⁵⁶⁰ Human Rights Watch remote interview with Uri Patkin, November 30, 2023; Human Rights Watch interview with Hamad Abu Arar, Jaffa, October 25, 2023.

Uri Patkin, 54, who lived with his wife and three children in Yesha, said when they heard rockets at 6:30 a.m., they went to their safe room and stayed there.⁵⁶¹ When news started to filter into the community that there were fighters at the junction that separates the main road from Yesha and Mivtahim, the rapid response teams of both *moshavim* went there. Patkin said:

People from the festival came through that way so terrorists killed some of them, but the terrorists didn't succeed in getting from the junction to us, although some did get to Moshav Mivtahim from the side roads, the agricultural roads. Rapid response teams then pulled back to Mivtahim, because they got calls that the terrorists had reached there.⁵⁶²

Patkin said five members of the rapid response teams were killed as they clashed with 20 to 30 gunmen.⁵⁶³ At around 1 or 2 p.m., Israeli military forces came to Yesha and to a nearby military base that had been attacked. He said as gunmen were pushed out of Mivtahim, they retreated through a large fruit packing factory. The factory employed foreign workers, including from Thailand, who were present at the time of the attack.⁵⁶⁴ Patkin said gunmen “killed five Thai workers during their retreat and took at least four or five hostage.” At least one of the Thai workers was released in late November.⁵⁶⁵

Most *moshav* residents were evacuated at 3 p.m. on October 8, Patkin said, and on October 9, the surviving Thai workers were evacuated in buses.⁵⁶⁶ Patkin said that in late November the farmers of the community had to abandon 70 to 80 percent of their farmland because of the security situation in the aftermath of the attacks, and because farm workers were not available.

⁵⁶¹ Human Rights Watch remote interview with Uri Patkin, November 30, 2023.

⁵⁶² Human Rights Watch remote interview with Uri Patkin, November 30, 2023.

⁵⁶³ Human Rights Watch remote interview with Uri Patkin, November 30, 2023.

⁵⁶⁴ “Thai workers held hostage by Hamas describe kidnappings and recovery after release,” video clip, YouTube, *PBS News Hour*, December 4, 2023, <https://www.youtube.com/watch?v=K-sfcAuY3lc> (accessed June 14, 2024).

⁵⁶⁵ “Freed Israeli hostage reunites with Thai woman she met in Hamas captivity,” *The Times of Israel*, November 30, 2023, <https://www.timesofisrael.com/freed-israeli-hostage-reunites-with-thai-woman-she-met-in-hamas-captivity/> (accessed June 14, 2024).

⁵⁶⁶ Human Rights Watch remote interview with Uri Patkin, November 30, 2023.

Kibbutz Re'im

The armed attack on Re'im killed civilians—reportedly 9—and fighters took one person hostage.⁵⁶⁷

Kibbutz Re'im, in the Eshkol region, had a population of 422 as of 2022.⁵⁶⁸ Kibbutz Re'im is about 3 kilometers from the border with Gaza, and near a military base bearing the same name, which also came under heavy attack on October 7.

Human Rights Watch spoke to Adaya Cohen, 53, a resident of the kibbutz who was present during the attack, and verified 14 videos related to the assault shared on social media.⁵⁶⁹

Cohen said that she, her husband, and two children were in their safe room with the door locked for 26 hours. They were following the news on their computer and also heard shooting and shouting in Arabic outside.

At one point, someone entered their house. Then, at 10 or 11 a.m., someone knocked on the door of their safe room. “They said they were soldiers,” Cohen said. “I asked what unit, and they said the name of a unit in Hebrew. I said, ‘Who is your contact person in the kibbutz?’ And they didn’t know the name. They tried to force open the door, but we kept it closed and they left.”

Cohen said that sometime in the evening, a munition struck and damaged the roof of the safe room and the water heater on top.

She said she later she found out who had been killed during the attack, including 80-year-old Varda Haramati, who she said was found in bed with a bullet wound to the head.⁵⁷⁰ She said gunmen shot one man and his girlfriend in front of his two young children after they

⁵⁶⁷ Numbers derived from the AFP victim count.

⁵⁶⁸ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

⁵⁶⁹ Human Rights Watch remote interview with Adaya Cohen, October 30, 2023.

⁵⁷⁰ “Fashion designer survives Hamas massacre, his grandmother did not,” *The Jerusalem Post*, October 23, 2023, <https://www.jpost.com/arab-israeli-conflict/gaza-news/article-768549> (accessed June 14, 2024).

tried to fight off the attackers. His 10-year-old used his phone to call their mother to say their father had been killed.⁵⁷¹

CCTV footage uploaded to the South First Responders Telegram channel shows how fighters were able to enter Re'im. At 7:54 a.m., at least a dozen fighters reach the northern entrance to the kibbutz.⁵⁷² A man sits in a black pickup truck just in front of the gate, when three white pickup trucks turn the corner and those inside proceed to fire at least five shots at the black pickup as the driver steps out of the vehicle.⁵⁷³ In a second CCTV clip, recorded approximately seven minutes later, fighters have taken control of the vehicle. In another CCTV video posted by the South First Responders, recorded a few minutes later, fighters in black and in camouflage have taken control of the black pickup truck. They manage to open the gate and four vehicles carrying at least 16 fighters, including the black pickup truck that was shot upon, enter the kibbutz as two people walk by.⁵⁷⁴ Around 8:15 a.m., CCTV footage posted to the South First Responders Telegram channel captures fighters taking six people north as apparent hostages, toward the entrance gate of the kibbutz.⁵⁷⁵

Human Rights Watch verified five videos posted on the South First Responders Telegram channel in Re'im. At about 7:30 a.m., around 800 meters west of Re'im and a few minutes' walk south of the Supernova music festival site, more than 20 fighters are seen on motorcycles in camouflage and in apparent Israeli military uniforms, many wearing the green headbands associated with the Qassam Brigades. The fighters had gathered between two bus stops on Road 242, 120 meters apart, each stop with its own bomb shelter. A video verified by Human Rights Watch and recorded next to the more southern of the two bus stops shows several damaged cars and four bodies lying on the road. Another body is visible in between the bus stops off the east side of the road.⁵⁷⁶ A series of verified videos previously

⁵⁷¹ Human Rights Watch remote interview with Adaya Cohen, October 30, 2023.

⁵⁷² South First Responders (@SouthFirstResponders), post to Telegram channel, December 28, 2023, (accessed June 14, 2024). The time was determined according to the timestamp on the video.

⁵⁷³ South First Responders (@SouthFirstResponders), post to Telegram channel, December 28, 2023, (accessed June 14, 2024).

⁵⁷⁴ South First Responders (@SouthFirstResponders), post to Telegram channel, December 28, 2023, (accessed June 14, 2024). The time was determined according to the timestamp on the video.

⁵⁷⁵ "Beatings, chess and dreams of food: Thai man recalls 50 days in Hamas captivity," *CBC News*, December 7, 2023, <https://www.cbc.ca/news/world/thailand-hostages-captivity-hamas-1.7051771> (accessed June 14, 2024); South First Responders (@SouthFirstResponders), post to Telegram channel, December 28, 2023, (accessed June 14, 2024). The time was determined according to the timestamp on the video.

⁵⁷⁶ South First Responders (@SouthFirstResponders), post to Telegram channel, November 18, 2023, (accessed June 14, 2024). The time was determined according to the shadows visible in the videos.

described in the Supernova Music Festival section show fighters at the northern bus stop throwing grenades into the bomb shelter where people were sheltering. One additional video, recorded 385 meters west of the bus stops, shows members of the same group of attackers pulling a woman's body out of a car on the south side of Road 242.⁵⁷⁷

The UN Special Representative on sexual violence in conflict found that:

There are reasonable grounds to believe that sexual violence occurred in kibbutz Re'im, including rape. This included the rape of a woman outside of a bomb shelter at the entrance of kibbutz Re'im, which was corroborated by witness testimonies and digital material. Within the kibbutz itself, in one area close to the entrance, the bodies of at least two women were found inside a home, on the floor and naked, with gunshot wounds to their heads. Witness testimony gathered for this area is consistent with possible sexual violence, however, these could not be verified in the time provided and would require further investigation."⁵⁷⁸

Kibbutz Nir Yitzhak

The armed attack on Nir Yitzhak killed civilians—reportedly 7—and five were reportedly taken hostage.⁵⁷⁹

Kibbutz Nir Yitzhak, in the Eshkol region about 3.8 kilometers from the border with Gaza, had a population of 633 people in 2022.⁵⁸⁰

⁵⁷⁷ South First Responders (@SouthFirstResponders), post to Telegram channel, November 18, 2023, (accessed June 14, 2024).

⁵⁷⁸ SRSG-SVC report, para 61. United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024.

⁵⁷⁹ Number of those killed derived from the AFP victim count. According to AFP, the neighboring small *moshav* of Pri Gan also came under attack, and three civilians were killed. Number of those taken hostages derived from: "Hostages Held by Hamas: The Names of Those Abducted From Israel," October 22, 2023, *Haaretz*, <https://www.haaretz.com/haaretz-explains/2023-10-22/ty-article-magazine/hostages-held-by-hamas-the-names-of-those-abducted-from-israel/0000018b-55f8-d5d2-afef-d5fdd04e0000> (accessed June 27, 2024) and חטופים השמות הפנים. הסיפורים, *Ynet*, <https://w.ynet.co.il/news/absent?externalurl=true> (accessed June 27, 2024).

⁵⁸⁰ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

Human Rights Watch interviewed five survivors of the attack.⁵⁸¹

Moshe Rosen, 72, who had lived in Nir Yitzhak since 1972, said that around 8 a.m. on October 7, he and his wife, Diana, realized “this was different” from what they were used to.⁵⁸² Janet Swierzenski, another resident, said, “It was [like] Fourth of July fireworks.”⁵⁸³

Around 9:30 a.m., Swierzenski heard through a WhatsApp group that there were “terrorists” in the kibbutz. Residents were messaging saying they could hear Arabic being spoken outside and houses being vandalized.⁵⁸⁴ “People were saying they were being attacked in their homes,” Swierzenski said. “That [gunmen] were trying to come into safe rooms. ... This was scary, we understood where they were, since we know each house [and could] tell they were getting closer, and at any time could come into our house.”⁵⁸⁵

Around 10:30 a.m., Vivi Roitman, 63, and her partner, who were in their safe room and had also started receiving messages about an incursion, heard voices in Arabic and the sound of things being broken in their house.⁵⁸⁶ They locked the safe room door with a chain. The attackers left the house when they could not open it.

Moshe Rosen and his wife were also in their safe room at 11 a.m., when “strange people came into our house and started messing with our belongings.” The couple held the door handle as they heard people speaking in Arabic outside.⁵⁸⁷

At 11:25 a.m., someone shot through the Rosens’ door. One bullet went through Moshe’s left hand and grazed Diana’s right arm. “The [gunmen] opened the door ... saw I was wounded and said, ‘We will take you to Gaza.’ They said a few words in Arabic,” Moshe said.⁵⁸⁸ He recalled that there were five people in tiger-patterned military uniforms.⁵⁸⁹

⁵⁸¹ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023; Human Rights Watch remote interview with Janet Swierzenski, October 17, 2023; Human Rights Watch remote interview, November 28, 2023; Human Rights Watch remote interview with Menachem Roitman, October 25, 2023; Human Rights Watch remote interview with Vivi Roitman, October 25, 2023.

⁵⁸² Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

⁵⁸³ Human Rights Watch remote interview with Janet Swierzenski, October 17, 2023.

⁵⁸⁴ Human Rights Watch remote interview with Janet Swierzenski, October 17, 2023.

⁵⁸⁵ Human Rights Watch remote interview with Janet Swierzenski, October 17, 2023.

⁵⁸⁶ Human Rights Watch remote interview with Vivi Roitman, October 25, 2023.

⁵⁸⁷ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

⁵⁸⁸ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

⁵⁸⁹ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

One gunman led the Rosens to a hole in the fence at the edge of Nir Yitzhak and told the injured couple to go through with some men. Moshe said:

He kept saying Gaza, Gaza,’ and I kept saying, ‘hospital, ambulance.’ I was badly hurt with lots of blood, and then I said in my bad English, ‘We go home, we go home.’ We just turned and walked away. We were sure they would shoot us in the back. I think because we were old, they maybe were worried that we might fall down and die from our injuries, or maybe they didn’t want to give away their location to our forces, and so they didn’t open fire to signal where they were.⁵⁹⁰

The Rosens returned to find their home in disarray and the safe room damaged from the bullets. They were evacuated and taken to Soroka Hospital around 4:30 or 5 p.m. They heard a lot of gunfire as they were leaving.⁵⁹¹

Roitman eventually came out of the safe room around 8 or 8:30 p.m., having refused to believe for a couple of hours that her husband, who had gone out around 4.30 p.m., had returned accompanied by Israeli military personnel and not gunmen. She said during the day the gunmen had gone through the bedroom, apparently looking for things to steal, and smashed windows and glass doors. Outside, she said, “some of the cars were stolen [and presumably taken] to Gaza, and other cars were damaged. They went from house to house like hunters. They either killed people or took them to Gaza, regardless of their age.”⁵⁹²

Human Rights Watch verified a CCTV video made up of two clips shared on the First South Responders Telegram channel. The first clip shows a group of at least nine fighters, most wearing camouflage uniforms and carrying assault rifles, entering Nir Yitzhak’s eastern gate at 7:34 a.m. The fighters appear to have traveled by motorcycle, as several motorcycles are visible parked next to the gate. An armed man in civilian attire tries to enter a nearby guard station, kicking its door repeatedly. The second clip from this video, recorded from the same location an hour-and-a-half later, at 9:07 a.m., shows what

⁵⁹⁰ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

⁵⁹¹ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

⁵⁹² Human Rights Watch remote interview with Vivi Roitman, October 25, 2023.

appears to be a second, larger group of fighters arriving at Nir Yitzhak. Some are on motorcycles, others in a white pickup truck visible just outside the gate.⁵⁹³

Two additional CCTV videos posted to a Telegram channel called The Slaughter 710 and verified by Human Rights Watch show this second group of fighters engaged in a firefight, apparently with members of the kibbutz's rapid response team around 9:10 a.m. In one of the videos, a person collapses to the ground, while smoke rises from a nearby fire. The person continues to fire his weapon in the direction of a group of gunmen before an explosive device detonates near him, after which he does not appear to move for the rest of the video.⁵⁹⁴ The other CCTV video, recorded at the same time from a different angle, shows fighters dressed in both camouflage and civilian attire firing assault rifles in the direction of the person. They eventually throw what appear to be grenades at him.⁵⁹⁵ Seven fighters enter through the kibbutz gate 15 minutes later.⁵⁹⁶

A final CCTV video posted by South First Responders and recorded at 11:21 a.m. at the kibbutz's eastern gate, shows fighters driving Gabriela Leimberg and her daughter Mia away from Nir Yitzhak, as identified through media reports.⁵⁹⁷ Leimberg and her daughter were held hostage in Gaza until November 28, when they were released.⁵⁹⁸

Two civilians from Nir Yitzhak said fighters had looted homes. Moshe Rosen said that when gunmen led him and his wife out of their home, he saw “[an] Arab wearing civilian dress who was ransacking the house and stealing things.”⁵⁹⁹ Vivi Roitman said that from her safe

⁵⁹³ Shared by South First Responders, South First Responders (@SouthFirstResponders), post to Telegram channel, December 6, 2023, (accessed June 14, 2024). The time was determined according to the timestamp on the video.

⁵⁹⁴ The Slaughter 710 (@the_slaughter710) post to Telegram channel, December 21, 2023, (accessed June 26, 2024). The time was determined according to the timestamp on the video.

⁵⁹⁵ The Slaughter 710 (@the_slaughter710) post to Telegram channel, December 21, 2023, (accessed June 26, 2024).

⁵⁹⁶ South First Responders (@SouthFirstResponders), post to Telegram channel, December 6, 2023, (accessed June 14, 2024). The time was determined according to the timestamp on an additional CCTV video posted to the South First Responders Telegram channel.

⁵⁹⁷ South First Responders (@SouthFirstResponders), post to Telegram channel, December 6, 2023, (accessed June 14, 2024). The time was determined according to the timestamp on the video.

⁵⁹⁸ “After 52 days mystery solved: Dog taken by Hamas, returned with hostage,” *Israel Hayom*, November 28, 2023, <https://www.israelhayom.com/2023/11/28/after-52-days-mystery-solved-dog-taken-by-hamas-returned-with-hostage/> (accessed June 14, 2024); “New Oct. 7 footage shows Hamas terrorists kidnapping Gabriela and Mia Leimberg, dog Bella,” *The Times of Israel*, December 6, 2023, https://www.timesofisrael.com/liveblog_entry/new-oct-7-footage-shows-hamas-terrorists-kidnapping-gabriela-and-mia-leimberg-dog-bella/ (accessed June 14, 2024).

⁵⁹⁹ Human Rights Watch remote interview with Moshe Rosen, October 21, 2023.

room, she heard gunmen going through the bedroom, apparently looking for things to rob, and that some cars were stolen.⁶⁰⁰

Kibbutz Nirim

The armed attack on Nirim killed three kibbutz members and two visitors and fighters took five people hostage, including one visitor.⁶⁰¹

Kibbutz Nirim, in the Eshkol region about 2 kilometers from the border with Gaza, had a population of 416 people as of 2022.⁶⁰² Residents said the fighters targeted in particular one neighborhood near the western fence that was mostly inhabited by young people in older houses.

Human Rights Watch interviewed seven kibbutz members and the support provider of an eighth member about the attack.

Most residents stayed in their safe rooms during the attack, according to those interviewed. Avi Dabush said, “I told everyone to shut off the air conditioning, turn off the lights, and stay totally silent. I didn’t want them to know we were inside the safe room. I kept my grip on the handle of the door for eight hours.”⁶⁰³ Interviewees said that at about 10 a.m., an Israeli military helicopter flew over Nirim but did not remain in the area for

⁶⁰⁰ Human Rights Watch remote interview with Vivi Roitman, October 25, 2023.

⁶⁰¹ The numbers of civilians killed and taken hostage are based on Human Rights Watch interviews with witnesses and family members of the victims. These figures correspond with the numbers tallied by AFP. Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023; Human Rights Watch interview with Bar Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Adele Raemer, Eilat, October 17, 2023; Human Rights Watch interview with Michal Rahav, Eilat, October 17, 2023; Human Rights Watch interview with Nimrod Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023; Human Rights Watch remote interview with Camille Jesalva, October 17, 2023.

⁶⁰² The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

⁶⁰³ Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023.

long.⁶⁰⁴ One member of the rapid response team climbed up a silo in the kibbutz and assisted the helicopter in identifying targets before it flew off.⁶⁰⁵

Human Rights Watch verified a video recorded on October 7 at roughly 9:20 a.m. that shows at least nine fighters dressed in all-black uniforms and civilian attire moving through the eastern section of Nirim. They attempt to enter houses, banging on doors and, at one point, shooting an assault rifle near a window. A large plume of smoke rises in the north.⁶⁰⁶

Alon Anker was in the safe room of his home with his daughters, ages 2, 6, and 8.⁶⁰⁷ At about 10:30 a.m., gunmen entered their house, stole his wallet and other valuables, smashed many of the family's possessions, and took food from the refrigerator, he said. After some time, they opened the door to the shelter. Anker said he fired his gun as they entered and killed an unarmed man in camouflage pants and a black shirt. Two armed men who were with him turned and ran. Anker wanted to chase after them, but, as he went to the doorway, he saw four more men in military dress and bulletproof vests in the distance. Two had AK-style assault rifles and two were carrying RPGs, weapons that Anker recognized. He returned to the safe room:

My ears were ringing from the gunshots, so I had to ask my daughter to listen for anyone coming back while I stayed the whole time kneeling in front of the safe room door with the gun pointing at it. At the same time, I was seeing messages from friends saying, 'There are terrorists in our house.' I tried to send messages warning friends on the other side of our neighborhood, but [on my phone] I saw only one tick mark next to my messages [showing the message had been sent but not delivered], so assumed they had been taken or killed.

⁶⁰⁴ Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023; Human Rights Watch interview with Bar Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Adele Raemer, Eilat, October 17, 2023; Human Rights Watch interview with Michal Rahav, Eilat, October 17, 2023; Human Rights Watch interview with Nimrod Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023; Human Rights Watch remote interview with Camille Jesalva, October 17, 2023.

⁶⁰⁵ Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023.

⁶⁰⁶ Younis Tirawi | **يونس**, (@ytirawi) post to X (formerly known as Twitter) October 7, 2023, (accessed June 14, 2024). The time was determined according to the length and position of the shadows.

⁶⁰⁷ Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023.

Eli Uzan, a member of Nirim’s rapid response team, said when he first looked out of the window and saw men in military dress about 100 meters from his house, he did not understand what was going on, until he saw that one of them was carrying what he identified as an RPG.⁶⁰⁸ He alerted other members of the force by text message and then out the window saw 30 to 40 gunmen approaching, most of them in civilian dress. They went into his neighbor’s home. Uzan went out to fight alongside other members of the rapid response team, and said he saw bodies in the street, splatter patterns from detonated grenades, damage from small arms fire, and every car damaged, broken into, or on fire. Uzan went to the home of Roi Popplewell—the son of 79-year-old Channah Peri and brother of Nadav Popplewell, 51, both of whom the fighters took hostage to Gaza that day—and found him dead with a gunshot wound to the head.

Nimrod Hefetz looked out of his window at 9:20 a.m. to see six gunmen in uniforms with eagle markings leading away his neighbor, Channah Peri, and her son, Nadav Popplewell.⁶⁰⁹ The Qassam Brigades’ Airforce Division has a logo with an eagle. In late November, Peri was released, but Nadav Popplewell was killed in Gaza.⁶¹⁰

Uzan said he saw one of the gunmen throw a grenade and heard it explode. When Uzan and other security team members were patrolling the kibbutz, they saw pockmark damage Uzan considered to be consistent with detonated grenades: “It made a hole in the floor and there were particles all around, spreading like a mushroom cloud.”⁶¹¹

Avi Dabush from Nirim recalled hearing over a communal WhatsApp group from his neighbors Aimee and Uriel Labban, who had a 9-day-old baby, that “the terrorist set their house on fire while they were in the shelter and that they were suffocating. Some people were telling them it was okay to open the window and escape, but then others were saying there were terrorists everywhere.”⁶¹² The Labbans stayed in their safe room, holding their

⁶⁰⁸ Human Rights Watch interview with Eli Uzan, Eilat, October 17, 2023.

⁶⁰⁹ Human Rights Watch interview with Nimrod Hefetz, Eilat, October 17, 2023; Aurora Intel (@AuroraIntel) post to X (formerly known as Twitter), April 4, 2023, <https://twitter.com/AuroraIntel/status/1643241672845713410> (accessed March 15, 2024).

⁶¹⁰ “Israel confirms deaths of four more hostages in Gaza,” *BBC*, June 3, 2024, <https://www.bbc.com/news/articles/cgrrng3ljro> (accessed June 14, 2024).

⁶¹¹ Human Rights Watch interview with Eli Uzan, Eilat, October 17, 2023.

⁶¹² Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023.

baby up to the window, and survived.⁶¹³ Dabush said gunmen looted the jewelry, phones, laptops, and car of his neighbor in Nirim.⁶¹⁴ Other Nirim residents also said gunmen broke into and stole items from cars.⁶¹⁵

Nirim residents said many cars and roughly 27 homes in one neighborhood of the kibbutz were burned during the attack.⁶¹⁶

Michal Rahav was in her safe room with her three children.⁶¹⁷ As a fighter entered their home, her husband, a police officer who was guarding the door with his gun, opened fire and killed one attacker before retreating into the safe room. Then, “[t]hey started firing at the door, and then one fired an RPG at the house,” she said. “There was a big blast and the whole room was filled with smoke and gunpowder. Our ears were ringing, and we lost balance. Then we heard gunshots hitting the metal sheet on the window.” The gunmen moved on after that. Only when Rahav left the safe room did she see that the RPG had destroyed their house, leaving only the safe room intact.

Philippine national Camille Jesalva, 31, lives with and provides support to Nitza Hefetz, 95, who has Alzheimer’s. Jesalva said that at about 8 a.m., she began to hear the voices of people closing in around their home, one of the closest to Gaza inside Nirim.⁶¹⁸ Initially, Jesalva said she thought the people were from the Israeli armed forces, but then got confused when she realized they were speaking Arabic.

⁶¹³ Ronny Reyes, “British family with baby hid in safe room for 9 hours as Hamas destroyed home, village,” *New York Post*, October 8, 2023, <https://nypost.com/2023/10/08/british-family-with-baby-hid-in-safe-room-for-9-hours-as-hamas-attacked/> (accessed June 14, 2024); Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023.

⁶¹⁴ Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023.

⁶¹⁵ Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023; Human Rights Watch interview with Bar Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Adele Raemer, Eilat, October 17, 2023; Human Rights Watch interview with Michal Rahav, Eilat, October 17, 2023; Human Rights Watch interview with Nimrod Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023; Human Rights Watch remote interview with Camille Jesalva, October 17, 2023.

⁶¹⁶ Human Rights Watch interview with Avi Dabush, Eilat, October 17, 2023; Human Rights Watch interview with Bar Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Adele Raemer, Eilat, October 17, 2023; Human Rights Watch interview with Michal Rahav, Eilat, October 17, 2023; Human Rights Watch interview with Nimrod Hefetz, Eilat, October 17, 2023; Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023; Human Rights Watch remote interview with Camille Jesalva, October 17, 2023.

⁶¹⁷ Human Rights Watch interview with Michal Rahav, Eilat, October 17, 2023.

⁶¹⁸ Human Rights Watch remote interview with Camille Jesalva, October 17, 2023.

Jesalva brought Hefetz to the safe room, but the door did not close properly—something Jesalva said she had flagged for the maintenance staff of the kibbutz a year earlier. Because of her condition, Hefetz did not realize the danger they were in and continued to speak loudly, asking for something to eat. Fearing that Hefetz would get upset if she did not get her something to eat, Jesalva ran to the kitchen amidst gunfire to grab some cookies. Soon after, Hefetz asked for a medical device, and again Jesalva ran out to get it for her, fearing that if she did not, Hefetz would become agitated and attract attention.

Over the next few hours, Jesalva heard two groups of people entering and leaving the house. Then a third group came, and she heard people opening cabinets and smashing things. After a while a slim man in civilian dress and with no visible weapon opened the door to the safe room. Jesalva described what happened:

He turned the flashlight of his phone on. Nitza wakes up and starts shouting at him, ‘Why are you here? Why don’t you close the door, Camille. Why don’t you get out of here!’ in Hebrew. I asked her to be quiet. If she had been able to walk, she would have attacked him. I put my hands up and said, ‘Sorry, sir, she is old, she doesn’t know anything, please be patient.’ He calmed down, he asked where the money was, and then he saw my phone. He took my phone and saw a picture of my son and me. He asked again, ‘Where is the money?’ I opened my wallet and handed him all my money, and said, ‘This is all, but please don’t take my passport and my residency card.’ I was calm but shaking. And then he turned his back, and he asked in Hebrew, ‘What do you have here?’ looking at the cabinets. He ended up leaving. I followed him, and I said, ‘Thank you sir, I am going to close the door now.’ He nodded. I closed the door, and I hugged Nitza. She felt my fear.

Finally at 2 or 3 p.m., the Israeli military came to evacuate kibbutz residents under heavy gunfire. Soldiers entered the kibbutz and went house to house, checking in on survivors.⁶¹⁹ About three hours later, they gathered most of them and brought them to the shelter in the

⁶¹⁹ Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023.

community center in the middle of the kibbutz, where they remained until around 3 p.m. on October 8, when residents were finally evacuated from Nirim.⁶²⁰

Residents spoke about the deaths of Doron Meyer, 58, and Mor Meyer, his 16-year-old daughter. According to his wife and other daughter, who both survived the attack and spoke to the media, Doron stayed in the living room of their home, armed with a gun to protect them, while his wife and daughters hid in the safe room.⁶²¹ They said he killed several attackers before gunmen fatally shot him. Mor ran out to help him and was killed as well.

Human Rights Watch verified a video posted to X recorded in the afternoon on October 7, showing a group of people in civilian attire. At least two of the men stand on the body of an Israeli soldier lying on the ground next to a vehicle in Nirim. The body of at least one other soldier hangs out of the vehicle and the men in civilian attire begin dragging the body onto the road. Nearby are two men in camouflage uniforms. One is wearing a green headband associated with the Qassam Brigades.⁶²²

Kibbutz Ein HaShlosha

The armed attack killed at least four people in Kibbutz Ein HaShlosha, including a member of the rapid response team.⁶²³ At least two houses were burned during the attack, including one in which a woman was killed, and fighters threw grenades into houses and bunkers, according to residents.⁶²⁴

⁶²⁰ Human Rights Watch interview with Alon Anker, Eilat, October 17, 2023; Human Rights Watch interview with Eli Usan, Eilat, October 17, 2023.

⁶²¹ Alexandria Lokash, Sharon Kidon, “I didn't think my first song would be in memory of my father and sister,” *Ynetnews*, January 10, 2024, <https://www.ynet.co.il/entertainment/article/bk2shpsu6> (accessed February 21, 2024).

⁶²² User via X, October 7, 2023. On file with Human Rights Watch.

⁶²³ The number of civilians killed is based on Human Rights Watch interviews with witnesses. These figures correspond with the numbers tallied by AFP. Human Rights Watch remote interview with Yogev Nathan, November 6, 2023; Human Rights Watch remote interview with a member of the rapid response team, April 9, 2024.

⁶²⁴ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023; Human Rights Watch remote interview with a member of the rapid response team, April 9, 2024.

Kibbutz Ein HaShlosa, in the Eshkol region, had a population of 353 people as of 2022.⁶²⁵ It is about 3 kilometers from the border with Gaza and 6 kilometers from Gaza's Khan Younis, with fields separating the kibbutz fence from the barrier with Gaza.

Human Rights Watch interviewed two kibbutz residents who are members of the rapid response team about the hours-long attack on Kibbutz Ein HaShlosa.⁶²⁶

Yogev Nathan, 37, a member of the rapid response team, said the attacks started around 6:30 or 6:45 a.m. “We heard shots and yelling in Arabic, and immediately realized we are in danger,” he said.⁶²⁷ When he called a colleague to ask him for support, Nathan said, “I heard fighting... something exploding, RPGs and grenades, multiple shots, then silence. We realized later that was the moment [another rapid response team member] died.”⁶²⁸

Both residents said the attackers were variously dressed. Nathan said many of the gunmen, dressed in olive green uniform trousers and shirts, could have been confused for Israeli soldiers. Another resident and member of the rapid response team said he saw the attackers wearing black clothes and helmets and green headbands. Both said others were in casual civilian clothes, even flip-flops and sweatpants. Most were armed, including with AK-style assault rifles and RPGs, they both said. Nathan was with another member of the rapid response team who told Nathan he saw “at least 12 guys with IDF uniforms and headbands carrying RPGs, grenades, explosive devices, and weapons, armed from head to toe.”⁶²⁹

The fighters set fire to homes. “The houses burned were closest to the hole in the fence [in the south, through which the attackers entered],” Nathan said. “The assailants threw a grenade into at least three houses and every underground bunker. [We] found unexploded grenades ... [with] no pins and their spools undone.”

Another resident and member of the rapid response team, who took shelter in his home because he only had a handgun, said the gunmen entered his neighborhood in the south

⁶²⁵ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

⁶²⁶ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023; Human Rights Watch remote interview with a member of the rapid response team, April 9, 2024.

⁶²⁷ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023.

⁶²⁸ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023.

⁶²⁹ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023.

and started shooting everywhere. Then they started throwing grenades, including into his home. “They broke a window and threw an explosive into my home. I heard it and laid on the floor,” he said.⁶³⁰ Uninjured, he watched and heard as the gunmen threw more explosives. Then he saw the house directly across from his, that of Silvia Mirensky, 80, on fire.⁶³¹ The resident ran to the house in an attempt to get Silvia out of her safe room, but he came under fire and had to return to his house. Nathan said he saw rescue workers taking Silvia’s burned body away when the attack was over.⁶³² He said he also saw one woman escape her burning home by jumping from her safe room and running away barefoot after gunmen poured flammable liquid and set the house alight.⁶³³

Nathan said he also saw four piles of large propane tanks in the southern end of his kibbutz. “[The gunmen] tried to put them in the houses. We found [the tanks] set next to the houses. They shot at propane tanks, some didn’t explode. Sometimes they threw a grenade in to explode the tank.”

The other rapid response team resident said that gunmen entered his house five times. He hid in a different room than his family members, who were in their safe room, he said. The fifth time the attackers entered his home, he said, they ate and talked before deciding to leave. He said he fatally shot a fighter who was carrying an assault rifle who had attempted to enter the room in which he was hiding.⁶³⁴

Jacqueline Glikman, a survivor from Ein HaShlosha, told media that a gunman entered her safe room, told her to be quiet and then took her phone and tablet.⁶³⁵

The Israeli military arrived in Ein HaShlosha around 12:30 or 1 p.m. They captured one fighter who was trying to get into the safe room of a house. The next day in the afternoon or evening, a large convoy of civilians was evacuated from Ein HaShlosha, escorted by four armed

⁶³⁰ Human Rights Watch remote interview with a member of the rapid response team, April 9, 2024.

⁶³¹ “Quien es la argentina de 80 años que murió en el ataque de Hamas,” *Página 12*, October 8, 2023, <https://www.pagina12.com.ar/596167-quien-es-la-argentina-de-80-anos-que-murio-en-el-ataque-de-h> (accessed June 14, 2024).

⁶³² Human Rights Watch remote interview with Yogev Nathan, November 6, 2023.

⁶³³ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023.

⁶³⁴ Human Rights Watch remote interview with a member of the rapid response team, April 9, 2024.

⁶³⁵ “Jacqueline Glikman survived the massacre in Kibbutz Ein HaShlosha on October 7th,” video clip, YouTube, October 29, 2023, https://www.youtube.com/watch?app=desktop&v=Ao_mPgIkktU (accessed June 14, 2024).

vehicles and a helicopter. “People had an hour to collect everything they could think of,” Nathan said. “They had two bags, one bag, not enough. They just left on short notice.”⁶³⁶

Another 30 people—16 Israelis and 14 Thai nationals—who had hidden around the kibbutz, were evacuated on October 9.⁶³⁷

Kibbutz Sufa

The armed attack on Kibbutz Sufa killed three civilians, including a member of the rapid response team, during a firefight that lasted hours.

Kibbutz Sufa, in the Eshkol region about 2.5 kilometers from the border with Gaza, was home to 223 people, as of 2022.⁶³⁸ In addition, on October 7 there were another 40 people there for a paramedic training course.⁶³⁹

Human Rights Watch interviewed the chief of security of Sufa’s rapid response team and another kibbutz resident, and reviewed media reports about the attack on the kibbutz.⁶⁴⁰

Elia Natan Lilintal, the 25-year-old chief of security of the kibbutz’s rapid response team, awoke to the sound of sirens at 6:30 a.m. and “realized it was unusual.” Fifteen minutes later, when he “got a message from the war room saying Israel had been penetrated,” he called the other three members of the force.⁶⁴¹ Soon after, they heard gunfire. Lilintal was in contact with an Israeli military commander who told him no forces would be arriving to back up his team. Eshkol regional officials told Lilintal not to go out “because of the rockets.”⁶⁴²

⁶³⁶ Human Rights Watch remote interview with Yogev Nathan, November 6, 2023.

⁶³⁷ Yael Freidsom, “Thirty Missing Who Hid from Terrorists at Israeli Kibbutz Near Gaza Border Rescued,” *Haaretz*, October 10, 2023, <https://www.haaretz.com/israel-news/2023-10-10/ty-article/.premium/thirty-missing-who-hid-from-terrorists-at-israeli-kibbutz-are-rescued/0000018b-1aae-d2fc-a59f-dbbf0290000> (accessed June 14, 2024).

⁶³⁸ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

⁶³⁹ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁴⁰ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023; Human Rights Watch remote interview with Moti Hay, April 11, 2024.

⁶⁴¹ The *hamal* or “war room” is a room or building in the kibbutz where the feed from the security cameras of the kibbutz are streamed to.

⁶⁴² Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

Three head-mounted camera videos uploaded to the South First Responders Telegram channel and verified by Human Rights Watch show fighters on motorcycles and in pickup trucks traveling from Khan Younis to Sufa. One shows fighters, including two wearing green headbands associated with the Qassam Brigades, breaching the barrier north of Sufa, using ramps to drive vehicles over the concrete section of the barrier.⁶⁴³ Another shows assailants arriving at the kibbutz, and one person firing an RPG at a communications tower a few hundred meters from Sufa.⁶⁴⁴ Three fighters, one of whom is wearing a green headband, enter around 7 a.m., and begin shooting.⁶⁴⁵

When Lilintal went out of his house, four gunmen saw him and raised their weapons, he said. Minutes after he ran back inside, he heard gunfire and saw two gunmen next to his neighbor's car and exchanged fire with them, killing them both.⁶⁴⁶ Moti Hay lived close by, and said he watched out of the window as gunfire killed the gunmen next to the car, though at the time did not see who shot them.⁶⁴⁷

Lilintal then put on his bulletproof vest and helmet and gave his neighbor a spare vest. Members of the rapid response team said that at about 10 a.m. they heard Arabic from an orchard outside the kibbutz. When the team approached, they saw 15 gunmen.⁶⁴⁸ Three threw grenades at him, Lilintal said.⁶⁴⁹

The shooting continued for a while, with Lilintal and others returning inside the kibbutz and firing from the first line of houses. "There was shooting nonstop, one [team member] was injured in his head and died immediately," Lilintal said. "His father is the ambulance driver, but the terrorists had shot the tire of the ambulance."⁶⁵⁰

⁶⁴³ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 14, 2024).

⁶⁴⁴ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 14, 2024).

⁶⁴⁵ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 14, 2024). The time was determined according to analysis of the shadows visible in the video. Human Rights Watch also verified several images and one video of the assault on the military base a few hundred meters east of Sufa.

⁶⁴⁶ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁴⁷ Human Rights Watch remote interview with Moti Hay, April 11, 2024.

⁶⁴⁸ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁴⁹ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁵⁰ Hay independently verified Lilintal's accounts of that day. Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023; David Blumenfeld, Carmit Hoomash, Alexandra Eaton and Arijeta Lajka, "I Knew He Was Looking for Me": Video Shows How Oct. 7 Attack on Kibbutz Sufa Unfolded," *The New York Times*, November 4, 2023, <https://www.nytimes.com/video/world/middleeast/10000009145608/israel-amas-attack-kibbutz-sufa.html> (accessed January 19, 2024).

Videos verified by Human Rights Watch show fighters, one of whom is wearing a green headband associated with the Qassam Brigades, walking around Sufa, firing into houses, and at one time of an empty parked ambulance.⁶⁵¹ A video shows two fighters shooting a dog outside a house in a location geolocated to be in Sufa.⁶⁵² The video then cuts to show the same fighter stealing contents from a refrigerator and attempting to set a house on fire. Human Rights Watch was not able to verify the location of the house, however Lilintal recognized the house and confirmed that the act was filmed in Sufa.⁶⁵³

From the second floor of a building Lilintal and his team members exchanged fire with two gunmen outside. He said at 1 p.m., six Israeli soldiers arrived from a counterterrorism unit and that an hour later, a helicopter arrived that he directed to the orchard, where it “took down 40 terrorists.”⁶⁵⁴ The *New York Times* said, “the Israeli military reported that it killed dozens of assailants nearby.”⁶⁵⁵

The team was able to help evacuate residents after an Israeli tank arrived to secure the entrance of the kibbutz, supported by a helicopter.⁶⁵⁶

The three victims of the attack include Ofir Erez, 57, who Hay said was leaving the kibbutz through the main gate at the moment the gunmen were entering.⁶⁵⁷ They shot and killed him.⁶⁵⁸ A verified video, previously described in this section, posted to the South First Responder Telegram Channel, captures the moment a fighter breaks into the kibbutz around 7 a.m. The fighter, filming with a head-mounted camera, enters the kibbutz together with two other Qassam fighters, identified by their green colored headband associated with the Qassam Brigade. As a gunfight ensues, the fighters shoot a car, which

⁶⁵¹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 14, 2024).

⁶⁵² Visegrád 24 (@visegrad24) post to X, October 9, 2023. (accessed June 27, 2024).

⁶⁵³ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁵⁴ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁵⁵ David Blumenfeld, Carmit Hoomash, Alexandra Eaton and Arijeta Lajka, “‘I Knew He Was Looking for Me’: Video Shows How Oct. 7 Attack on Kibbutz Sufa Unfolded,” *The New York Times*, November 4, 2023, <https://www.nytimes.com/video/world/middleeast/10000009145608/israel-hamas-attack-kibbutz-sufa.html> (accessed June 14, 2024).

⁶⁵⁶ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁶⁵⁷ Human Rights Watch remote interview with Moti Hay, April 11, 2024.

⁶⁵⁸ “Ofir Erez, 57: Tour guide, ‘incredibly funny’ community theater actor, Killed on October 7 by Hamas terrorists at the gate of Kibbutz Sufa,” *The Times of Israel*, February 6, 2024, <https://www.timesofisrael.com/ofir-erez-57-tour-guide-incredibly-funny-community-theater-actor/#:~:text=Ofir%20Erez%2C%2057%2C%20from%20Kibbutz,siblings%20Doron%2C%20Gil%20and%20Amit> (accessed June 14, 2024).

rolls through the main gate with bullet holes in the front windshield before coming to a stop.⁶⁵⁹ Human Rights Watch could not confirm whether Erez was in the vehicle.

Hay said gunmen also shot and killed Bernard Cowan, 57.⁶⁶⁰ He was sitting in the living room at the time, while his wife was in the safe room. A verified video taken by the same Qassam fighter as in the previous case—identified by the AK-style assault rifle and the watch worn on his wrist—films the moment the fighter shoots twice through a window at a silhouette sitting in a chair. The person falls to the ground.⁶⁶¹ Hay said Cowan’s wife was sending messages to the community WhatsApp group asking if anyone knew where he was—she was too afraid to open the safe room door—but because he had stopped answering her, she thought he had left the house. Only when she came out of the safe room did she realize he had been killed.

Hay said the third man killed was Ido Hubara, 36, the father of three young children.⁶⁶² He explained that one member of the rapid response team, who was on bedrest on October 7, had asked Hubara, who had a military background, if he could take his place on the team, and that Hubara had agreed. Hay said Hubara was shot and killed during a firefight with gunmen that took place in the northern part of the kibbutz early in the day.

Kibbutz Kerem Shalom

The armed attack on Kibbutz Kerem Shalom killed two members of the kibbutz’s rapid response team, and another kibbutz resident was seriously injured.⁶⁶³

⁶⁵⁹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 14, 2024). The time was determined according to an analysis of shadows and the low position of the sun.

⁶⁶⁰ “Bernard Cowan, 57: Scottish-Israeli lover of diving and traveling, Murdered by Hamas terrorists in Kibbutz Sufa on October 7,” *The Times of Israel*, November 6, 2023, <https://www.timesofisrael.com/bernard-cowan-57-scottish-israeli-lover-of-diving-and-traveling/> (accessed June 14, 2024).

⁶⁶¹ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 14, 2024).

⁶⁶² “Ido Hubara, 36: Died in his father’s arms, defending kibbutz, A native of Kibbutz Sufa, the father of three took his gun and joined the civil defense unit on October 7,” *The Times of Israel*, November 23, 2023, <https://www.timesofisrael.com/maj-ido-hubara-36-died-in-his-fathers-arms-defending-kibbutz/amp/> (accessed June 14, 2024).

⁶⁶³ The numbers of civilians killed and injured are based on a Human Rights Watch interview with a witness. These figures correspond with the numbers tallied by AFP. Human Rights Watch remote interview with Matan G., November 28, 2023; “הקיבוץ את שהצילו הגיבורים על מספר שלום כרם של צ”הרבש | העוטף את שהצילה זו היא הלוחמים של הרוח,” video clip, YouTube, October 22, 2023, <https://www.youtube.com/watch?v=s2oEctAfoGA> (accessed June 14, 2024).

Kibbutz Kerem Shalom, on the border between Israel and Egypt in the Eshkol region and just 100 meters from Gaza, had a population of 220 people as of 2022.⁶⁶⁴

Human Rights Watch interviewed a survivor, verified nine videos of the assault on Kerem Shalom and one video of an attack on a nearby military base, and reviewed media reports.⁶⁶⁵

Matan G., a 26-year-old resident of Kerem Shalom, and Elia Ben Shimol, the chief of security of the rapid response team who gave a media interview, both said they woke up early on October 7 to the sounds of sirens and explosions.⁶⁶⁶ Soon, Matan G. said, the community's WhatsApp group was abuzz with messages that said, "stay in your safe room, lock your houses, close your windows."⁶⁶⁷

Ben Shimol told the media that a large group of gunmen breached the kibbutz wall on motorcycles, and that his team killed seven of them. He said the gunmen then gathered at a solar farm in Kerem Shalom where he saw them with RPGs, machine guns, and a large quantity of ammunition. The eight-member rapid response team, aided by a military helicopter, fended off and dispersed the gunmen. Two of the team's members were shot

⁶⁶⁴ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 14, 2024).

⁶⁶⁵ Human Rights Watch remote interview with Matan G., November 28, 2023; "העוטף את שהצילה זו היא הלוחמים של הרוח" | "הקטן את שהצילו הגיבורים על מספר שלום של צ"ה הרב"ש" video clip, YouTube, October 22, 2023, <https://www.youtube.com/watch?v=s2oECtAfoGA> (accessed June 14, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 14, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 14, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 14, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 14, 2024); War Noir (@war_noir), post to X (formerly known as Twitter) October 9, 2023, (accessed June 15, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 7, 2023, (accessed June 24, 2024); Resistance News Network (@PalestineResist) post to Telegram channel, October 9, 2023, (accessed June 26, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); War Noir (@war_noir) post to X (formerly known as Twitter) October 9, 2023, (accessed June 26, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 7, 2023, (accessed June 26, 2024); Resistance News Network (@PalestineResist) post to Telegram channel, October 9, 2023, (accessed June 26, 2024).

⁶⁶⁶ Human Rights Watch remote interview with Matan G., November 28, 2023; "העוטף את שהצילה זו היא הלוחמים של הרוח" | "הקטן את שהצילו הגיבורים על מספר שלום של צ"ה הרב"ש" video clip, YouTube, October 22, 2023, <https://www.youtube.com/watch?v=s2oECtAfoGA> (accessed June 15, 2024).

⁶⁶⁷ Human Rights Watch remote interview with Matan G., November 28, 2023.

dead as they attempted to rescue a family whose safe room attackers were attempting to blow up after they had failed to enter it, he said in the interview.⁶⁶⁸

Matan G. said he realized how close the fighting was to him at around 10 a.m., when he went from the safe room to the living room. He heard shots that sounded to him like they came from M16s and AK-style assault rifles. Matan G. said he sheltered a medic who had been attempting to respond to a call from the rapid response team.⁶⁶⁹

Around noon, under instructions from Ben Shimol, Matan G. and the medic went out to a vehicle to retrieve the body of Amichai Weitzen, another rapid response team member who had been killed.⁶⁷⁰ Ben Shimol told the media: “Of course, we didn’t know he was dead until we checked. I had some medical equipment in my vehicle, about 20 meters from my house. ... It’s an open area, you can see all around for 150 meters. It was a scary situation. I was looking to see if anyone was there.”⁶⁷¹

Four videos posted to the South First Responders Telegram channel recorded by cameras worn by the fighters and verified by Human Rights Watch show gunmen wearing a mix of military fatigues and civilian clothing gathering at dawn and riding from southern Gaza toward the Gaza-Israel border on motorcycles, and then the assault on the kibbutz.⁶⁷² The videos show at least two injured fighters. It is likely that these videos were found on the bodies of dead attackers.⁶⁷³ The videos show at least 24 fighters pass through the Gaza-

⁶⁶⁸ “הקיבוץ את שהצילו הגיבורים על מספר שלום כרם של צ”הרבש | העוטף את שהצילה זו היא הלוחמים של הרוח” video clip, YouTube, October 22, 2023, <https://www.youtube.com/watch?v=s2oECTAfoGA> (accessed June 15, 2024).

⁶⁶⁹ Human Rights Watch remote interview with Matan G., November 28, 2023.

⁶⁷⁰ Human Rights Watch remote interview with Matan G., November 28, 2023.

⁶⁷¹ “הקיבוץ את שהצילו הגיבורים על מספר שלום כרם של צ”הרבש | העוטף את שהצילה זו היא הלוחמים של הרוח” video clip, YouTube, October 22, 2023, <https://www.youtube.com/watch?v=s2oECTAfoGA> (accessed June 15, 2024).

⁶⁷² The head-mounted camera videos were uploaded to Telegram by the South First Responders, South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024).

⁶⁷³ South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024); *كنايب الشهيد عز الدين القسام* post to Telegram channel, October 7, 2023, (accessed June 26, 2024). In one video, a fighter falls to the ground after gunshots can be heard nearby, his camera drops nearby to capture a pained expression on his face. The camera then points up at the sky as drops of blood splatter the lens. Another video, made up of several clips, posted to the Qassam Telegram channel on October 7 at 10:30 a.m., shows various clips taken from the fighter’s viewpoint of the assault on Kerem Shalom and nearby areas, including a military base near Sufa roughly 4.5 kilometers northeast of Kerem Shalom.

Israel barrier, 10 on foot and 13 riding motorcycles. Fourteen are seen entering Kerem Shalom on foot through the western part of the concrete barrier.⁶⁷⁴

Kibbutz Erez

The armed attack on Kibbutz Erez killed one member of the kibbutz's rapid response team and injured at least three.⁶⁷⁵ The fighters drove up to the kibbutz and, once inside, fired RPGs and grenades.

Kibbutz Erez, in the Sha'ar HaNegev region, about one kilometer from the border with Gaza and close to the Erez Crossing, had a population of about 616 in 2022.⁶⁷⁶

Human Rights Watch interviewed two members of the rapid response team about the attack on Kibbutz Erez.

Yossi Haddad, 44, a member of the rapid response team, said he was awakened by the sound of "very unusual" explosions.⁶⁷⁷ Oren H., 46, said he awoke to sirens at 6:30 a.m. The chief of the kibbutz rapid response team called to ask him to take over the response. The team organized and dispersed along the fence of the kibbutz. Once on the outskirts of the kibbutz, Oren H. saw two vehicles with four people approaching. He called the military to ask if it was their forces, and he was told, "for certain, it's terrorists."⁶⁷⁸

Haddad and a friend, Uri, also armed and a member of the rapid response team, were nearing the back gate of the kibbutz, when they heard over their two-way radio receivers that vehicles were approaching it. Then, they saw the gunmen, Haddad said: "I saw there was a bunch of vehicles they were talking about. I immediately understood these were not normal vehicles with farmers or Thai people and started shooting. [Uri] thought it was our army, the IDF, and told me to stop. So I did."⁶⁷⁹

⁶⁷⁴ South First Responders (@SouthFirstResponders) post to Telegram channel, October 16, 2023, (accessed June 15, 2024).

⁶⁷⁵ The numbers of civilians killed and injured are based on Human Rights Watch interviews with witnesses. These figures correspond with the numbers tallied by AFP. Human Rights Watch remote interview with Oren H., October 29, 2023; Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁷⁶ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 15, 2024).

⁶⁷⁷ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁷⁸ Human Rights Watch remote interview with Oren H., October 29, 2023.

⁶⁷⁹ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

Haddad later understood that when he stopped shooting the gunmen left their vehicles and headed into the kibbutz through the orchards and bushes. The gunmen then attacked with small arms and grenades, and what he identified as at least one RPG, and placed explosives on a fence.⁶⁸⁰ Both Oren H. and Haddad said at least one house was hit by an RPG.⁶⁸¹

During the attack on Erez, Haddad's friend Uri sustained injuries in the head and leg from grenade fragments.⁶⁸² After that, Haddad was caught between engaging with the gunmen while also reviving Uri, who was bleeding, and calling for rescue.⁶⁸³

The other members of the rapid response team rescued Haddad and Uri and took them to a house around 10 a.m. The gunmen then fired an RPG at the house where Haddad, Uri, two other rapid response team members and a family of four were sheltering, injuring Haddad in the eyes and ears.⁶⁸⁴

Haddad said as the attack continued, the kibbutz security team ran out of ammunition and resorted to collecting random bullets that had fallen and using them.⁶⁸⁵

Haddad and Oren H. said that three people were injured: Uri, Haddad, and a man called Dani.⁶⁸⁶ One of the rapid response team members who had been injured earlier, Amir Naim, 27, died.⁶⁸⁷ "The hardest thing for me to do that day was to walk past Amir's body," Haddad said.⁶⁸⁸

⁶⁸⁰ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸¹ Human Rights Watch remote interview with Oren H., October 29, 2023; Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸² Human Rights Watch interview, Oren H., October 29, 2023; Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸³ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸⁴ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸⁵ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸⁶ Human Rights Watch remote interview with Oren H., October 29, 2023; Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁸⁷ Jordan Greene, "Israeli Father-to-Be Died Preventing Massacre Days After Celebrating First Wedding Anniversary (Exclusive)," *People*, October 18, 2023, <https://people.com/amir-naim-father-to-be-killed-defending-kibbutz-hamas-terrorists-8363160> (accessed June 15, 2024).

⁶⁸⁸ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

Haddad said the Israeli military arrived around 2 or 3 p.m. and then he drove himself to the hospital.⁶⁸⁹

Human Rights Watch verified three videos, two of which were uploaded on October 7 to the Qassam Brigades Telegram channel and one to the Telegram channel Palestine Resist, a popular Palestinian channel that posts largely in English, showing fighters breaching the barrier at the Erez Crossing.⁶⁹⁰ One montage video made up of dozens of clips uploaded to the Telegram channel of the Qassam Brigades, shows how fighters attacked the Erez Crossing, breaching the barrier separating Gaza from Israel at multiple locations in the early morning hours.⁶⁹¹ The first clip captures a significant explosion occurring on the barrier wall, located to the west of the Erez crossing. Another clip shows a breach in the wall, situated just east of the crossing. A third clip shows gunmen moving through the main entrance. In another clip, three men in shorts and t-shirts have been captured by the fighters. In the final clip, one of these men is being escorted through the gap in the barrier to Gaza. In a separate video shared by the Qassam Brigades Telegram channel, two of these people seen in the previous video are being escorted away. Fighters shoot at a third man in shorts, laying on the ground motionless, twice.

Kibbutz Magen

The armed attack on Kibbutz Magen killed two members of the rapid response team. Fighters took one person hostage during the attack who was later found dead near Nir Oz.⁶⁹² The fighters also killed several other civilians just outside the kibbutz.

⁶⁸⁹ Human Rights Watch remote interview with Yossi Haddad, October 25, 2023.

⁶⁹⁰ Resistance News Network, (@PalestineResist) post to Telegram channel, October 9, 2023, (accessed June 15, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 7, 2023, (accessed June 26, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 8, 2023, (accessed June 26, 2024); Resistance News Network, (@PalestineResist) post to Telegram channel, October 9, 2023, (accessed June 15, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 7, 2023, (accessed June 26, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁶⁹¹ كتائب الشهيد عز الدين القسام post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁶⁹² The numbers of civilians killed and taken hostage are based on Human Rights Watch interviews with witnesses. These figures correspond with the numbers tallied by AFP. Human Rights Watch remote interview with Baruch Cohen, October 26, 2023; Human Rights Watch remote interview with Izzy Shemesh, November 5, 2023. Elchanan Poupko's post to LinkedIn, February 2024, https://www.linkedin.com/posts/rabbipoupko_he-saved-an-entire-kibbutz-avi-fleischer-activity-7161743783288651776-NfTz/ (accessed June 15, 2024).

Kibbutz Magen, in the Eshkol region about 4.8 kilometers from the border with Gaza, had a population of 540 as of 2022.⁶⁹³

Human Rights Watch interviewed two survivors of the attack on Kibbutz Magen, one of whom was injured, and the other a survivor of a nearby incident.⁶⁹⁴

Baruch Cohen, 72, was in charge of security in Kibbutz Magen and his rapid response team fought for seven hours.⁶⁹⁵ After hearing a lot of explosions from 6:30 a.m., Cohen said he climbed up a hill by his house:

I saw a full sky of smoke. I didn't see people running or cars. I called my members, we dressed, took [our] arms, and then for seven hours we fought to keep people out of Kibbutz Magen. We killed the [gunmen]. We knew we had to keep the people in the kibbutz alive. No one entered Kibbutz Magen.⁶⁹⁶

During the battle he was shot in the right leg, which was later amputated.⁶⁹⁷

Izzy Shemesh, 64, also a member of the rapid response team, said that four attackers were killed and two were injured.⁶⁹⁸

CCTV footage posted on the South First Responders Telegram channel and recorded one kilometer north of Magen around 7 a.m., shows fighters riding six motorcycles northwards on Road 232. They turn east, away from Magen. As they do, they fire repeatedly at a passing car, which slows to a stop as a second car enters in view of the camera and drives on.⁶⁹⁹ Human Rights Watch spoke to the man who was in the first car, Hamad Abu Arar, a Palestinian Bedouin. He said he came under fire at the intersection as his wife, Fatima,

⁶⁹³ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 15, 2024).

⁶⁹⁴ Human Rights Watch remote interview with Baruch Cohen, October 26, 2023; Human Rights Watch remote interview with Izzy Shemesh, November 5, 2023; Human Rights Watch interview with Hamad Abu Arar, Jaffa, October 25, 2023.

⁶⁹⁵ Human Rights Watch remote interview with Baruch Cohen, October 26, 2023.

⁶⁹⁶ Human Rights Watch remote interview with Baruch Cohen, October 26, 2023.

⁶⁹⁷ Human Rights Watch remote interview with Baruch Cohen, October 26, 2023.

⁶⁹⁸ Human Rights Watch remote interview with Izzy Shemesh, November 5, 2023.

⁶⁹⁹ Shared to Telegram by South First Responders. South First Responders (@SouthFirstResponders) post to Telegram channel, October 17, 2023, (accessed June 15, 2024). The time is based on analysis of the length and direction of shadows visible in the video.

was driving him to work at Moshav Mivtahim.⁷⁰⁰ Their son and a worker from Gaza were also in the car. Fighters on six motorbikes were driving up Road 232 as Arar's car was waiting at the intersection. They opened fire on his car, and the car behind his. The gunmen then continued down the road. Arar shared CCTV footage posted on the South First Responders Telegram channel of the intersection at the time gunmen opened fire on both vehicles.⁷⁰¹

Arar realized that the gunfire had killed his wife and the other man in the car, as well as the driver of the second car. He took his 8-month-old son, Elias, who was in the back seat and hid with him in an electricity junction box on the side of the road. He called police and military contacts, pleading for them to rescue him.

Over the next five hours or so, peering through bullet holes in the metal doors, Arar said he saw the fighters using the intersection as a dispatch point, with different groups of gunmen passing through in trucks heading north, at least one with a large weapon mounted on the back, and then sometime later returning, and men on motorbikes carrying what he recognized as AK-style assault rifles and RPGs heading in different directions. Arar saw four fighters manning the intersection open fire on and kill a lone Israeli soldier in a car. He said they stopped two men driving in a taxi who were yelling out that they were Arabs. He said two of the fighters went up to them on either side of the car and shot them in the head.

He stayed in the box for about six hours, before Israeli military forces approached the intersection. As they did, four fighters were hiding behind the junction box, waiting in ambush. Though the Israeli forces opened fire on the box, Arar and his son survived.

Human Rights Watch verified additional CCTV footage, posted on the South First Responders Telegram channel, recorded at a gas station in south Magen at 7:50 a.m. The footage is made up of clips from CCTV cameras on both the inside and outside of the gas station, and shows at least 14 fighters, in both civilian attire and camouflage, storming, shooting, and looting the store. Two men, identified by the caption as employees, see the fighters approaching, run through the gas station shop and open a backroom with a key.

⁷⁰⁰ Human Rights Watch interview with Hamad Abu Arar, Jaffa, October 25, 2023.

⁷⁰¹ The footage was posted by South First Responders, South First Responders (@SouthFirstResponders) post to Telegram channel, October 17, 2023, (accessed June 15, 2024).

According to the caption, but not verified by Human Rights Watch, the two apparent employees hid in a freezer at the gas station until help arrived.⁷⁰²

Kibbutz Sa'ad

The attack on Kibbutz Sa'ad did not result in any deaths or injuries to the residents.⁷⁰³

Kibbutz Sa'ad, in the Sdot Negev region next to Kfar Aza about 3.6 kilometers from the border with Gaza, was home to 838 people as of 2022.⁷⁰⁴

Human Rights Watch interviewed Dr. Gili Zivan, a Sa'ad resident who attended to injured people from other communities on October 7. She initially thought the gunfire she heard at 6:30 a.m. was rockets, but she said residents then received messages to lock themselves into their homes.⁷⁰⁵

Zivan said:

We are a religious kibbutz. It was Saturday, everyone was busy with celebration and reading the Torah. ... My partner was in the rapid response team, he left early in the morning. We were in the safe room with my 7-month-old and 8-year-old grandchildren. At some point we turned our phones on and were getting messages from Be'eri, Kfar Aza, Re'im.⁷⁰⁶

Zivan was later able to piece together what happened that day from her partner and others in the community. She said that gunmen tried to enter the kibbutz as they attacked Kfar Aza, but the rapid response teams repelled them.⁷⁰⁷ Then in the early afternoon, gunmen came again and the rapid response teams with a group of Israeli forces repelled them again, including with the help of a tank that came from Be'eri. During the attack, Zivan said

⁷⁰² Shared to Telegram by South First Responders. South First Responders (@SouthFirstResponders) post to Telegram channel, November 26, 2023, (accessed June 15, 2024). The time was determined according to the timestamp on the video.

⁷⁰³ Human Rights Watch remote interview with Dr Gili Zivan, October 31, 2023.

⁷⁰⁴ The Central Bureau of Statistics (CBS), Settlements, <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 17, 2024).

⁷⁰⁵ Human Rights Watch remote interview with Dr Gili Zivan, October 31, 2023.

⁷⁰⁶ Human Rights Watch remote interview with Dr Gili Zivan, October 31, 2023.

⁷⁰⁷ Human Rights Watch remote interview with Dr Gili Zivan, October 31, 2023.

some festivalgoers and some residents of Kfar Aza, including some who were injured and required medical treatment, sought refuge in the kibbutz. Zivan said community members provided first aid to those seeking refuge in Sa'ad, but that no one from inside the kibbutz was killed or injured.⁷⁰⁸

Two journalists shared with Human Rights Watch a document in Arabic they said Israeli officials told them had been left inside a car used by the fighters, which lays out plans for the attack.⁷⁰⁹ Human Rights Watch was unable to verify the authenticity of the document.⁷¹⁰

If authentic, the document would indicate that the attackers had information on the unit responsible for protecting the kibbutz and how the kibbutz was guarded. It identifies some important areas in the kibbutz, such as the secretariat, which it says is a communication and contact link “among internal entities in the kibbutz as well as with external entities” and “a very important source of information for our forces.” It identifies the kitchen and “fortified space” as “suitable for keeping hostages.” The document directs that the guards inside the “guarding room” should be “neutralized.”

The document details how the attack is to be carried out. “Two combat groups”—what it also calls reduced platoons—each consisting of a four-wheel drive Jeep and four motorcycles, were to drive in a 125-meter-long convoy in a formation of two motorcycles-Jeep-two motorcycles. Two diagrams show the configuration and distance between the vehicles, one for the motorcycles and the other for the jeeps, and notes that, “the number of Jeeps will be completed with specialized members.”

The memo lays out the route, naming streets the fighters should take and where to breach the kibbutz fence. Once inside, the document reads, “the first [group] will take control of the eastern part of the kibbutz while the other takes control of the western part, inflicting as many human losses as possible and capturing hostages (and take some of them to the Gaza Strip in various vehicles).”

⁷⁰⁸ Human Rights Watch remote interview with Dr Gili Zivan, October 31, 2023.

⁷⁰⁹ Human Rights Watch interview with a journalist, Jerusalem, October 23, 2023. Human Rights Watch interview with a journalist, Jerusalem, November 27, 2023.

⁷¹⁰ Based on a review by Human Rights Watch, documents visible in videos of the Joint Operations Room in Gaza share some of the same annotations and formatting of those published shortly after October 7. However, some of the documents contain inconsistencies as well, including differences in the Qassam Brigades' logo.

Kibbutz Yad Mordechai

The attack on Kibbutz Yad Mordechai did not result in any residents being killed or injured.⁷¹¹

Yad Mordechai, in the Hof Ashkelon region about 3 kilometers from the border with Gaza, was home to 830 people in 2022.⁷¹²

Human Rights Watch interviewed a resident of the kibbutz who was present during the attack.

Raya Pasi, 69, was born in the kibbutz, which she described as big, “a mixed community... with lots of young families.” Pasi woke up at 6:30 a.m. She said, “I heard gunfire close to my home. I live by the fence [and] heard a fight on Road 4. This was about 8 a.m. I was sitting on my porch drinking coffee. At first, I didn’t realize how serious [this was]. I was home as tens of Palestinians were breaching the fence.”⁷¹³

Pasi, who lived alone and was on the security team, said she then went to the safe room and stayed there, contacting others so they could alert the community. “We didn’t know exactly what was going on. I heard terrorists were trying to enter and assumed the military would be there. But then we realized it was something completely different.”

Kibbutz residents gathered in the large community shelter, and the rapid response team went to the fence where Pasi said there were about eight motorcycles. “There is a military base right at the entrance of the kibbutz. They were able to immediately engage [the gunmen] and that’s what protected the kibbutz. They fought on the road by the main gate and by the cow shed by the south side gate. This was at about 9 or 10 a.m.”

Pasi continued to share information with other residents until 10 p.m., after which they were evacuated.

⁷¹¹ Human Rights Watch remote interview, Raya Pasi, December 1, 2023.

⁷¹² The Central Bureau of Statistics (CBS), Settlements <https://www.cbs.gov.il/en/settlements/Pages/default.aspx?mode=Yeshuv> (accessed June 17, 2024).

⁷¹³ Human Rights Watch remote interview, Raya Pasi, December 1, 2023.

Sexual and Gender-Based Violence

As part of the research for this report, Human Rights Watch investigated allegations of sexual and gender-based violence. Gender-based violence has been defined as “violence directed against a person because of that person's gender or violence that affects persons of a particular gender disproportionately.”⁷¹⁴ Gender-based violence disproportionately, but not exclusively, affects girls and women.

Sexual violence is a type of gender-based violence. The World Health Organization has defined “sexual violence” as “[A]ny sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. It includes rape, defined as the physically forced or otherwise coerced penetration of the vulva or anus with a penis, other body part or object.”⁷¹⁵

Human Rights Watch did not document any cases of rape but, owing to the methodological and ethical challenges set forth below, does not take this to mean that they did not occur.

Human Rights Watch research yielded evidence that members of Palestinian armed groups committed acts of sexual and gender-based violence during the attacks, including acts of forced nudity, and posting of sexualized images without consent on social media. First responders and people caring for the bodies of the dead described to Human Rights Watch seeing bodies in conditions and circumstances they believe were indicative of the deceased having been victims of sexual violence. A report by the UN Special Representative of the Secretary-General on Sexual Violence in Conflict stated that that were “reasonable grounds to believe that conflict-related sexual violence occurred during the 7 October attacks in multiple locations across Gaza periphery, including rape and gang rape, in at least three locations.”

⁷¹⁴ What is gender-based violence?, European Commission Official Website, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-based-violence/what-gender-based-violence_en#:~:text=gender%2Dbased%20violence-,Gender%2Dbased%20violence%20\(GBV\)%20by%20definition,of%20a%20particular%20gender%20disproportionately.&text=or%20suffering%20to%20women](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-based-violence/what-gender-based-violence_en#:~:text=gender%2Dbased%20violence-,Gender%2Dbased%20violence%20(GBV)%20by%20definition,of%20a%20particular%20gender%20disproportionately.&text=or%20suffering%20to%20women) (accessed June 26, 2024).

⁷¹⁵ Sexual Violence webpage, World Health Organization, <https://apps.who.int/violence-info/sexual-violence/#:~:text=Sexual%20violence%20is%20any%20sexual,the%20victim%2C%20in%20any%20setting> (accessed June 26, 2024).

The research did not permit Human Rights Watch to draw conclusions regarding the specific identity of the perpetrators of these crimes, or whether these crimes were planned by those who ordered the attacks.⁷¹⁶ We have only a limited understanding of the overall scale of sexual and gender-based violence committed during the attacks. For reasons discussed below, information about crimes of sexual and gender-based violence committed during the attacks is—and will likely remain—incomplete. Regardless of these limitations, however, victims and survivors of these crimes have a right to justice, accountability, and reparations; Palestinian and Israeli authorities should cooperate with a full independent international investigation of these crimes by the UN and ICC.

This section of the report contains information related to the overall issue of sexual and gender-based violence during the attacks and information regarding incidents not already referenced in the discussion of specific attack locations above.

Human Rights Watch investigated allegations of gender-based violence, including sexual violence, during the October 7 assault by interviewing first responders, and experts on sexual violence who provided information about the context, and reviewing images captured during the assault. Human Rights Watch also attempted to contact and interview people who survived or witnessed acts of sexual and gender-based violence during the attacks. We did so in accordance with our internal ethical guidelines on informed consent and avoiding re-traumatization.

Despite considerable efforts, Human Rights Watch was not able to gather verifiable information through interviews with people who were survivors of or witnesses to rape during the assault on October 7, and there is only one public account reportedly from such a survivor. Some first responders we interviewed described finding bodies partially stripped or torn clothing, and in one case bloodstains that appeared possibly consistent with injury to the genital area.⁷¹⁷ We have cited findings by the UN Special Representative

⁷¹⁶ Human Rights Watch's approach to documenting sexual and gender-based violence across the world centers the well-being of survivors, victims, witnesses and their families, and we recommend that investigating authorities do the same. Legal processes should include robust informed consent practices that create safety for survivors and other victims to speak, if and when they are ready, and ensure survivors provide their testimonies only when strictly necessary and under conditions that protect their privacy and confidentiality and avoid retraumatization.
<https://www.hrw.org/news/2023/12/12/investigating-sexual-and-gender-based-violence-conflict>.

⁷¹⁷ Human Rights Watch interview remote interview with a Zaka member, November 14, 2023; Human Rights Watch interview, Zaka member, November 7, 2023; Human Rights Watch interview, Isaac Rotner, 32, November 7, 2023.

of the Secretary General on sexual violence in conflict, UN Commission of Inquiry and some reporting by media outlets.

The Special Representative on sexual violence in conflict stated in her report that in her team’s “medicolegal assessment” of images documenting the attacks:

a few corpses with conspicuously spread legs were observed. These postures could not be adequately explained by, for instance, “postmortem pugilistic posturing” due to burn damage. The reviewed photographs and videos further revealed a minimum of twenty corpses with partially or fully exposed intimate body parts such as breasts and genitalia, resulting from the absence, displacement, or tearing of clothing. Also, at least ten distinct corpses displayed indications of bound wrists and/or tied legs.

The Special Representative wrote that, “Although circumstantial, such a pattern of undressing and restraining of victims may be indicative of some forms of sexual violence.”

The Special Representative also found “clear and convincing information... based on the first-hand accounts of released hostages... that sexual violence, including rape, sexualized torture, and cruel, inhuman and degrading treatment occurred against some women and children during their time in captivity and has reasonable grounds to believe that this violence may be ongoing.”

Israeli Government Statements and Responses

In November 2023, a spokesperson for the Israeli police discussed their ongoing investigation of sexual violence on October 7 and said the investigation could take six to eight months.⁷¹⁸ A different Israeli police spokesperson was quoted in December 2023 saying that the police were aware of “dozens” of cases of rape perpetrated against women

⁷¹⁸ Daphne Rousseau, “Israel Opens Complex Sexual Abuse Probe Into October 7 Attacks,” *Barron’s* November 14, 2023, <https://www.barrons.com/news/israel-opens-complex-sexual-abuse-probe-into-october-7-attacks-d938113c> (accessed June 17, 2024); Emily Rose, “Israel police open investigation into sexual violence during Oct. 7 attack,” *Reuters*, November 14, 2023, <https://www.reuters.com/world/middle-east/israel-police-open-investigation-into-sexual-violence-during-oct-7-attack-2023-11-14/> (accessed June 17, 2024).

and men during the assault on October 7.⁷¹⁹ In January 2024, Israel’s top police investigations unit, Lahav 433, was quoted saying that they were “unable to put a number on how many women and girls suffered gender-based violence.”⁷²⁰

Also in January 2024, *Haaretz* reported that the police were having difficulty locating victims of sexual assault committed during the October 7 attacks and connecting witness accounts with specific victims. *Haaretz* said the police had appealed for anyone with relevant information to come forward.⁷²¹ In April 2024, *Haaretz* reported that no charges of sexual violence during the October 7 attacks had yet been brought to court.⁷²² The Ministry of Welfare and Social Affairs was quoted in January 2024 saying that five women and one man had “come forward seeking help for sexual abuse over the past few months” in relation to the October 7 attacks.

The issue became increasingly politicized, with Israeli Prime Minister Benjamin Netanyahu in December 2023 criticizing the international response, saying, “I say to the women’s rights organizations, to the human rights organizations—you’ve heard of the rape of Israeli women, horrible atrocities, sexual mutilation. Where the hell are you? I expect all civilized leaders, government, nations to speak up against this atrocity.”⁷²³

At an event held by the Israeli mission to the UN in New York in December 2023, a woman who is a member of an Israeli military reserve force responsible for preparing the bodies of female soldiers and a ZAKA member both described sexualized mutilation of bodies of

⁷¹⁹ “What We Know About Sexual Violence During the Oct. 7 Attacks on Israel, *The New York Times*, December 4, 2023, <https://www.nytimes.com/2023/12/04/world/middleeast/oct-7-attacks-israel-hamas-sexual-violence.html> (accessed June 17, 2024).

⁷²⁰ Bethan McKernan, “Evidence points to systematic use of rape and sexual violence by Hamas in 7 October attacks,” *The Guardian*, January 18, 2024, <https://www.theguardian.com/world/2024/jan/18/evidence-points-to-systematic-use-of-rape-by-hamas-in-7-october-attacks> (accessed June 17, 2024).

⁷²¹ Lisa Rozowski and Joshua Breiner, “The sex crimes investigator on October 7: ‘We believe there are victims who did not testify. I am available for them,’” *Haaretz*, January 4, 2024, <https://www.haaretz.co.il/news/law/2024-01-04/ty-article/.premium/0000018c-d3e4-ddba-abad-d3e502980000> (accessed June 17, 2024).

⁷²² Liza Rozovsky, “15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October 7,” *Haaretz*, April 18, 2024, https://www.haaretz.com/israel-news/2024-04-18/ty-article-magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 17, 2024).

⁷²³ Becky Sullivan Michele Kelemen “Israel presses U.N. to investigate charges of sexual violence by Hamas fighters,” *NPR*, December 6, 2023, <https://www.npr.org/2023/12/06/1217668564/israel-hamas-rape-sexual-violence-oct-7> (accessed June 17, 2024).

women they had witnessed. At the same event, an Israeli police official showed a video clip of a paramedic describing sexualized mutilation of both women and men.⁷²⁴

International Responses

After the October 7 assault, the UN Commission of Inquiry sent six requests to the Israeli government for information and access to Israel and to the Occupied Palestinian Territory. The commission made these requests to facilitate its investigation of alleged violations of international humanitarian law and abuses of international human rights law, including those committed on October 7.⁷²⁵ In March 2024, the commission sent another information request specifically on the subject of acts of rape and other sexual violence carried out during the October 7 assault, including a request for “evidence of any instructions provided to the perpetrators directly responsible for the attack on 7 October 2023 to carry out such acts.”⁷²⁶ The Israeli government did not respond to any of these requests.⁷²⁷

In December 2023, the commission issued a public call for submissions on gender-based crimes committed by armed actors on or after October 7, 2023.⁷²⁸

Despite its lack of access to the country, and Israeli officials’ refusal to cooperate with and obstruction of the commission’s investigation, including by barring medical professionals and others from responding to inquiries from the commission, the commission on June 10, 2024, published a report including findings regarding the October 7 assault.⁷²⁹ This report contains findings regarding acts of sexual and gender-based violence committed as part of the October 7 assault.

⁷²⁴ “Hear Our Voices: Sexual and gender-based violence in the October 7th Hamas terror attack,” *UN Web TV*, <https://webtv.un.org/en/asset/k1u/k1u8mfvmcm> around 42:00 (accessed June 17, 2024).

⁷²⁵ Col report para 2.

⁷²⁶ Col supplement 3, para 16.

⁷²⁷ *Ibid.*

⁷²⁸ Call for submissions on gender-based crimes since 7 October 2023, United Nations Human Rights Council, <https://www.ohchr.org/en/hr-bodies/hrc/co-israel/call-submissions-gender-based-crimes-7-October-2023> (accessed June 26, 2024).

⁷²⁹ “Israel obstructing access to Hamas attack victims: UN probe,” *France 24*, April 16, 2024, <https://www.france24.com/en/live-news/20240416-israel-obstructing-access-to-hamas-attack-victims-un-probe> (accessed June 17, 2024); “Detailed findings on attacks carried out on and after 7 October 2023 in Israel” Human Rights Council, A/HRC/56/CRP.3, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-3.pdf> (accessed June 18, 2024).

With regard to sexual violence, the report states that: “[T]he Commission documented cases indicative of sexual violence perpetrated against women and men in and around the Nova festival site, as well as the Nahal Oz military outpost and several *kibbutzim*, including Kfar Aza, Re’im and Nir Oz.”⁷³⁰ According to the commission press statement, “The Commission identified patterns indicative of sexual violence and concluded that these were not isolated incidents but perpetrated in similar ways in several locations primarily against Israeli women.”⁷³¹

With regard to gender-based violence, the report says: “The Commission found indications that members of the military wing of Hamas and other Palestinian armed groups committed gender-based violence (GBV) in several locations in southern Israel on 7 October. These were not isolated incidents but perpetrated in similar ways in several locations and by multiple Palestinian perpetrators.”⁷³²

The commission wrote that it had “considered several indicators of sexual violence when making its findings, such as the victim being partially or fully undressed, absence of underwear and exposure of the genitals, in combination with the restraining of feet, wrists and hands, positioning of the corpse, isolation of the victim, and/or signs of violence or force on the victim’s body and/or genital area.”⁷³³ The commission framed its discussion of gender-based violence as including acts that “reflected clear abuse of power by male perpetrators and a disregard for the special considerations and protection of women’s integrity and autonomy granted by international law.”⁷³⁴

The UN Special Representative on sexual violence in conflict, Ms. Pramila Patten, visited Israel for a week in January-February 2024 to gather information about sexual violence committed as part of the October 7 assault.⁷³⁵ She was accompanied by a team of experts

⁷³⁰ Col report, para 25.

⁷³¹ Col press statement.

⁷³² Ibid., para. 24.

⁷³³ Col supplement 3, para. 15.

⁷³⁴ Ibid.

⁷³⁵ “UN Special Representative on Sexual Violence in Conflict arrives in Israel,” *Israel Ministry of Foreign Affairs Official Site*, January 29, 2024, <https://www.gov.il/en/departments/news/un-special-representative-on-sexual-violence-in-conflict-arrives-in-israel-29-jan-2024> (accessed June 17, 2024).

who remained for an additional week and-a-half.⁷³⁶ In March 2024, she issued a report detailing the findings of her mission.⁷³⁷

On January 8, 2024, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the UN Special Rapporteur on extrajudicial, summary or arbitrary executions issued a statement on the October 7 assault, calling for full accountability and cooperation with investigators, with specific reference to sexual violence.⁷³⁸

Additional Information Regarding Possible Sexual and Gender-Based Violence

Information related to sexual and gender-based violence is included above in the sections of this report discussing the attacks at the Supernova site, Kibbutz Be’eri, Kibbutz Kfar Aza, Kibbutz Nahal Oz, and Kibbutz Re’im. The information below is included here because it is not linked to any of the specific locations discussed in the earlier sections of this report.

A video posted to X on October 7, recorded that day about 10 a.m., according to analysis of the position and length of the shadows visible in the video, 150 meters northwest from Salah al-Din Road on al-Sheja’iya Police Station Street in northern Gaza, portrays the attackers’ violent treatment and public display of a female hostage. The video depicts a four-door Jeep with several male passengers. One of the men is seen pulling a woman out of the trunk compartment, dragging her by her hair to the back seat, and, together with another man, physically forcing her into the back seat of the car as she resists. The second man then forces his way into the seat next to her. The woman’s hands are restrained behind her back using a zip tie, and she has multiple visible wounds to her face, arm, knee, and ankle. She has a large blood stain on her trousers and on her back. While this

⁷³⁶ “Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024,” *Office of Special Representative of the Secretary-General in Sexual Violence in Conflict*, March 2024, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 17, 2024).

⁷³⁷ “Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024,” *Office of Special Representative of the Secretary-General in Sexual Violence in Conflict*, March 2024, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 17, 2024).

⁷³⁸ “UN experts demand accountability for victims of sexual torture and unlawful killings during 7 October attacks,” *OHCHR press release*, January 8, 2024, <https://www.ohchr.org/en/press-releases/2024/01/un-experts-demand-accountability-victims-sexual-torture-and-unlawful> (accessed June 17, 2024).

could be an indication of sexual violence, Human Rights Watch was unable to ascertain the source of the blood stain.⁷³⁹

Human Rights Watch verified nine videos and five photographs from Gaza, Nahal Oz, Nir Oz, Re'im, and Sderot, posted across various Telegram channels and on Getty Images that portray multiple people who have been killed or taken hostage and appear to have been stripped of clothing. These include people in public places who are partially nude, including both women and men.⁷⁴⁰ Human Rights Watch has verified a video posted on the South First Responders Telegram channel in which a hostage's captors force him to remove his shirt and another in which a hostage dressed only in underwear is beaten.⁷⁴¹ In another video, five hostages are shown in a dark environment and two of the men appear to have their shirts ripped and pulled over their shoulders or partially removed.⁷⁴² Human Rights

⁷³⁴ Paul Golding (@GoldingBF) post to X (formerly known as Twitter) October 7, 2023, (accessed June 27, 2024). ⁷⁴⁰ "Victims, Damaged Cars And Soldiers On Streets As Israel Declares State Of War Alert Following 2,200-rocket Barrage," video clip, Bloomberg Video—Footage, Getty Images, October 9, 2023, (accessed June 18, 2024); Graphic content / The bodies of civilians killed in a Palestinian militant attack lie on a main road in the southern Israeli city of Sderot on October 7, 2023, BAZ RATNER / Contributor, *Getty Images*, October 7, 2023, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 10, 2023, (accessed June 18, 2024); Graphic content / The bodies of killed civilians lie covered in the southern city of Sderot on October 7, 2023, OREN ZIV / Contributor, Getty Images, October 7, 2023, (accessed June 18, 2024); وكالة شهاب post to Telegram channel, October 7, 2023, 398989 (accessed June 26, 2024); وكالة شهاب post to Telegram channel, October 7, 2023, (accessed June 26, 2024); « سرايا القدس - سلاح الإشارة » الإحتياطية post to Telegram channel, October 7, 2023, (accessed June 2023); « سرايا القدس - سلاح » الإحتياطية post to Telegram channel, October 7, 2023, (accessed June 26, 2024); Gaza Now (@gazaalannet) post to Telegram channel, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 9, 2023, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 17, 2023, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, (accessed June 18, 2024); @AdinHaykin1 post to X, December 3, 2023 <https://twitter.com/AdinHaykin1/status/17366772835307046> (accessed June 28, 2024).

⁷⁴⁰ "Victims, Damaged Cars And Soldiers On Streets As Israel Declares State Of War Alert Following 2,200-rocket Barrage," video clip, Bloomberg Video—Footage, Getty Images, October 9, 2023, (accessed June 18, 2024); Graphic content / The bodies of civilians killed in a Palestinian militant attack lie on a main road in the southern Israeli city of Sderot on October 7, 2023, BAZ RATNER / Contributor, *Getty Images*, October 7, 2023, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 10, 2023, (accessed June 18, 2024); Graphic content / The bodies of killed civilians lie covered in the southern city of Sderot on October 7, 2023, OREN ZIV / Contributor, Getty Images, October 7, 2023, (accessed June 18, 2024); وكالة شهاب post to Telegram channel, October 7, 2023, 398989 (accessed June 26, 2024); وكالة شهاب post to Telegram channel, October 7, 2023, (accessed June 26, 2024); « سرايا القدس - سلاح الإشارة » الإحتياطية post to Telegram channel, October 7, 2023, (accessed June 2023); « سرايا القدس - سلاح » الإحتياطية post to Telegram channel, October 7, 2023, (accessed June 26, 2024); Gaza Now (@gazaalannet) post to Telegram channel, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, October 9, 2023, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, December 17, 2023, (accessed June 18, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, (accessed June 18, 2024); @AdinHaykin1 post to X, December 3, 2023 <https://twitter.com/AdinHaykin1/status/17366772835307046> (accessed June 28, 2024).

⁷⁴¹ South First Responders (@SouthFirstResponders) post to Telegram channel, (accessed June 18, 2024); Gaza Now (@gazaalannet) Telegram channel, (accessed June 18, 2024).

⁷⁴² Resistance News Network (@PalestineResist) post to Telegram channel, October 7, 2023, (accessed June 18, 2024).

Watch was unable to verify when or where the video took place due to an absence of contextual information.

Forced nudity—of any person—can be a form of sexual violence when it is done with the aim of inflicting humiliation.⁷⁴³ There are other possible explanations for victims being partially or fully unclothed, including because the attacks began while many were sleeping; being forced to strip to prove to those holding them that they were unarmed; or because they were in burning buildings and disrobed themselves due to the heat or to avoid their clothing catching fire.

The UN Commission of Inquiry, in its June 2024 report, in addition to location-specific finding discussed earlier in this report, also described additional relevant findings. The commission wrote that at the Nahal Oz outpost, it had “documented information indicating that women at the outpost were subjected to sexual violence. This includes bodies being found undressed and isolated in separate rooms, showing signs of physical abuse and sexual violence.”⁷⁴⁴ The commission also discussed the dead bodies of women being displayed as trophies in gendered ways, and female hostages who were assaulted, touched, restrained, and forced into coerced intimacy by male abductors.⁷⁴⁵

The Association of Rape Crisis Centers in Israel (ARCCI), a network of nine rape crisis centers operating across the country, produced a report in February 2024 titled “Sexual Crimes in the October 7 War” that documents acts of sexual and gender-based violence during the October 7 assault.⁷⁴⁶ The report does not state whether centers within the ARCCI network were or had been in contact with survivors of sexual and gender-based violence committed during the attacks on October 7. The introduction to the report states that, according to the ethical principles of the organization, they “prioritize the preferences and choices of the survivors. ... Consequently, we cannot present in this document all the information and accounts that have come to us confidentially.”⁷⁴⁷

⁷⁴³ “Prevention and Criminal Repression of Rape and Other forms of Sexual Violence during Armed Conflicts,” *ICRC*, March 11, 2015, <https://www.icrc.org/en/download/file/4865/prevention-criminal-repression-rape-sexual-violence-armed-conflicts-icrc-eng.pdf> (accessed June 18, 2024).

⁷⁴⁴ Col supplement 3, para 165.

⁷⁴⁵ Col supplement 3, paras 148, 156, 160-1.

⁷⁴⁶ ARCCI report (English language version).

⁷⁴⁷ *Ibid* p. 7.

An April 2024 *Haaretz* article cited information provided by two organizations that were providing psychological support to survivors of the October 7 attacks.⁷⁴⁸ One of these organizations reported that it had been in contact with at least 10 survivors who said they had witnessed sexual violence during the attacks but had not disclosed this information publicly. The other organization said it had information about 13 individuals who saw or heard acts of sexual violence during the attacks. The article clarified that *Haaretz* did not have information about whether there might be overlap between these two groups of witnesses.⁷⁴⁹

Media outlets published multiple accounts about first responders observing corpses they believe showed signs of rape and other forms of gender-based violence.⁷⁵⁰ A Reuters article says that, “multiple cases of rape were found by forensic examination of the bodies,” citing a reserve warrant officer working at an army base in Ramla where bodies were brought.⁷⁵¹

In March 2024, a woman who was taken hostage during the October 7 attacks told a media outlet that she had been sexually assaulted while in captivity.⁷⁵² Another female hostage, released in November 2023, told an Israeli parliamentary committee that while in captivity she comforted a younger female hostage who told her she had been sexually assaulted by a captor.⁷⁵³ A mother and daughter who were held together as hostages told media outlets

⁷⁴⁸ Liza Rozovsky, “15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October,” *Haaretz*, April 18, 2024, https://www.haaretz.com/israel-news/2024-04-18/ty-article-magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 18, 2024).

⁷⁴⁹ Liza Rozovsky, “15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October,” *Haaretz*, April 18, 2024, https://www.haaretz.com/israel-news/2024-04-18/ty-article-magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 18, 2024).

⁷⁵⁰ For example, Itamar Eichner, “‘We are acting against savages’: Paramedic says found young girls raped, executed by Hamas,” *Ynet News*, October 25, 2023, https://www.ynetnews.com/article/byrfpxvm6_ (accessed June 18, 2024); Emily Rose and Herbert Villarraga, “Rescue workers recount horrors found in kibbutz attacked by Hamas,” *Reuters*, October 17, 2023, <https://www.reuters.com/world/middle-east/rescue-workers-recount-horrors-found-kibbutz-attacked-by-hamas-2023-10-17/> (accessed June 18, 2024).

⁷⁵¹ “Israeli forensic teams describe signs of torture, abuse,” *Reuters*, October 15, 2023, <https://www.reuters.com/world/middle-east/israeli-forensic-teams-describe-signs-torture-abuse-2023-10-15/> (accessed June 18, 2024).

⁷⁵² “Israeli Hostage Says She Was Sexually Assaulted and Tortured in Gaza,” *The New York Times*, March 26, 2024, <https://www.nytimes.com/2024/03/26/world/middleeast/hamas-hostage-sexual-assault.html> (accessed June 18, 2024).

⁷⁵³ Hilai, “Shocking testimony in the Knesset: a young abducted woman returned from the bathroom upset, the terrorist sexually assaulted her,” *Ynet News*, January 9, 2024, <https://www.ynet.co.il/news/article/rkt92f5ua> (accessed June 18,

about several accounts of sexual violence they said other female hostages who had been the victims of this violence had shared with them.⁷⁵⁴ Two doctors who treated released hostages told journalists that “many” of the female hostages had been sexually assaulted while being held by Hamas in Gaza.⁷⁵⁵ As mentioned above, the Special Representative on sexual violence in conflict described receiving information indicating that hostages were subjected to sexual violence including rape.⁷⁵⁶ One of the released women hostages described a male captor’s insistence that he would marry her.⁷⁵⁷

A woman taken hostage described to the media her clothing—pajamas she was wearing at the time of the attack—being inadvertently pulled off as she was dragged away by her captors and her fear that this might prompt them to rape her; she said she was not raped. She described being held without other hostages and guarded by solely male captors “24/7, from the second I got to Gaza to the second I left. ...You cannot object to anything—it could cost you your life.” She said she was given a hijab to wear which she felt was her “only protection. ...I was watched and seen at all times. I was not hidden, not for a moment. They could do anything to me. I was helpless.”⁷⁵⁸

Human Rights Watch has not independently corroborated accounts provided to the media.

Barriers to Documenting Sexual Violence

2024); “Former hostage Mia Regev says ‘every woman’ sexually harassed in Hamas captivity,” *i24 News*, April 2, 2024, <https://www.i24news.tv/en/news/israel-at-war/survivor-testimonies/artc-former-hostage-mia-regev-says-every-woman-sexually-harassed-in-hamas-captivity> (accessed June 18, 2024).

⁷⁵⁴ “Woman released from Gaza: Three hostages told us they were sexually abused by their captors,” *The Times of Israel*, December 11, 2023, https://www.timesofisrael.com/liveblog_entry/woman-released-from-gaza-three-hostages-told-us-they-were-sexually-abused-by-their-captors/ (accessed June 18, 2024); Eliana Jordan, “New testimony reveals grim details of Hamas sexual violence against hostages,” *The Jewish Chronicle*, February 14, 2023, <https://www.thejc.com/news/israel/new-testimony-reveal-grim-details-of-hamas-sexual-violence-against-hostages-gjp77joi> (accessed June 18, 2024).

⁷⁵⁵ Kim Hjelmgaard, “‘We know they were raped in Hamas captivity’ Chilling details of what hostages faced,” *USA Today*, December 20, 2023, <https://www.usatoday.com/story/news/world/2023/12/20/hamas-sexual-violence-rape-hostages-oct-7/71917113007/> (accessed June 18, 2024).

⁷⁵⁶ @AdinHaykin1 post to X, December 3, 2023, on file with Human Rights Watch.⁷⁵⁷ “Humiliation, violence and fear: the testimonies of the abductees who returned from the captivity of Hamas,” *Haaretz*, April 3, 2024, https://www.haaretz.co.il/news/politics/2024-03-04/ty-article-timeline/0000018d-59e9-d6bo-adcd-7dfbbd6c0000?utm_source=App_Share&utm_medium=iOS_Native (accessed June 18, 2024).

⁷⁵⁷ “Humiliation, violence and fear: the testimonies of the abductees who returned from the captivity of Hamas,” *Haaretz*, April 3, 2024, https://www.haaretz.co.il/news/politics/2024-03-04/ty-article-timeline/0000018d-59e9-d6bo-adcd-7dfbbd6c0000?utm_source=App_Share&utm_medium=iOS_Native (accessed June 18, 2024).

⁷⁵⁸ “Israeli hostage Yarden Roman-Gat shares details of her captivity in Gaza,” video clip, YouTube, 60-minutes, December 17, 2023, <https://www.youtube.com/watch?v=ixynqr-88gE> (accessed June 18, 2024).

Documenting gender-based violence, including sexual violence, is often a difficult task. Survivors often face deep trauma and may not feel that discussing their experiences is conducive to their well-being. Services designed to support survivors as they cope with the impact of the rape are often lacking or hard to access. Law enforcement responses are often inhospitable to rape survivors and may be unlikely to lead to justice.⁷⁵⁹

The International Committee for the Red Cross has said:

Sexual violence continues to be an invisible phenomenon, with few victims coming forward for help, care or justice because of feelings of guilt or shame, fear of retribution or taboos. In cases where sexual violence is combined with killing (or the death of the person), sexual violence can be overlooked or not properly documented and/or reported in fatality statistics or medico-legal documentation; often, medico-legal systems and forensic services are weak or weakened in humanitarian contexts.⁷⁶⁰

Survivors also often fear—and face—deep stigma.⁷⁶¹ A manual on preventing stigma related to sexual violence in conflict notes that, “[T]here is no time limit on stigma and it may take years or decades for someone to come forward owing to issues such as trauma and fear.”⁷⁶²

These factors contribute to low rates of survivors of sexual violence reporting the crimes committed against them to law enforcement. Many of these factors could affect whether survivors of sexual violence on October 7 have spoken or will speak about their experiences. But the difficulties of documenting crimes of sexual violence committed during the assault on October 7 are also compounded by additional complexities specific to this situation.

⁷⁵⁹ Lee Yaron, “Ninety-two Percent of Rape Investigations in Israel Are Closed Without Charges,” *Haaretz*, November 24, 2020, <https://www.haaretz.com/israel-news/2020-11-24/ty-article/.premium/92-percent-of-rape-investigations-in-israel-are-closed-without-charges/0000017f-e1d0-d9aa-afff-f9d8c3450000> (accessed June 18, 2024).

⁷⁶⁰ “Despite its prohibition in international law, sexual violence in conflict remains a brutal reality,” *ICRC*, June 17, 2022, <https://www.icrc.org/en/document/five-things-know-about-sexual-violence-conflict-zones> (accessed June 18, 2024).

⁷⁶¹ Kate Adam, “Principles for Global Action Preventing and Addressing Stigma Associated with Conflict-Related Sexual Violence,” *UN*, June 2019, https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/principles-for-global-action-preventing-and-addressing-stigma-associated-with-conflict-related-sexual-violence/PSVI_Principles_for_Global_Action.pdf (accessed June 18, 2024).

⁷⁶² p. 27.

The killings were often carried out in particularly violent ways. Many of the bodies recovered had been burned, dismembered, or showed signs of ill treatment, and some were not identifiable.⁷⁶³ Some of the accounts of sexual violence describe rape victims being killed that day, which of course leaves victims unable to tell their stories; crimes of sexual violence committed against victims who are now deceased will likely only be known if they were seen and reported by witnesses, given the lack of physical evidence discussed below. People who lived through the violence committed on October 7 are often deeply traumatized; many witnessed violence committed against their loved ones, lost their partners, children or parents, or are awaiting the release of hostages.

The people taken hostage may also include people who witnessed or experienced sexual violence during the attacks on October 7, whose accounts were also unavailable during their captivity. For hostages, the trauma of kidnap and experiences during captivity may also have created additional barriers to them recounting what they experienced or saw on October 7.

Collection of Evidence

During, and in the immediate aftermath of, the October 7 assault, the focus of first responders was on restoring security, seeking missing people, identifying bodies, and providing dignified treatment to the bodies of people who had been killed.⁷⁶⁴ First responders did not systematically collect evidence for the purpose of future accountability, including collection of physical evidence of sexual violence, and much of the physical evidence that may have existed would have deteriorated quickly given the speed of

⁷⁶³ For example, the SRSg-SVC discussed burn damage to bodies as an obstacle to investigating conflict-related sexual violence. SRSg-SVC report, para 73. “Mission report Official visit of the Office of the SRSg-SVC to Israel and the occupied West Bank 29 January–14 February 2024,” *Office of Special Representative of the Secretary-General in Sexual Violence in Conflict*, March 2024, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 17, 2024).

⁷⁶⁴ Bethan McKernan, “Israel women’s groups warn of failure to keep evidence of sexual violence in Hamas attacks,” *The Guardian*, November 10, 2023, <https://www.theguardian.com/world/2023/nov/10/israel-womens-groups-warn-of-failure-to-keep-evidence-of-sexual-violence-in-hamas-attacks> (accessed March 13, 2024); Carrie Keller-Lynn, “Amid war and urgent need to ID bodies, evidence of Hamas’s October 7 rapes slips away,” *The Times of Israel*, November 9, 2023, <https://www.timesofisrael.com/amid-war-and-urgent-need-to-id-bodies-evidence-of-hamass-october-7-rapes-slips-away/> (accessed March 13, 2024).

decomposition of bodies in what was warm weather.⁷⁶⁵ Delays in responders being able to reach some bodies because of the continued fighting compounded the difficulties.⁷⁶⁶ A police spokesperson, discussing sexual violence with the media, confirmed that the government had “zero autopsies.”⁷⁶⁷ Thus the evidence being relied on by forensic authorities was mostly circumstantial, based on bodies found without clothing, with ripped clothing, and in positions or with injuries believed by some to be suggestive of sexual violence.⁷⁶⁸

Human Rights Watch interviewed an independent forensic doctor who visited two of the attack sites and the Israeli National Center of Forensic Medicine in the days after the October 7 assault. He confirmed that no investigations had been conducted into those potential sexual violence crime scenes, nor had forensic evidence been collected from those locations or from the bodies of potential victims of sexual violence (see chapter on Israeli Response at Attack Sites for more detail on how the crime scenes and victims’ bodies were handled).⁷⁶⁹

Five forensic pathologists were present, and examined bodies, at Shura base, where many of the bodies of victims of the attacks were taken.⁷⁷⁰ According to *Haaretz*, these pathologists examined some of the bodies that arrived completely or partially nude for signs of rape; these examinations did not yield findings of evidence of sexual violence, but because of limited capacity, about 75 percent of the bodies were buried without any professional examination.⁷⁷¹ The same *Haaretz* article reported that Israeli police forensic

⁷⁶⁵ Bethan McKernan, “Israel women’s groups warn of failure to keep evidence of sexual violence in Hamas attacks,” *The Guardian*, November 10, 2023, <https://www.theguardian.com/world/2023/nov/10/israel-womens-groups-warn-of-failure-to-keep-evidence-of-sexual-violence-in-hamas-attacks> (accessed March 13, 2024).

⁷⁶⁶ Emily Rose, “Israel police open investigation into sexual violence during Oct. 7 attack,” *Reuters*, November 14, 2023, <https://www.reuters.com/world/middle-east/israel-police-open-investigation-into-sexual-violence-during-oct-7-attack-2023-11-14/> (accessed March 13, 2024).

⁷⁶⁷ Jeffrey Gettleman, Anat Schwartz and Adam Sella, “‘Screams Without Words’: How Hamas Weaponized Sexual Violence on Oct. 7,” *The New York Times*, December 28, 2023, <https://www.nytimes.com/2023/12/28/world/middleeast/oct-7-attacks-hamas-israel-sexual-violence.html> (accessed March 13, 2024).

⁷⁶⁸ Human Rights Watch remote interview with a forensic doctor, November 22, 2023.

⁷⁶⁹ Human Rights Watch remote interview with a forensic doctor, November 22, 2023.

⁷⁷⁰ Liza Rozovsky, “15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October,” *Haaretz*, April 18, 2024, https://www.haaretz.com/israel-news/2024-04-18/ty-article-magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 18, 2024).

⁷⁷¹ Liza Rozovsky, “15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October,” *Haaretz*, April 18, 2024, <https://www.haaretz.com/israel-news/2024-04-18/ty-article->

teams—six teams of two officers per team—conducted investigations on the night of October 7 at the Supernova site alongside ZAKA members but did so in the dark and under difficult security conditions that led to them being forced to end their work prematurely. These teams did not produce documentation of cases of sexual violence.⁷⁷²

magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 18, 2024).

⁷⁷² Liza Rozovsky, “15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October,” *Haaretz*, April 18, 2024, https://www.haaretz.com/israel-news/2024-04-18/ty-article-magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 18, 2024).

Israeli Government Management of Evidence at Attack Sites

Because of the large number of victims, Israeli authorities did not systematically conduct forensic analysis of the crime scenes or conduct forensic medical examinations of those killed during the attacks. While this is understandable given the scale of the assault, number of victims, and the desire to identify victims and return them to their families, this has meant a significant impediment to investigators attempting to determine the full scale and nature of the range of abuses committed on October 7 and the context in which they occurred.

At some attack sites, the Israeli armed forces battled Palestinian fighters for hours, and in some cases days. ZAKA members described collecting and removing the remains of victims of the assault in the immediate aftermath, prior to any forensic investigation.

Avi Deri, 55, said that as he and other ZAKA members began to collect bodies of civilians and soldiers, they moved with police and soldiers who provided security.⁷⁷³

Nachman Dyksztejn, another ZAKA member, said he and colleagues passed dozens of bodies along the road as they drove from the hospital in Ashkelon, where about 200 bodies had been brought from the Supernova music festival site on the evening of October 7. Where they were able to do so, they put bodies into body bags and moved them to the side of the road. He said they quickly ran out of bags, after using the 60 or so that they had brought with them. Dyksztejn said that they started wrapping up and moving bodies not realizing the magnitude of the assault and the number of victims.⁷⁷⁴

ZAKA members proceeded to the communities in the “Gaza Envelope” that were substantially cleared of attackers and other threats beginning on October 8. Soldiers first cleared buildings with explosive ordnance disposal teams, then ZAKA entered homes to remove bodies. During the first few days, ZAKA members said they did not take photographs.⁷⁷⁵ In some cases, ZAKA’s media manager was called to take photographs.

⁷⁷³ Human Rights Watch interview with Avi Deri, 55, Ashdod, November 7, 2023.

⁷⁷⁴ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

⁷⁷⁵ Human Rights Watch interview with Avi Deri and a ZAKA member, November 7, 2023.

One ZAKA member said:

There were bodies that were like the ashes on the barbecue: when you touch the ash, it is breaking down, like bones that are sitting on the chair and when you come to take it, it falls apart. Whatever's left is like a ring or necklace. ... I took photos of the different tattoos and special jewelry to help us later on to figure out who this body is.⁷⁷⁶

Initially the collection of bodies focused on victims. The collection of remains of the attackers was not done until later.

ZAKA took the remains of victims to an Israeli army base that served as a morgue.⁷⁷⁷ Many of the bodies had been mutilated or burned beyond recognition. It took forensic doctors weeks to identify some of them.⁷⁷⁸ A forensic doctor who visited two of the attack sites and the Israeli National Center of Forensic Medicine after the attacks confirmed that forensic specialists did not travel to the attack sites for investigative purposes, because of the high number of bodies that needed to be examined in a very short amount of time and the tenuous security situation at the attack sites, among other reasons.⁷⁷⁹ Instead, the attack sites were initially secured by the military, and human remains were collected by ZAKA members.⁷⁸⁰

The doctor said that the National Center of Forensic Medicine promptly returned to their families the bodies of about a third of those killed that were in relatively good condition. As a result, they did not have time in these cases to carry out full investigations into the causes of death and the full range of the possible traumas that those who died had

⁷⁷⁶ Human Rights Watch interview with a ZAKA member, November 7, 2023.

⁷⁷⁷ Lilia Luciano, "Witnesses, evidence indicate Hamas committed acts of sexual violence during Oct. 7 attack," *CBS News*, December 15, 2023, <https://www.cbsnews.com/news/hamas-israel-witnesses-evidence-show-sexual-violence-oct-7-terror-attack/> (accessed March 12, 2024).

⁷⁷⁸ "Israel social security data reveals true picture of Oct 7 deaths," *France 24*, December 15, 2023, <https://www.france24.com/en/live-news/20231215-israel-social-security-data-reveals-true-picture-of-oct-7-deaths> (accessed June 20, 2024).

⁷⁷⁹ Human Rights Watch remote interview with a forensic doctor, November 22, 2023.

⁷⁸⁰ Human Rights Watch remote interview with a forensic doctor, November 22, 2023.

experienced. For the remaining bodies, doctors at the National Center of Forensic Medicine conducted limited forensic examinations, something confirmed in an article in *Haaretz*.⁷⁸¹

In the aftermath of the assault, Israeli police, Shin Bet, and the Israeli military began to collect evidence, take witness statements, and interrogate captured fighters. According to a *Guardian* article published in late January 2024, Israel's top police investigations unit, Lahav 433, was still examining 50,000 pieces of visual evidence and 1,500 witness testimonies.⁷⁸²

⁷⁸¹ Human Rights Watch remote interview with a forensic doctor, November 22, 2023; Liza Rozovsky, "15 Witnesses, Three Confessions, a Pattern of Naked Dead Bodies. All the Evidence of Hamas Rape on October," *Haaretz*, April 18, 2024, https://www.haaretz.com/israel-news/2024-04-18/ty-article-magazine/.premium/witnesses-confessions-naked-dead-bodies-all-the-evidence-of-hamas-rape-on-oct-7/0000018e-f114-d92e-abfe-f77f7e3f0000?utm_source=App_Share (accessed June 18, 2024).

⁷⁸² Bethan McKernan, "Evidence points to systematic use of rape and sexual violence by Hamas in 7 October attacks," *The Guardian*, January 18, 2024, <https://www.theguardian.com/world/2024/jan/18/evidence-points-to-systematic-use-of-rape-by-hamas-in-7-october-attacks> (accessed June 20, 2024).

Palestinian Armed Groups Taking Part in the Assault

Hamas's armed wing, the Qassam Brigades, led the assault on October 7. However, other Palestinian armed groups from Gaza participated in the attack. By geolocating 47 videos and analyzing the emblems and colored headbands worn by attackers in them and the Telegram channels on which content was posted, Human Rights Watch identified at least four other armed groups involved. Two additional groups claimed via their official Telegram channel to have participated in the assault, although Human Rights Watch was unable to verify their participation.

The five Palestinian armed groups that Human Rights Watch confirmed to have participated in the attacks are: Hamas's armed wing, the Qassam Brigades; the Palestinian Islamic Jihad's armed wing, the Quds Brigades; the Democratic Front for the Liberation of Palestine's armed wing, the National Resistance Brigades or Omar al-Qasim Forces; the Popular Front for the Liberation of Palestine's armed wing, the Martyr Abu Ali Mustafa Brigades; and the Aqsa Martyrs Brigades, formerly linked to the Fatah political faction.

We confirmed these groups' participation in large part through an analysis of the attackers visible in videos taken during the attacks, including CCTV and body camera footage. This included footage of some fighters wearing colored headbands linked to specific armed groups. It also included footage posted on the Telegram social media channels belonging to specific armed groups which showed evidence of abuse, with the captions claiming responsibility for the depicted acts of abuse.

The National Resistance Brigades, Aqsa Martyrs Brigades, and Martyr Abu Ali Mustafa Brigades shared fewer videos of their members' actions on their Telegram channels and rarely appeared in other videos of the assault. The limited number of videos of these groups that Human Rights Watch analyzed were recorded hours after the assault began.

Two additional groups claimed to have participated in the assault. The Mujahideen Brigades posted a statement on its Telegram channel saying its fighters fought alongside the Qassam Brigades.⁷⁸³ The channel also posted footage apparently taken on October

⁷⁸³ ككتائب المجاهدين – فلسطين 783 post to Telegram channel, October 7, 2023, (accessed June 26, 2024).

7.⁷⁸⁴ Human Rights Watch could not identify headbands or insignia to independently confirm that the group participated. The Nasser Salah al-Din Brigades posted to its Telegram channel a statement that its fighters engaged in violent clashes inside Israel on October 7.⁷⁸⁵ Human Rights Watch was unable to independently confirm their participation.

An eighth group, the Ansar Brigades, may also have participated in the attacks. One video analyzed by Human Rights Watch shows hostages being moved on a trailer while a person near the camera is heard shouting “Kata'eb Al-Ansar.”⁷⁸⁶ Human Rights Watch could not identify any headbands or insignia in the video to confirm the group’s participation and the group did not release a statement on social media confirming its involvement on October 7.

Mere participation in the attack on Israel on October is not a violation of international humanitarian law, but fighters identifiable as affiliated with the Qassam Brigades, the Quds Brigades, the Aqsa Martyrs, and the National Resistance Brigades, all committed serious abuses of the laws of war, as did individuals whose affiliation was unclear or who were civilians from Gaza directly participating in the hostilities.

The Qassam Brigades

Hamas’s armed wing, the Qassam Brigades, is the largest of the armed groups in Gaza. The April 14 Hamas letter states that the Qassam Brigades were responsible for planning and carrying out the October 7 assault. In addition, the deputy chairman of Hamas’s Political Bureau, Saleh Al-Arouri, who was killed in January 2024, confirmed on October 12 that the Qassam Brigades led and participated in the assault: “It was a well-organized and disciplined operation, in which Qassam leaders instructed the brothers who participated in the operation to attack the [Israeli military’s] Gaza Division.”⁷⁸⁷

⁷⁸⁴ فلسطين – كتائب المجاهدين post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁷⁸⁵ الوية الناصر صلاح الدين post to Telegram channel, October 7, 2023, (accessed June 26, 2024).

⁷⁸⁶ “Kata'eb Al-Ansar” means Ansar Brigades in Arabic. وكالة شهاب post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁷⁸⁷ Saleh al-Arouri, “Saleh al-Arouri, West Bank leader, October 12, 2023,” Counter Extremism Project, blog post, October 12, 2023, <https://www.counterextremism.com/content/saleh-al-arouri-west-bank-leader-october-12-2023> (accessed March 13, 2024).

The exact decision-making relationship between Hamas’s internal and external political branches and the Qassam Brigades is debated. However, the Qassam Brigades maintains a close relationship with the political wing of Hamas, both inside and outside the Gaza Strip, and it is the military wing that has historically been in charge of designing and executing specific operations and deciding upon the tactics to use to achieve a broader agreed-upon strategy, as well as command and control of its forces.⁷⁸⁸ While the political wing shapes the overall strategy through a consultative process with the organization’s constituencies, including the Qassam Brigades, it is not necessarily aware of the tactical or operational details of any specific operation to be carried out by the Qassam Brigades.⁷⁸⁹ Given the extent of the operation, some members of the political leadership, particularly in the Gaza Strip, would have been aware of plans for a large-scale attack, if not the specifics of the operation.⁷⁹⁰

Armed Groups’ Presence During the Assault

Content circulated on the armed groups’ Telegram channels and other social media platforms confirms that the Qassam Brigades was the most active group. Human Rights Watch identified fighters wearing apparel associated with the Qassam Brigades in 39 videos in 14 locations, including: Be’eri, Sufa, the Erez crossing, Ein Hashlosha, Kerem Shalom, Re’im, the Supernova music festival, Sderot, Alumim, Kissufim, Nirim, Nahal Oz, Kfar Aza, and the Pega military camp. The content shows Qassam Brigades fighters deliberately killing civilians, taking hostages, and setting houses on fire, mostly in the early morning on October 7. Nine videos also show the Qassam Brigades leading the attacks that breach the barrier separating Gaza from Israel, targeting military outposts near Kerem Shalom, Sufa, Nirim, the Erez crossing, and Pega military base, and attacking Israeli security forces.

In addition, Human Rights Watch verified four videos that indicate Qassam Brigades fighters participated in attacks on Nir Oz, the Nahal Oz military base, and Zikim beach. These videos do not clearly show attackers wearing the group’s attire, but they were published on the official Qassam Brigades Telegram channel, suggesting the group’s

⁷⁸⁸ Human Rights Watch remote interview, analyst, February 13, 2024; Human Rights Watch remote interview, analyst, April 18, 2024.

⁷⁸⁹ Human Rights Watch remote interview, analyst, February 13, 2024.

⁷⁹⁰ Human Rights Watch remote interview analyst, February 13, 2024. Human Rights Watch remote interview analyst, May 15, 2024. Human Rights Watch remote interview analyst, April 18, 2024.

involvement in those incidents. All four videos show attackers either breaching Israeli defenses, attacking Israeli military bases, or, in the case of Zikim beach, landing boats on Israel's coast.

The Quds Brigades appear to have been involved in the breach near Nahal Oz. Human Rights Watch verified two videos shared on the armed group's Telegram channel showing fighters in civilian clothes with Quds-branded headbands firing an anti-tank guided missile toward the border fence and entering the Israeli military base near Nahal Oz around 9:30 a.m., according to the shadows visible in the video.⁷⁹¹ Two other videos recorded later in the morning and shared on the same Telegram channel show Quds fighters taking three civilian hostages from Nir Oz, as well as another hostage from Nahal Oz.⁷⁹²

Some armed groups explicitly acknowledged their forces' presence at certain attack sites by posting messages on their official Telegram channels. In these particular instances, Human Rights Watch was unable to confirm these claims, because we saw no footage to substantiate it. The Qassam Brigades issued statements connecting their forces to attacks on Ofakim and Holit.⁷⁹³ The Quds Brigades posted messages on their Telegram channel about their involvement in attacks on Sderot, Kfar Aza, and Kissufim.⁷⁹⁴ The Aqsa Martyrs Brigades claimed on their Telegram channel that their fighters stormed and confiscated weapons from Kissufim.⁷⁹⁵ The National Resistance Brigades wrote on their Telegram channel that their fighters engaged in clashes in Be'eri, Kerem Shalom, Kfar Aza, and Kissufim.⁷⁹⁶

The BBC identified the same five armed groups as participating in the assault, based on the headbands they were wearing and on the content of the groups' Telegram affiliate

⁷⁹¹ سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 7, 2023, (accessed June 26, 2024); سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 7, 2023, (accessed June 26, 2024).

⁷⁹² سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 7, 2023, (accessed June 26, 2024); سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁷⁹³ كتائب الشهيد عز الدين القسام post to Telegram channel, October 7, 2023, (accessed June 26, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 8, 2023, (accessed June 26, 2024); كتائب الشهيد عز الدين القسام post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁷⁹⁴ سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 8, 2023, (accessed June 26, 2024); سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁷⁹⁵ Al-Aqsa Brigades - Signal and Monitoring Corps (@gnballh) post to telegram channel, October 8, 2023, (accessed March 13, 2024).

⁷⁹⁶ قوات الشهيد عمر القاسم post to Telegram channel, October 8, 2023, (accessed June 26, 2024); قوات الشهيد عمر القاسم post to Telegram channel, October 7, 2023, (accessed June 26, 2024).

channels from the day of the assault: the Qassam Brigades, the Quds Brigades, the Aqsa Martyrs Brigades, Martyr Abu Ali Mustafa Brigades, Mujahideen Brigades, and the National Resistance Brigades or Omar al-Qasim Forces.⁷⁹⁷

The BBC identified a sixth group, the Mujahideen Brigades, which shared a video on its official Telegram channel that shows scenes of destruction at the Erez crossing, as well as a military base 3 kilometers southwest of Nahal Oz.⁷⁹⁸ However, this video does not show attackers wearing Mujahideen Brigades apparel. Like videos posted by the National Resistance Brigades, Aqsa Martyrs Brigades, and Martyr Abu Ali Mustafa Brigades, the clips in the video shared by the Mujahideen Brigades were recorded hours after the assault began.

Coordination Between Armed Groups

Fighters joined the assault in waves. According to the London-based Arabic newspaper *Asharq Al-Awsat*, quoting unnamed sources, after an initial wave of highly trained Qassam Brigades fighters entered Israel, the commander of the Qassam Brigades instructed other armed groups to participate, assigning specific tasks to each group.⁷⁹⁹ In addition, 10 Palestinian armed groups, including those Human Rights Watch documented as having participated in the October 7 attacks, are members of a “Joint Operations Room.”

According to Ayman Nofal, a Qassam Brigades commander who was interviewed by *Al-Jazeera.Net* in June 2023, the Joint Operations Room consults with and coordinates the armed groups before and during attacks on all the details of military action.⁸⁰⁰

⁷⁹⁷ Abdelali Ragad, Richard Irvine-Brown, Benedict Garman and Sean Seddon, “How Hamas built a force to attack Israel on 7 October,” *BBC*, November 27, 2023, <https://www.bbc.com/news/world-middle-east-67480680> (accessed March 13, 2024).

⁷⁹⁸ فلسطين – المجاهدين – كتائب post to Telegram October 9, 2023, (accessed June 26, 2024).

⁷⁹⁹ “له خطوطا مسؤولين و «النخبة نخبة» من 70 بدأ... «الطوفان»” *Asharq Al-Awsat*, January 9, 2024, <https://aawsat.com/%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/%D8%A7%D9%84%D9%85%D8%B4%D8%B1%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/4779666-%C2%AB%D8%A7%D9%84%D8%B7%D9%88%D9%81%D8%A7%D9%86-%C2%BB-%D8%A8%D8%AF%D8%A3-%D8%A8%D9%8070-%D9%85%D9%86-%C2%AB%D9%86%D8%AE%D8%A8%D8%A9-%D8%A7%D9%84%D9%86%D8%AE%D8%A8%D8%A9%D9%85-%D9%85%D8%B3%D8%A4%D9%88%D9%84%D9%8A%D9%86-%D8%AE%D8%B7%D8%B7%D9%88%D8%A7-%D9%84%D9%87> (accessed April 10, 2024).

⁸⁰⁰ Israa Jabr, “In an exclusive interview with Al Jazeera Net...the commander of military relations in the Al-Qassam Brigades reveals the scenes of the joint operations room in Gaza,” *Al-jazeera.net*, June 12, 2023, <https://www.aljazeera.net/politics/2023/6/12/%D9%81%D9%8A-%D8%AD%D9%88%D8%A7%D8%B1-%D8%AE%D8%A7%D8%B5-%D9%85%D8%B9-%D8%A7%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9-%D9%86%D8%AA-%D9%82%D8%A7%D8%A6%D8%AF> (accessed June 26, 2024); “Hamas terrorist Ayman Nofal explains the workings of the Palestinian organizations’ joint operations room in the Gaza Strip,” *The Meir Amit Intelligence and Terrorism Information*

In two instances, Human Rights Watch identified individuals wearing differently colored headbands and in the second instance, armbands, in the early morning hours on October 7, suggesting there may have been some coordination between armed groups from the start of the attacks that day. In a verified video published by Channel 12, Qassam Brigades fighters, wearing green headbands, pass through a breach near Sufa in vehicles and by foot during the first hour of the attack, according to the early morning light in the video.⁸⁰¹ An individual wearing a red headband can be seen walking past a Qassam fighter. Similarly, a second case shows Qassam fighters near the main entrance in Be’eri around 7 a.m. according to the timestamp in the CCTV footage.⁸⁰² An individual can be seen with a red armband; however, no specific identification markers are visible to confirm brigade affiliation. Out of seven brigades that apparently participated in the attacks, only Martyr Abu Ali Mustafa Brigades and the National Resistance Brigades are known for wearing red colored headbands. However, in both cases, the quality of the video or the individual’s positioning in relation to the camera did not allow confirmation of any specific identification markers to ascertain brigade affiliation.

Human Rights Watch was unable to determine through visual information the scale of the coordination between groups before and during the attacks that various armed groups claimed. However, the official Telegram channels of the Quds, Aqsa Martyrs, Martyr Abu Ali Mustafa, Mujahideen, and the National Resistance Brigades shared messages stating their members worked alongside the Qassam Brigades on October 7.⁸⁰³ Another group that did not appear in content showing the attacks, the Nasser Salah al-Din Brigades, also stated its members worked with the Qassam Brigades.⁸⁰⁴

Center, June 18, 2023, <https://www.terrorism-info.org.il/en/hamas-terrorist-ayman-nofal-explains-the-workings-of-the-palestinian-organizations-joint-operations-room-in-the-gaza-strip/> (accessed May 2, 2024).

⁸⁰¹ Yolana Cohen, “בעוטף יישובים על המחבלים השתלטו הפרעה וללא שעות במשך כך: דרמטי תיעוד,” *N12*, December 31, 2023, <https://www.mako.co.il/news-military/6361323ddea5a810/Article-11b121f9c01cc81027.htm> (accessed April 10, 2024).

⁸⁰² South First Responders (@southfirstresponders) post to Telegram channel, October 10, 2023, (accessed January 16, 2024).

⁸⁰³ كتائب الشهيد أبو حمزة أبو القديس لسرايا العسكري المناطق حمزة أبو post to Telegram, October 7, 2023, (accessed June 26, 2024); Mujahideen Brigades... Palestine (@darebmojahden) post to Telegram channel, October 7, 2023, (accessed March 13, 2024); Al-Aqsa Martyrs Brigades (@AymanGouda) post to Telegram channel, October 7, 2023, (accessed March 13, 2024); كتائب الشهيد أبو علي مصطفى post to Telegram channel, October 7, 2023, (accessed June 26, 2024); Democratic Front - Press Office (@dfip_gaza) post to Telegram channel, October 8, 2023, (accessed March 13, 2024).

⁸⁰⁴ Al-Nasir Salah al-Din Brigades (@alwya2000) post to Telegram channel, October 7, 2023, (accessed March 13, 2024).

Fighters' Dress, Weapons, and Equipment

Interviewees told Human Rights Watch that those participating in the assault on October 7 were wearing a combination of camouflage, black or olive green uniforms, or Israeli military uniforms or copies of them. Most said the fighters wore black vests used to carry ammunition and equipment, which many assumed to be body armor. Videos verified by Human Rights Watch show attackers wearing various green, brown and black camouflage patterns, or solid green, brown or black uniforms, and green, brown or black vests. Many fighters wore civilian clothing with vests and carried backpacks. The clothing varied within and between locations.

Human Rights Watch verified five videos showing fighters wearing Israeli military uniforms near Kissufim and Re'im.⁸⁰⁵ The laws of war do not prohibit the wearing of the uniforms of the adversary except while engaging in attacks or otherwise to shield or impede military operations, which would have been the case during the armed groups' attacks.⁸⁰⁶

The interviewees all said the fighters were carrying AK-style assault rifles and grenades. They said the armed groups used different vehicles, with most saying they saw white trucks or motorcycles. Some said they saw vehicles with heavy machine guns fitted on the back.⁸⁰⁷ Human Rights Watch's analysis of videos showing fighters' weapons and transportation supports these accounts. The most common weapon type visible in the footage was AK-style assault rifles. Fighters are seen using grenades and RPGs. Several videos also show machine guns carried by or mounted on attackers' vehicles. Videos show fighters moving around in white trucks and on motorcycles. Fighters also attacked on boats, traveling from the Gaza coast to the Israeli coast, as well as on motorized paragliders.

⁸⁰⁵ South First Responders (@southfirstresponders) post to Telegram channel, October 9, 2023, (accessed March 13, 2024); South First Responders (@southfirstresponders) post to Telegram channel, November 8, 2023, (accessed March 13, 2024); South First Responders (@southfirstresponders) post to Telegram channel, November 18, 2023, (accessed March 13, 2024); South First Responders (@southfirstresponders) post to Telegram channel, November 18, 2023, (accessed March 13, 2024); South First Responders (@southfirstresponders) post to Telegram channel, October 9, 2023, (accessed March 13, 2024).

⁸⁰⁶ ICRC, Customary International Humanitarian Law, Rule 62.

⁸⁰⁷ Human Rights Watch remote interview with Gilad Honwald, October 25, 2023.

Summary of Violations Committed on October 7 by Palestinian Armed Groups

Human Rights Watch has found that on October 7, 2023, the Qassam Brigades and other Palestinian armed groups committed numerous serious violations of international humanitarian law—the laws of war—during attacks on civilians in Israel. They carried out deliberate and indiscriminate attacks on civilians and civilian objects, unlawful killings, torture and cruel treatment, sexual and gender-based violence, mutilation and despoiling of bodies, hostage-taking, destruction of civilian property, and pillage. Palestinian armed groups were also responsible for attacking medical transport, and the use of human shields.

Those who committed these serious violations with criminal intent are responsible for war crimes. Human Rights Watch has concluded that Palestinian armed groups committed the crimes against humanity of murder and imprisonment of civilians in violation of fundamental rules of international law on October 7. The murder and unlawful imprisonment were committed as part of a widespread and systematic “attack directed against a civilian population,” pursuant to an organizational policy to plan and commit multiple criminal acts including murder and unlawful imprisonment.

Based on the evidence set out in this report, Human Rights Watch calls for the investigation of other crimes against humanity, including extermination, rape or other sexual violence, and persecution should be investigated. Such criminal acts committed on October 7 will amount to crimes against humanity if they formed part of the attack directed against a civilian population.

Criminal Liability

The serious abuses carried out by Qassam Brigades and other Palestinian armed group fighters on October 7 appeared to have been directed if not ordered by more senior commanders. Senior Qassam Brigades commanders planned to take hostages and kill and ill-treat civilians—and the fighters did this.

The commission of war crimes and crimes against humanity can serve as the basis for individual criminal liability not only in the domestic courts of the country where the crimes

took place, but also in international courts and tribunals, as well as in other countries' courts under the principle of universal jurisdiction.⁸⁰⁸ Individual criminal liability extends beyond those who carry out the acts to those who order, assist, facilitate, aid, and abet the offense. Under the principle of command or superior responsibility, military and civilian officials up to the top of the chain of command can be held criminally responsible for crimes committed by their subordinates when they knew or should have known that such crimes were being committed but failed to take reasonable measures to prevent the crimes or punish those responsible.

The ICC prosecutor, Karim Khan, confirmed that since March 2021 his office has been conducting an investigation into alleged atrocity crimes committed in Gaza and the West Bank since 2014, and that his office has jurisdiction over crimes in the current hostilities between Israel and Palestinian armed groups that covers unlawful conduct by all parties.⁸⁰⁹

On May 20, 2024, Khan announced he was seeking arrest warrants for three Hamas leaders, Yahya Sinwar, head of Hamas in Gaza; Mohammed Diab Ibrahim Al-Masri, commander-in-chief of the Qassam Brigades; and Ismail Haniyeh, head of the Hamas Political Bureau, and two Israeli leaders, Prime Minister Benjamin Netanyahu; and Minister of Defense Yoav Gallant.

Regarding the three Hamas leaders, the ICC prosecutor said that on the basis of evidence collected and examined by his office, he had reasonable grounds to believe they bore criminal responsibility for war crimes and crimes against humanity committed on the territory of Israel and Palestine from at least October 7, 2023.⁸¹⁰

⁸⁰⁸ Universal jurisdiction refers to the ability of a country's domestic judicial system to investigate and prosecute crimes even if they were not committed on its territory, by one of its nationals, or against one of its nationals. This principle allows victims of abuses to pursue justice in jurisdictions outside of Israel.

⁸⁰⁹ "Statement of the Prosecutor of the International Criminal Court, Karim A.A. Khan KC, on the Situation in the State of Palestine: receipt of a referral from five States Parties," *International Criminal Court*, November 17, 2023, <https://www.icc-cpi.int/news/statement-prosecutor-international-criminal-court-karim-aa-khan-kc-situation-state-palestine> (accessed June 20, 2024).

⁸¹⁰ "Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine," *International Criminal Court*, May 20, 2024, <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state> (accessed June 20, 2024).

Crimes Against Humanity Framework

Crimes against humanity are part of customary international law and were codified in the charter of the Nuremberg International Military Tribunal of 1945. The purpose was to prohibit crimes “which either by their magnitude and savagery, by their large number, or by the fact that a similar pattern was applied ...endangered the international community or shocked the conscience of mankind.”⁸¹¹ Since then, the concept has been incorporated into a number of international treaties and the statutes of international criminal tribunals, including the Rome Statute of the International Criminal Court (ICC). The definition found in the Rome Statute, which is applicable to crimes committed in Palestine and by nationals of Palestine, includes a range of serious human rights abuses committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.⁸¹²

The Rome Statute defines an “attack directed against any civilian population” as a course of conduct involving the multiple commission of acts defined as crimes against humanity (e.g. murder) against any civilian population, pursuant or in furtherance of a state or organizational policy to commit such an attack.⁸¹³ The acts need not constitute a military attack. The policy element requires that the state or organization actively promote or encourage such an attack against a civilian population or, in exceptional circumstances, deliberately fail to take action with the aim of encouraging the attack.⁸¹⁴

Crimes against humanity include only abuses carried out as part of an attack directed against a civilian population. So long as the targeted population is of a predominantly civilian nature, the presence of some combatants does not alter its classification as a “civilian population” as a matter of law.⁸¹⁵ Rather, it is necessary only that a civilian population be the primary object of the attack.

⁸¹¹ History of the United Nations War Crimes Commission and the Development of the Laws of War (1943), p. 179, quoted in Rodney Dixon, “Crimes against humanity,” in *Commentary on the Rome Statute of the International Criminal Court* (O. Triffterer, ed.) (1999), p. 123.

⁸¹² Rome Statute of the International Criminal Court (Rome Statute), July 1998, entered into force July 1, 2002, art. 7. <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>.

⁸¹³ Rome Statute, article 7(2)(a).

⁸¹⁴ Elements of Crimes, article 7(3).

⁸¹⁵ *Prosecutor v. Akayesu*, International Criminal Tribunal for Rwanda (Trial Chamber), September 2, 1998, para. 582.

The attack against a civilian population underlying the commission of crimes against humanity must be widespread or systematic; it need not be both.⁸¹⁶ “Widespread” refers to the scale of the acts or number of victims. Human Rights Watch considers the numerous serious abuses committed by Qassam Brigades-led fighters on October 7 to be “widespread” and part of broader operations that amount to crimes against humanity. A single occurrence of large-scale killings, such as the massacres of civilians that took place on October 7, can by itself be considered a widespread attack.

In determining whether criminal acts were committed “as part” of the “attack” directed against a civilian population, the ICC has indicated that relevant considerations include the characteristics, aims, nature and consequences of the acts, and their temporal and geographical proximity. Isolated or random acts that are not part of the attack will not amount to crimes against humanity.

The nature of the abuses, their broad-based character, and their frequency (rather than the actions of individual security forces and personnel) constitute the relevant factors to assess whether the acts are reflective of a policy.

Information around the planning of the October 7 assault and crimes committed that day, the way in which the assault was launched, and the statements of intent made on that day and in the weeks afterwards all crystalize the methodical planning of the attacks and some of the ensuing abuses. Evidence showing the planning of criminal acts would be clear—but not the only—evidence that indicates an organizational policy to commit the attack directed against a civilian population.

Planning

Core to the plans was the taking of hostages, as made clear by numerous statements by the Hamas leadership on and after October 7.

While the most clearly articulated aim of the attacks on October 7 with regards to civilians was hostage taking, killing civilians also appears to have been part of the plan, as shown

⁸¹⁶ Prosecutor v. Jean-Paul Akayesu, International Criminal Tribunal for Rwanda (Appeals Chamber), Case ICTR-96-4-A, ICTR Trial Chamber, September 2, 1998, para. 579; Kordić & Čerkez, International Criminal Tribunal for the Former Yugoslavia (ICTY), Case IT-95-14/2, ICTY Trial Chamber, February 26, 2001, para. 179; The Prosecutor v. Clément Kayishema and Obed Ruzindana, International Criminal Tribunal for Rwanda, Case ICTR-95-1-A, ICTR Trial Chamber, May 21, 1999, para. 123.

by studying the nature of the attacks across the civilian sites. Human Rights Watch reached this conclusion due to the many similarities in the conduct of the killings across all the attack sites. Many occurred as soon as fighters entered the civilian sites. Audio recordings from attackers and videos of the assault posted on the Telegram channels of groups that participated in the assault indicated a modus operandi. The Hamas leadership issued statements after the attack that cited efforts to spare women, children and older people, which were not only contradicted by the actual pattern of the attacks, but also made no mention of civilian men. Media sources have also reported on alleged planning documents apparently found at an attack site and posted on social media calling on forces to kill those posing any threat, resistance, or nuisance, though Human Rights Watch was unable to verify their authenticity.⁸¹⁷

Statements of Planning, Organization and Clarification

Hamas leaders have made misleading and sometimes contradictory statements to deflect responsibility for attacks against civilians, as noted below. However, statements made during the assault and caught on camera, as well as in purported planning documents, clearly reveal that aspects of perpetrating abuses were integral to the assault, including to take and hold hostages; to kill civilians; and to use methods amounting to torture and cruel treatment.

Several Hamas leaders have spoken publicly about the October 7 assault. Although they all praised the operation overall that day, some sought to distance Hamas from certain abuses.⁸¹⁸

As the attacks were unfolding on October 7, the deputy chairman of the Hamas political bureau, Saleh al-Arouri, who was killed three months later, acknowledged the aim of taking people hostage in an appearance on Al Jazeera, but he attempted to distance the armed group from other aspects of the assault:

⁸¹⁷ Based on a review by Human Rights Watch, documents visible in videos of the Joint Operations Room in Gaza share some of the same annotations and formatting of those published shortly after October 7, however some of the documents contain inconsistencies as well, including differences in the Qassam Brigades' logo.

⁸¹⁸ "Behind Hamas's Bloody Gambit to Create a 'Permanent' State of War, *The New York Times*, November 8, 2023, <https://www.nytimes.com/2023/11/08/world/middleeast/hamas-israel-gaza-war.html> (accessed June 20, 2024).

The plan was executed as it was drawn. Meaning, taking control over these settlements and military bases, with whoever is in it from residents, is included in the plan, part of the plan. We don't target civilians, not by killings, not by harm. You might have seen videos of the treatment in a humane way of those who surrendered to the resistance.⁸¹⁹

Five days later, al-Arouri told Al Jazeera that the assault had been a well-organized and disciplined operation and that it had been launched to preempt an alleged Israeli plan to attack Hamas after the Sukkot holiday.⁸²⁰ In the interview he said that 1,200 members of the Qassam Brigades who entered and took control of the *kibbutzim* were under instructions from their leadership “not to kill children, women, or older people. ... We're a responsible side, acting firstly based on our religion, that forbids assaulting civilians or civilian life, and we act upon international laws of war. ... Hamas cannot target civilians or prisoners, and we act in accordance with international laws of war.” He acknowledged the assault had included plans to take control of *kibbutzim* and other settlements to “prevent interference” against Hamas forces. Then, he said, “some security guards there and soldiers, and settlers in the kibbutz and settlements went into confrontation with the men in Al-Qassam, which led to civilians falling as victims. ... We are not saying that no civilians were killed, however, 100 percent it wasn't in Al-Qassam's plan to violate civilians or kill them.”

Al-Arouri claimed that many ordinary Palestinians in Gaza, armed and unarmed, joined in, leading to “chaos,” and that it was they who kidnapped Israeli civilians, while members of the Qassam Brigades only kidnapped soldiers.⁸²¹ However, Human Rights Watch analyzed footage showing armed groups involved in hostage taking and related crimes. The Qassam Brigade forces was the group most visibly involved in taking hostages in the footage.⁸²² On October 24, Ghazi Hamad, spokesperson for the Hamas-led government in Gaza, gave an interview to the Lebanese TV channel LBC in which he repeated these claims, stating

⁸¹⁹ “نائب رئيس المكتب السياسي لحماس للجزيرة: لدينا عدد كبير من الأسرى الإسرائيليين بينهم ضباط كبار” video clip, YouTube, Al Jazeera Arabic, October 7, 2023,

https://www.youtube.com/watch?v=65OXS7ymafI&ab_channel=AlJazeeraArabic%D9%82%D9%86%D8%A7%D8%A9%D8%A7%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9 (accessed June 20, 2024).

⁸²⁰ “ثعبنا حرية طريق على متقدمة معركة هذه: للجزيرة حماس لحركة السياسي المكتب رئيس نائب” video clip, *Al-Jazeera Arabic*, October 12, 2023, <https://www.youtube.com/watch?v=LAqZAoGDe1M&rco=1> (accessed June 20, 2024).

⁸²¹ “نائب رئيس المكتب السياسي لحركة حماس للجزيرة: هذه معركة متقدمة على طريق حرية ثعبنا” video clip, *Al-Jazeera Arabic*, October 12, 2023, <https://www.youtube.com/watch?v=LAqZAoGDe1M&rco=1> (accessed June 20, 2024).

⁸²² سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 7, 2023, (accessed June 26, 2024); سرايا القدس الإعلام الحربي (الرسمية) post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

that the assault was aimed only at military targets, not civilians, but that during the operations some civilians from Gaza entered Israel, implying that the abuses may have been perpetrated by them instead of the Qassam Brigades' forces.⁸²³

In a November 1 interview, Ghazi Hamad stated that, "We did not want to harm civilians, but there were complications on the ground, and there was a party in the area, with a civilian population."⁸²⁴

An English-language document titled "Our Narrative... Operation Al-Aqsa Flood," issued by the Hamas Media Office on January 21, 2024, says the attacks targeted "Israeli military sites stationed near the Israeli settlements around Gaza."⁸²⁵ It says that Qassam Brigades fighters avoided harm to civilians, in particular children, women and older people, as a religious and moral imperative. It further says Palestinian fighters only targeted soldiers and those carrying weapons "against our people."

The document claims that many people killed during the assault were killed by Israeli armed forces, citing some media coverage of the attacks.⁸²⁶ Separately, it says some kibbutz residents were "armed men fighting alongside the Israeli army" and that all women and men above 18 are subject to conscription, suggesting, incorrectly, that that many of the adults killed or injured during the attacks were legitimate military targets under international law, or that being subject to conscription makes an individual a legitimate target.⁸²⁷

⁸²³ Nharkom Said October 24, 2023 - حمد غازی, October 24, 2023, video clip, YouTube, <https://www.youtube.com/watch?v=yQgS1pihRjo&t=378s> (accessed April 10, 2024).

⁸²⁴ Jackson Walker, "Hamas official vows to repeat deadly Israel attacks: 'There will be a second, a third, a fourth'," *KaTV*, November 1, 2023, <https://katv.com/news/nation-world/hamas-official-vows-to-repeat-deadly-israel-attacks-there-will-be-a-second-a-third-a-fourth-israeli-terrorist-fight-invasion-october-7-palestine-war-jerusalem> (accessed April 10, 2024).

⁸²⁵ Hamas Media Office, "Our Narrative... Operation Al-Aqsa Flood," January 2024, <https://www.palestinechronicle.com/wp-content/uploads/2024/01/PDF.pdf> (accessed April 10, 2024).

⁸²⁶ Hamas Media Office, "Our Narrative... Operation Al-Aqsa Flood," January 2024, <https://www.palestinechronicle.com/wp-content/uploads/2024/01/PDF.pdf> (accessed April 10, 2024).

⁸²⁷ Hamas Media Office, "Our Narrative... Operation Al-Aqsa Flood," January 2024, <https://www.palestinechronicle.com/wp-content/uploads/2024/01/PDF.pdf> (accessed April 10, 2024); International Committee of the Red Cross, International Humanitarian Law Databases, Customary IHL, Rule 3, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule3> (accessed April 10, 2024).

This view was previously articulated in a September 2016 meeting with Human Rights Watch, when Mahmoud al-Zahar, co-founder of Hamas, said, “there are no civilians in Israel” because all serve in the army.⁸²⁸

In an August 2021 letter to Human Rights Watch, the Hamas legal department said that “the entirety of Palestinian territories is under Israeli occupation,” cited “the right to resist occupation,” and noted that “Palestinian resistance has previously demonstrated several times that it does not wish to target civilians or civilian objects.”⁸²⁹ In response to a September Human Rights Watch follow-up letter asking if al-Zahar’s statement represented Hamas’s official position, the Hamas legal department said in September 2021 that:

It is understood that every Israeli is obliged to do the mandatory military service and they are called up when necessary, at the exception of people with disabilities. The [Hamas] Movement declared in many official statements published on its website that it does not target civilians and is always working on targeting legitimate military objectives. The Movement clearly recognized that any Israeli not engaged in military actions and who does not commit aggression against Palestinian people, capacities and lands, is considered a civilian, and the Resistance is keen to avoid harming civilians or prevent any damage to them.⁸³⁰

Despite these claims, on October 7 the Qassam Brigades unlawfully killed many civilians, as Human Rights Watch has documented.

War Crimes Framework

International humanitarian law recognizes the Israeli occupation of the West Bank and Gaza as an ongoing armed conflict. The hostilities between Israel and Hamas and other Palestinian armed groups are governed by international humanitarian law for non-international armed conflicts, which are rooted in international treaty law, most notably Common Article 3 to the Geneva Conventions of 1949, and customary international

⁸²⁸ “2 Israelis Who Entered Gaza Held Incommunicado,” *Human Rights Watch* news release, May 2, 2017, <https://www.hrw.org/news/2017/05/03/2-israelis-who-entered-gaza-held-incommunicado> (accessed June 20, 2024).

⁸²⁹ Letter from Hamas’s Legal Department to Human Rights Watch, August 21, 2021, on file with Human Rights Watch.

⁸³⁰ Letter from Hamas’s Legal Department to Human Rights Watch, September 26, 2021, on file with Human Rights Watch.

humanitarian law. These rules concern the methods and means of combat and fundamental protections for civilians and for combatants no longer participating in hostilities and apply to both states and non-state armed groups.

The foremost principle of international humanitarian law is that parties to a conflict must distinguish at all times between combatants and civilians. Civilians may never be the target of attack. Attacks that deliberately target civilians or fail to discriminate between combatants and civilians, or that would cause disproportionate harm to the civilian population compared to the anticipated military gain, are prohibited.

Common Article 3 provides a number of fundamental protections for civilians and captured or incapacitated combatants. Violence against such persons—notably murder, cruel treatment, and torture—is prohibited, as well as outrages against their personal dignity and degrading or humiliating treatment, and the taking of hostages.

Serious violations of the laws of war that are committed with criminal intent—deliberately or recklessly -- are war crimes. War crimes, listed in the “grave breaches” provisions of the Geneva Conventions and as customary law, include a wide array of offenses, including deliberate, indiscriminate, and disproportionate attacks harming civilians and civilian objects, torture and other ill-treatment, hostage-taking, and using human shields, among others. Individuals also may be held criminally liable for attempting to commit a war crime, as well as assisting in, facilitating, aiding, or abetting a war crime.

Criminal responsibility also may fall on persons planning or instigating the commission of a war crime. In addition, commanders and civilian leaders may be prosecuted for war crimes as a matter of command responsibility when they knew or should have known about the commission of war crimes and took insufficient measures to prevent them or punish those responsible.

States have an obligation to investigate and appropriately prosecute individuals within their territory implicated in war crimes. International humanitarian law does not place an obligation on non-state armed groups to prosecute violators of war crimes. They should, however, take appropriate disciplinary measures to ensure compliance with the laws of war within their ranks. When they do conduct trials, they need to do so in accordance with international fair trial standards.

Hamas has not publicly acknowledged that anyone under their command is responsible for wrongdoing. Instead, they have blamed civilians that they said entered Israel during the assault for “chaos” which “led to the occurrence of many mistakes.”⁸³¹ Human Rights Watch found that ultimate responsibility for abuses during the October 7 assault rested with the Palestinian armed groups, not with any civilians who may have participated in attacks.

The Israeli government is reportedly holding scores of Palestinian fighters alleged to have taken part in the October 7 attacks.⁸³² The government has provided no information about how many people are being held, where and on what basis, and has reportedly denied them access to legal counsel, despite legal challenges brought by Israeli human rights organizations.⁸³³ The incommunicado detention of individuals is a violation of basic due process, and undermines victims’ access to justice. Those suspected of ordering, planning or carrying out abusive acts should be prosecuted in a manner that complies with international fair trial standards.

War Crimes on October 7

Attacks Against Civilians and Civilian Objects

Parties to a conflict must take all feasible precautions to ensure that a target of attack is a military objective and not a civilian object. Attacks intentionally targeting civilians or civilian objects are prohibited. Even where a valid military target is present, attacks must discriminate adequately between military and civilian objects, and they must not be disproportionate—that is, the expected harm they cause to civilians must not be excessive compared with the concrete and direct military advantage anticipated. Individuals who order or carry out unlawful attacks with criminal intent—that is, deliberately or recklessly—are responsible for war crimes.

⁸³¹ Dr. Bassem Naim's April 14, 2024 response letter on behalf of Hamas to Human Rights Watch, included in the annex of the report.

⁸³² “Extended cabinet approves foreign observers’ visits to Nukhba terrorists in prison,” *The Jerusalem Post*, April 25, 2024, <https://jpost.com/breaking-news/article-798656> (accessed June 20, 2024).

⁸³³ Claire Parker and Hazem Balousha, “Israel high court hears first case challenging secret detentions in Gaza war,” *The Washington Post*, May 1, 2024, <https://www.washingtonpost.com/world/2024/05/01/israel-gaza-detainees-high-court/> (accessed June 20, 2024).

The assault on October 7 started with barrages of indiscriminate rockets launched from Gaza toward the populated areas that Palestinian fighters then attacked. The use of rockets that are inherently unlawful in populated areas killed 19 civilians, according to AFP.⁸³⁴

Human Rights Watch verified 19 videos and 9 photographs documenting damage and destruction done to private property that appeared to be carried out deliberately and not as part of operations targeting military objectives. Armed groups damaged and destroyed homes through the use of arson, RPG attacks, grenade attacks, and gunfire.

Many of the attacks were directed at civilian population centers, *kibbutzim* and *moshavim*, two cities, and music festivals that were not lawful military objectives. For instance, Nadav Tzabari said that at Nahal Oz, the attackers took spare tires from cars, set them on fire, and rolled them into houses, forcing families to flee the fire and smoke.⁸³⁵

Deliberate Killings

The laws of war prohibit deliberate attacks on civilians and the killing of civilians or captured combatants in custody, which are war crimes.⁸³⁶

According to the international news agency AFP, which carried out a detailed process to verify numbers, 815 civilians were killed during and after the October 7 attacks, including 79 foreigners. Among them were at least 282 women and 36 children.⁸³⁷ AFP also reported the killing of 60 police officers, who have civilian status unless they have a combat role. Ten members of Shin Bet, the Israel Security Agency, and 306 Israeli soldiers were killed that day or in the subsequent three days, according to AFP.

Through witness statements and photography and video content reviewed, Human Rights Watch documented dozens of killings of civilians. Palestinian fighters shot at civilians at

⁸³⁴ Detailed statistics on the number and breakdown of victims provided to Human Rights Watch by AFP.

⁸³⁵ Human Rights Watch interview with Nadav Tzabari, Eilat, October 17, 2023.

⁸³⁶ Common Article 3 to the Geneva Conventions of 1949; International Humanitarian Law Databases, Customary IHL, Rules 1 & 89, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule89> (accessed April 16, 2024); International Humanitarian Law Databases, Customary IHL, Rome Statute, Art. 8, <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf> (accessed April 16, 2024).

⁸³⁷ “The October 7 attack left 1,163 dead, according to a new report,” *L’Orient-Le Jour*, February 1, 2024, <https://www.lorientlejour.com/article/1366654/lattaque-du-7-octobre-a-fait-1163-morts-selon-un-nouveau-bilan.html> (accessed April 10, 2024).

close range or while they were trying to flee to or already inside safe rooms—which were designed to provide protection from rocket attacks, not ground assaults -- and other places people were sheltering, and at unsuspecting drivers. They also hurled grenades into shelters and fired RPGs at homes. They set houses on fire that burned civilians to death, and forced others out of homes where they killed or captured them.

For example, a video shared to X shows a fighter using a cigarette lighter to set fire to some fabric hanging on a house window.⁸³⁸ While Human Rights Watch could not independently verify where this video was recorded, a witness confirmed to Human Rights Watch that the act was filmed in Kibbutz Sufa while a family was sheltering inside.⁸³⁹

Meitar Yacobi and Yael Benezra, relatives of residents of Kfar Aza and Nir Oz, each drove to the area to try to find their families on the morning of October 8 and said the roads approaching the *kibbutzim* were lined with dead bodies.⁸⁴⁰

Ten members of ZAKA shared details about bodies they recovered from the attack sites. One ZAKA member showed researchers a photograph of a truck full of pieces of human remains that the team collected on the evening of October 7. He said his team dispatched at least four trucks on October 7 from the attack sites.⁸⁴¹

The largest number of civilians killed on October 7 were festivalgoers. Palestinian fighters killed many by gunfire on the festival grounds or as they were fleeing. Others were shot in their kibbutz, often inside their homes as they were sheltering in safe rooms. Fighters killed and wounded many by firing through the doors of safe rooms, used explosives to open doors, or threw grenades into homes. In some cases, fighters fired RPGs directly at people's homes while civilians were sheltering inside. The fighters killed civilians who were trying to run away or attempted to escape by car.

In the video content that Human Rights Watch verified and analyzed, many of the fighters seen killing civilians appeared to be members of the Qassam Brigades. This conclusion is

⁸³⁸ Visegrád 24 (@visegrad24) post to X, October 9, 2023, (accessed Jun 27, 2024).

⁸³⁹ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁸⁴⁰ Human Rights Watch interview with Meitar Yacobi, Shefayim, October 20, 2023; Human Rights Watch interview with Yael Benezra, Lehavim, October 18, 2023.

⁸⁴¹ Human Rights Watch interview with Nachman Dyksztejn, Kyiv, November 30, 2023.

based on the headbands the fighters were wearing in videos or because the videos appeared in the Qassam Brigades' Telegram channel on which they claimed responsibility for the acts shown.

Two apparent Izz al-Din al-Qassam Brigades' planning documents, if proven authentic, would also demonstrate that killing civilians was part of the armed groups' plan and not simply an outcome of a chaotic set of attacks, despite some statements from Hamas spokespersons subsequent to the assault claiming the attacks aimed only to target Israeli military personnel and to take hostages.

Human Rights Watch examined two documents reportedly found by Israeli authorities at the site of the attacks, including in a vehicle used by fighters. One is titled "hostage detention plan," watermarked as an Izz al-Din al-Qassam Brigades' operational manual. It says forces should: "Kill any person who might pose a threat or a nuisance"; "Cause shock by using bullets, stun grenades, indirect threats, electric shocks, violent and terrorizing treatment, and killing, if absolutely necessary"; and "Kill those expected to resist or those who pose a threat."

The second document details a plan to attack Kibbutz Sa'ad (see section, *Kibbutz Sa'ad*). It states that one aim for one group of fighters is to "take control of the eastern part of the kibbutz while the other takes control of the western part, inflicting as many human losses as possible and capturing hostages."⁸⁴² Human Rights Watch was unable to verify the authenticity of the documents.⁸⁴³

In addition to these two purported planning documents, in a video posted by an Israeli media outlet, a fighter in a car with others heading through the barrier into Israel tells the group, "Let's go monsters, let's go lions, boys, if there's anything, shoot... Ismail, shoot at the site, at the cars, everywhere."⁸⁴⁴ As they approach a residential community the man says, "We will force in, brothers, cars, jeeps, there are people here, it looks like there are civilians, a settlement my brothers, yes it's a settlement, let's go in upon them, let's go

⁸⁴² Copy of document on file with Human Rights Watch.

⁸⁴³ Based on a review by Human Rights Watch, documents visible in videos of the Joint Operations Room in Gaza share some of the same annotations and formatting of those published shortly after October 7, however some of the documents contain inconsistencies as well, including differences in the Qassam Brigades' logo.

⁸⁴⁴ Yolan Cohen, "בעוטף יישובים על המחבלים השתלטו הפרעה וללא שעות במשך כך: דרמטי תיעוד," *N12*, December 31, 2023, <https://www.mako.co.il/news-military/6361323ddea5a810/Article-11b121f9c01cc81027.htm> (accessed April 10, 2024).

brothers, settlers.” The man’s language strongly suggests that the group was intending to target civilians as well as military objectives.

Torture and Cruel Treatment

International humanitarian law prohibits torture and other cruel or inhuman treatment, which are war crimes.⁸⁴⁵ Inhuman treatment is defined as inflicting “severe physical or mental pain or suffering.”⁸⁴⁶

Palestinian fighters, according to witness accounts and verified videos, tortured or otherwise cruelly treated people in their custody.

In one video, people dressed in civilian clothes pound the chest of a man lying on the ground, still alive, wearing a blood-stained shirt with Hebrew text.⁸⁴⁷ The man, apparently a Thai worker, moves his arm and the people around him respond by kicking his head. The man starts to move but then becomes still. One man swings a garden hoe at the injured man's neck before handing it to a man next to him, who swings it eight times, apparently trying to decapitate him. The man with the hoe says, “Let history witness, my first kill, first kill... let history witness.” Another assailant yells in the background that this man is a “Jew.” The video ends with another man in civilian attire raising the hoe to strike again. Human Rights Watch was not able to independently verify where and when the video, which was posted on Telegram on October 8, was taken, but found no evidence that it had circulated online prior to October 7.

Hostage Taking

Taking hostages is prohibited under international humanitarian law and constitutes a war crime.⁸⁴⁸ The 2016 Commentary of the International Committee of the Red Cross on Common Article 3 defines hostage-taking as “the seizure, detention or otherwise holding of a person (the hostage) accompanied by the threat to kill, injure or continue to detain

⁸⁴⁵ See Common Article 3 to the 1949 Geneva Conventions, ICRC, Customary International Humanitarian Law, Rule 90 <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule90/>; Rome Statute, Art. 8, <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>.

⁸⁴⁶ Elements of Crimes for the ICC, Definition of inhuman treatment as a war crime (ICC Statute, Article 8(2)(a)(ii)).

⁸⁴⁷ شبكة إعلام العدو(اليدى) post to Telegram channel, October 8, 2023, (accessed June 26, 2024).

⁸⁴⁸ “ Hamas, Islamic Jihad: Holding Hostages is a War Crime,” *Human Rights Watch* news release, October 19, 2023, <https://www.hrw.org/news/2023/10/19/hamas-islamic-jihad-holding-hostages-war-crime> (accessed June 20, 2024).

that person in order to compel a third party to do or to abstain from doing any act as an explicit or implicit condition for the release, safety or well-being of the hostage.”

On October 7, the then-deputy chairman of Hamas’s Political Bureau, Saleh al-Arouri, suggested on Al Jazeera that the taking of hostages was central to the aims of the planned assault, stating that “what we have in our hands will liberate all our prisoners.”⁸⁴⁹

The Qassam Brigades and other armed groups took 251 people hostage on October 7, including 40 who were taken from the Supernova music festival.⁸⁵⁰ They took others, including children, from the various communities attacked in the “Gaza Envelope.” Fighters apparently killed some of those taken hostage while still in Israel and took their bodies to Gaza. Human Rights Watch also verified three videos of three cases in Be’eri, Nir Oz, and at a breach in the border near Nir Oz, where fighters loaded the bodies of civilians onto vehicles and drove them away. Other reports indicated that bodies of victims were removed from the sites where they were killed.⁸⁵¹

Those taken hostage were predominantly Israeli nationals or nationals of Israel and second countries, including Argentina, Germany, the United States, France, and Russia. Some were Palestinian citizens of Israel. Thai, Nepali, Filipino, Chinese, Sri Lankan and Tanzanian nationals were also among those taken hostages.⁸⁵²

⁸⁴⁹ “كبار ضباط بينهم الإسرائيليين الأسرى من كبير عدد لدينا: للجزيرة لحماس السياسي المكتب رئيس نائب” video clip, YouTube, *Al-Jazeera Arabic*, <https://www.youtube.com/watch?v=65OXS7ymafI&rco=1> (accessed June 20, 2024).

⁸⁵⁰ “How Hamas Attacked Israel, Minute-by-Minute,” *Haaretz*, April 18, 2024, <https://www.haaretz.com/israel-news/2024-04-18/ty-article-static-ext/.premium/what-happened-on-oct-7/0000018e-c1b7-dc93-adce-eff753020000?lts=17134431299> (accessed June 20, 2024).

⁸⁵¹ “Terrorists kidnapping an Israeli into Gaza,” video clip, *Hamas Massacre October 2023*, <https://www.hamas-massacre.net/content/terrorists-kidnapping-an-israeli-into-gaza> (accessed June 20, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, (accessed June 26, 2024); “חדשות ישראל ללא צנזורה” post to Telegram channel, December 17, 2023, (accessed June 26, 2024); “Detailed findings on attacks carried out on and after 7 October 2023 in Israel,” Human Rights Council, A/HRC/56/CRP.3, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-3.pdf> (accessed June 20, 2024); “The Family of the Abductee Tal Chaimi was Informed that he had been Murdered,” *JFeed*, December 13, 2023, <https://www.jfeed.com/news-israel/s5micy> (accessed June 20, 2024).

⁸⁵² Aekarach Sattaburuth, “Hamas to free Thais ‘at end of Gaza fight,’” *Bangkok Post*, November 2, 2023, <https://www.bangkokpost.com/thailand/general/2676248/hamas-to-free-thais-at-end-of-gaza-fight> (accessed June 20, 2024); “More than half of Hamas’ hostages have foreign nationality—Israel,” *Reuters*, October 25, 2023, <https://www.reuters.com/world/middle-east/more-than-half-hamas-hostages-have-foreign-nationality-israel-2023-10-25/> (accessed June 20, 2024); Nick Schiffrin, Sarah Cutler, Teresa Cebrián Aranda, Am Sanford, “Thai workers held hostage by Hamas describe kidnappings and recovery after release,” *PBS News Hour*, December 4, 2023, <https://www.pbs.org/newshour/show/thai-workers-held-hostage-by-hamas-describe-kidnappings-and-recovery-after-release> (accessed June 20, 2024).

Hamas released two US hostages, including a child, on October 20.⁸⁵³ A multi-day ceasefire between Israel and Palestinian armed groups in late November led, in exchange for an increase in aid allowed into Gaza and the release of 240 Palestinian detainees, to the release of 105 hostages, including 81 Israelis and 24 foreign nationals.⁸⁵⁴ Some foreigners continue to be held hostage at time of publication.⁸⁵⁵ As of July 1, 116 hostages were still held in Gaza, 42 of them dead, according to AFP. The bodies of another 35 were returned to Israel.

In addition to the Qassam Brigades, video and other evidence indicated the participation of other groups in hostage-taking including the Ansar Brigades, Mujahideen Brigades, Nasser Salah al-Din Brigades, and Martyr Abu Ali Mustafa Brigades.⁸⁵⁶

The April 14 Hamas letter to Human Rights Watch does not confirm the number of people that Hamas had taken hostage nor the number still alive. Hamas rejects the term “hostage” being applied to those being held in Gaza since October 7, saying that it had “expressed more than once that it did not insist on holding” the civilians taken on October 7 and had been prepared to release them in the first few days after the assault. It blames “Israeli aggression,” refusal to meet certain terms, and “procrastination,” for this failing to happen. None of these assertions justify the taking of hostages under international law.

⁸⁵³ “2 American hostages return to Israel following release by Hamas,” *CBC News*, October 20, 2023, <https://www.cbc.ca/news/world/israel-hamas-war-1.7002475> (accessed June 20, 2024).

⁸⁵⁴ Jacob Magid, Tal Schneider, “Cabinet okays deal for release of 50 Israeli hostages in exchange for 4-day Gaza truce,” *Times of Israel*, November 22, 2023, <https://www.timesofisrael.com/cabinet-approves-deal-for-return-of-50-hostages-in-exchange-for-multi-day-ceasefire/> (accessed June 20, 2023, <https://www.timesofisrael.com/cabinet-approves-deal-for-return-of-50-hostages-in-exchange-for-multi-day-ceasefire/> (accessed June 20, 2024); Lauren Said-Moorhouse, Tara John, Sophie Tanno, Jerome Taylor, Annette Choi and Gillian Roberts, “Who are the hostages freed during the Israel-Hamas conflict?” *CNN*, December 5, 2023, <https://edition.cnn.com/interactive/2023/12/world/hostage-israel-hamas-deal-dg/> (accessed June 20, 2024).

⁸⁵⁵ Nick Schiffrin, Sarah Cutler, Teresa Cebrián Aranda, Am Sanford, “Thai workers held hostage by Hamas describe kidnappings and recovery after release,” *PBS News Hour*, December 4, 2023, <https://www.pbs.org/newshour/show/thai-workers-held-hostage-by-hamas-describe-kidnappings-and-recovery-after-release> (accessed June 20, 2024).

⁸⁵⁶ Abdelal Ragad, Richard Irvine-Brown, Benedict Garman and Sean Seddon, “How Hamas built a force to attack Israel on 7 October,” *BBC*, November 27, 2023, <https://www.bbc.com/news/world-middle-east-67480680> (accessed June 20, 2024); source has been archived by Human Rights Watch, Martyr Abu Ali Mustafa Brigades | urgent (@abualiajel) Telegram channel, (accessed June 20, 2024); عاجل | كتائب الشهيد أبو علي مصطفى Telegram post, January 25, 2024, (accessed June 26, 2024); Tessaron, “GRAPHIC: Abu Ali Mustapha Brigades Claim Israeli Hostage Killed by IDF Strikes,” *Atlas News*, December 30, 2023, <https://theatlasnews.co/uncategorized/2023/12/30/abu-ali-mustapha-brigades-claim-israeli-hostage-killed-by-idf-strikes/> (accessed June 20, 2024); Emanuel Fabian, “IDF spokesperson: Hamas was supposed to release Bibas family in truce deal it violated,” *The Times of Israel*, December 2, 2023, <https://www.timesofisrael.com/idf-spokesperson-hamas-had-agreed-to-free-bibas-family-in-truce-deal-it-violated/> (accessed June 20, 2024).

The Hamas letter states that as of March 10, 70 hostages, whom it refers to as "detainees," had died as a result of Israeli military operations in Gaza, and said more may die of famine and the lack of healthcare services. It claims that Hamas is taking great efforts to ensure that those it is holding have access to food, water and medical care, including for chronic illnesses, and are being held in humane conditions. The letter acknowledges that other armed groups are holding people in Gaza but did not provide a number.

III-Treatment of Hostages on October 7

International humanitarian law requires that anyone taken into custody be treated humanely. The watermarked "hostage detention plan," as reported by media sources, tells assailants to: "Place hostages away from means of resistance and suicide, tie the hostages up and blindfold them, sort them and isolate them (women and children—men)" and "Tie up some hostages around the site and use them as human shields, making sure they are clearly visible."

Another document, purporting to detail the plan to attack Kibbutz Sa'ad, states that an aim for a particular group of fighters is to capture hostages.⁸⁵⁷ The alleged planning document reportedly found near Kissufim and regarding Mefalsim calls on forces to confront "the regional defense force and other forces in the Kibbutz and take control of it," and tells fighters they should be "capturing soldiers and civilians and detaining hostages and negotiating over them."⁸⁵⁸ Human Rights Watch is unable to verify the authenticity of these documents.⁸⁵⁹

Human Rights Watch verified videos showing fighters and possible civilians mistreating people taken hostage on October 7. They hit and kick hostages and drag a woman by her hair.⁸⁶⁰ One verified video posted to the South First Responders Telegram channel shows men wearing Qassam Brigades headbands taking a man from a bomb shelter at a bus stop

⁸⁵⁷ Copy of document on file with Human Rights Watch.

⁸⁵⁸ "When Hamas attacked, this group of volunteers fought back and won," video clip, YouTube, *CNN*, October 20, 2023, <https://www.youtube.com/watch?v=NYhUr7oaXZE> (accessed June 20, 2023).

⁸⁵⁹ Based on a review by Human Rights Watch, documents visible in videos of the Joint Operations Room in Gaza share some of the same annotations and formatting of those published shortly after October 7, however some of the documents contain inconsistencies as well, including differences in the Qassam Brigades' logo.

⁸⁶⁰ Paul Golding (@GoldingBF) post to X (formerly known as Twitter) October 7, 2023, (accessed June 26, 2024); South First Responders (@SouthFirstResponders) post to Telegram channel, November 8, 2023, (accessed June 26, 2024); غزة الآن - Gaza Now post to Telegram channel, (accessed June 24, 2024)

near Kissufim.⁸⁶¹ Fighters direct the man toward a car parked next to the bus stop and one hits the man repeatedly with the butt of a rifle. A second fighter approaches with zip ties and proceeds to kick the man twice in the head before another fighter gets him to stop.

Another verified video posted on X on October 7 and recorded in Gaza shows a fighter pull a woman with blood on her pants out of a car by her hair. The fighter then forces her to sit in the car's back seat.⁸⁶² The armed men in this video are not wearing headbands or insignia that would link them to a specific group.

A verified video posted to Telegram shows Qassam Brigades fighters transporting three hostages in a pickup truck through a barrier breach into Gaza.⁸⁶³ A person filming approaches the car and begins hitting one of the hostages who is wearing only underwear. A second hostage appears to have sustained an injury on their back.

Another verified video posted to the South First Responders Telegram channel shows a Qassam member walking a hostage down Road 232 near the Supernova Music Festival grounds while pulling the person's hair.⁸⁶⁴

A separate video made up of video clips from three locations — inside an unknown building; just outside a building Human Rights Watch geolocated to the Nahal Oz military post; and inside a truck — were released by the hostages' families on May 22.⁸⁶⁵ They show five female hostages, all members of Israel's armed forces according to their families, some of whom have blood coming from wounds on their face and body. They are surrounded by male captors who engage in verbally abusive and threatening behavior toward them and force them into a vehicle. At one point a captor refers to the women as *sabaya* [female captives], a term that can have sexual connotations.⁸⁶⁶ Human Rights

⁸⁶¹ South First Responders (@SouthFirstResponders) post to Telegram channel, November 8 2023, (accessed June 26, 2024).

⁸⁵⁷ Paul Golding (@GoldingBF) post to X (formerly known as Twitter) October 7, 2023, (accessed June 27, 2024).

⁸⁶³ غزة الآن - Gaza Now post to Telegram channel, November 1, 2023, (accessed June 26, 2024).

⁸⁶⁴ South First Responders (@SouthFirstResponders) post to Telegram channel, October 15, 2023, (accessed June 26, 2024).

⁸⁶⁵ "Mission report Official visit of the Office of the SRSg-SVC to Israel and the occupied West Bank 29 January—14 February 2024," *Office of Special Representative of the Secretary-General in Sexual Violence in Conflict*, March 2024, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 17, 2024).

⁸⁶⁶ The term *sabaya* can carry different connotations. <https://www.theatlantic.com/ideas/archive/2024/05/israel-amas-female-captives-sabaya-translation/678505/>.

Watch was unable to determine where the video clips were filmed. The same five hostages appeared in a separate video published by the Qassam Brigades Telegram channel on October 10, 2023 showing the same scenes of the interior of the building and the women being forced into a vehicle.⁸⁶⁷

There have been numerous reports of the mistreatment of hostages after they were taken to Gaza, including by hostages who have since been released. This report is limited to the actions and abuses that took place on October 7.

Crimes Related to Acts of Sexual and Gender-Based Violence

Palestinian fighters committed acts of sexual and gender-based violence during the October 7 attacks. The UN Special Representative of the Secretary-General on sexual violence in conflict, which interviewed people who reported witnessing rape and other sexual violence, stated that there were “reasonable grounds to believe that conflict-related sexual violence occurred during the October 7 attacks in multiple locations across Gaza periphery, including rape and gang rape, in at least three locations.”⁸⁶⁸

Human Rights Watch was not able to gather verifiable information through interviews with people who were survivors of or witnesses to rape during the assault on October 7, and there is only one public account reportedly from such a survivor.⁸⁶⁹ Human Rights Watch found evidence of acts of sexual and gender-based violence including forced nudity and the taking of and posting on social media sexualized images without consent. Customary international humanitarian law prohibits rape and other forms of sexual violence.⁸⁷⁰ While Common Article 3 to the Geneva Conventions of 1949 does not

⁸⁶⁷ “Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024,” *Office of Special Representative of the Secretary-General in Sexual Violence in Conflict*, March 2024, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 17, 2024).

⁸⁶⁸ “Mission report Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January–14 February 2024,” *Office of Special Representative of the Secretary-General in Sexual Violence in Conflict*, March 2024, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/03/report/mission-report-official-visit-of-the-office-of-the-srsg-svc-to-israel-and-the-occupied-west-bank-29-january-14-february-2024/20240304-Israel-oWB-CRSV-report.pdf> (accessed June 17, 2024).

⁸⁶⁹ Laura-Maï Gaveriaux, “Ils ont arrêté lorsqu’ils m’ont crue morte: le calvaire d’Esther, violée et mutilée par les terroristes du Hamas” *Le Parisien*, November 26, 2023, <https://www.leparisien.fr/international/israel/israel-le-calvaire-desther-violee-et-mutilee-par-les-terroristes-du-hamas-26-11-2023-MK5HBAQRRZHENBBFEFOI6NDVWI.php> (accessed February 12, 2024).

⁸⁷⁰ ICRC, Customary IHL, Rule 93,

specifically prohibit rape, it prohibits the infliction of “violence to life and person,” including “cruel treatment and torture,” as well as “outrages upon personal dignity, in particular humiliating and degrading treatment” on anyone not participating in the conflict. The Rome Statute of the ICC prohibits rape and other sexual violence as a war crime and as a crime against humanity.

The extent to which acts of sexual and gender-based violence were committed during the October 7 assault will likely never be fully known: many victims may have been killed; stigma and trauma often deter survivors from reporting; and Israeli security forces and other responders largely did not collect relevant forensic evidence from the attack sites or the recovered bodies.⁸⁷¹ Hamas officials have denied that their fighters committed acts of sexual violence.⁸⁷²

Mutilation and Despoiling of Bodies

Human Rights Watch has identified at least five cases in which Palestinian fighters or accompanying civilians mutilated the bodies of the dead. There were additional cases in which fighters despoiled (robbed) the dead.

The mutilation of dead bodies is prohibited under Common Article 3 of the 1949 Geneva Conventions and customary international law as it constitutes an outrage upon personal dignity.⁸⁷³ The ICC Elements of Crimes, which prohibits outrages upon personal dignity, in particular humiliating and degrading treatment, includes those committed against the dead.⁸⁷⁴

Human Rights Watch verified a video from Kibbutz Nirim (see Nirim section) showing a group of people in civilian clothes taking turns standing on the body of an Israeli soldier lying on the ground next to a vehicle in Nirim. The body of another soldier hangs out of the

⁸⁷¹ Carrie Keller-Lynn, “Amid War and Urgent Need to ID Bodies, Evidence of Hamas’s October 7 Rapes Slips Away,” *The Times of Israel*, November 9, 2023, <https://www.timesofisrael.com/amid-war-and-urgent-need-to-id-bodies-evidence-of-hamass-october-7-rapes-slips-away/> (accessed June 20, 2024).

⁸⁷² “What We Know About Sexual Violence During the Oct. 7 Attacks on Israel,” *The New York Times*, December 4, 2023, <https://www.nytimes.com/2023/12/04/world/middleeast/oct-7-attacks-israel-hamas-sexual-violence.html#:~:text=Hamas%20officials%20have%20denied%20the,the%20barrier%20fence%20surrounding%20Gaza> (accessed June 20, 2024).

⁸⁷³ See Common Article 3 to the Geneva Conventions of 1949; ICRC Study on Customary International Humanitarian Law (2005), Rule 113.

⁸⁷⁴ ICC Elements of Crimes (2002), Article 8(2)(c)(ii), fn. 57.

vehicle, and the men in civilian clothes begin dragging the body onto the road. Nearby are two men in camouflage uniforms, including one wearing the green headband associated with the Qassam Brigades.⁸⁷⁵

Human Rights Watch analyzed two videos showing the mutilation of two other bodies on October 7. One video was posted on the official Mujahideen Brigades Telegram channel on October 8 and shows fighters entering an Israeli military base near Nir Oz and then cuts to a photograph of two bodies of men in Israeli uniforms, one of which has been decapitated. Human Rights Watch could not confirm the location of these bodies due to the lack of geographic information in the photograph. Another video uploaded to a Telegram channel films two men standing in front of a Saraya Al-Quds banner wearing Saraya Al-Quds headbands holding up a man's head. Human Rights Watch could not verify exactly where and when this video was recorded.⁸⁷⁶

After Joshua Mollel, the 21-year-old student from Tanzania, was killed in Nahal Oz by members of the Aqsa Martyrs Brigades and National Resistance Brigades, one person stands with one leg on top of his stomach and fires eight rounds from an AK-style assault rifle at Mollel's head from close range.⁸⁷⁷

The BBC verified one video uploaded to the Telegram channel Palestine Resist, a popular Palestinian channel that posts largely in English, at 8:59 a.m. local time on October 7, 2023, showing fighters with vests and assault rifles arriving in Khan Yunis in Gaza with the body of an Israeli soldier.⁸⁷⁸ A crowd quickly surrounds the attackers and people stomp on his body, while the fighters make little effort to stop them.⁸⁷⁹

Use of Human Shields on October 7

⁸⁷⁰ Sir (@sireemperador) post to X (formerly known as Twitter) (video on file with Human Rights Watch).

⁸⁷¹ פשעי החמאס - ללא צנזורה (@NovaFestival2023) post to Telegram channel, October 12, 2023, (accessed June 27, 2024).

⁸⁷⁷ South First Responders (@southfirstresponders) post to Telegram channel, December 17, 2024, (accessed March 14, 2024).

⁸⁷³ Resistance News Network (@PalestineResist) post to Telegram channel, October 7, 2023, (accessed June 28, 2024)

⁸⁷⁴ Resistance News Network (@PalestineResist) post to Telegram channel, October 7, 2023, (accessed June 28, 2024)

“Human shielding” refers to purposefully using the presence of civilians to render military forces or areas immune from attack. The laws of war prohibit using civilians to shield military objectives, including individual combatants, from attack. Shielding is a war crime.⁸⁸⁰

Human Rights Watch identified at least two instances in which Palestinian fighters appeared to use civilians as human shields during the October 7 assault.

Fighters held a group of civilians in the home of Pesi Cohen in Be’eri when Israeli forces attempted to retake control of the kibbutz in the afternoon of October 7.⁸⁸¹ A witness said that as Israeli forces advanced, the fighters phoned the Israeli police using one of the hostages as an interpreter, identified themselves as from the Qassam Brigades, and told the police that they would shoot those they held if the Israeli forces fired on them. During the standoff, the attackers forced about half the hostages into the yard of the home between Israeli forces and the fighters, according to two witnesses the *New York Times* interviewed. A man the attackers said was their commander took off his clothing and took Yasmin Porat, one of the hostages, outside to shield him as he surrendered to the Israelis. After the fighters fired again at the Israeli forces, an Israeli tank opened fire on the home. The fighters were killed, as well as 12 hostages who were killed in the crossfire. Porat briefly spoke to Human Rights Watch and confirmed these events, albeit in less detail.⁸⁸²

⁸⁸⁰ See Common Article 3 to the Geneva Conventions of 1949, ICRC, Customary IHL, Rule 97. ICRC Database, Customary IHL, Human Shields, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule97> (accessed June 26, 2024).

⁸⁸¹ Patrick Kingsley, Aaron Boxerman, Natan Odenheimer, Ronen Bergman and Marco Hernandez, “The Day Hamas Came,” *The New York Times*, December 22, 2023, <https://www.nytimes.com/interactive/2023/12/22/world/europe/beerimassacre.html> (accessed June 20, 2024); Erin Burnett, “Hear woman’s account of her capture by Hamas and escape,” October 24, 2023, video clip, CNN, <https://edition.cnn.com/videos/world/2023/10/24/hostage-hamas-released-israel-ebof-sot-vpx.cnn> (accessed February 13, 2024); “אף פעם לא העליתי פה ריאיון באורך כזה: זו כמעט חצי שעה של שיחה עם יסמין פורת על,” October 11, 2023, video clip, Facebook, https://www.facebook.com/watch/?v=2051819351861734&extid=CL-UNK-UNK-UNK-AN_GKoT-GK1C&ref=sharing&mibextid=Nif5oz (accessed February 13, 2024); “Israeli civilians were killed also by the IDF | Yasmin Porat, who survived Kibbutz Be’eri,” October 18, 2023, video clip, YouTube, https://www.youtube.com/watch?v=FHPWtxlzj_c (accessed February 13, 2024); “Israeli civilians were killed also by the IDF | Yasmin Porat, who survived Kibbutz Be’eri,” October 18, 2023, video clip, YouTube, https://www.youtube.com/watch?v=FHPWtxlzj_c (accessed February 13, 2024); Kereneubach (@kereneubach) post to X (formerly known as Twitter) November 15, 2023, <https://twitter.com/kereneubach/status/1724782876150128702> (accessed February 13, 2024); Nir Hasson, Lisa Rozowski, Joshua (Josh) Breiner, “The Hamas massacre led to the spread of horror stories, not all of which happened in reality. The truth is hard enough,” *Haaretz*, December 3, 2023, https://www.haaretz.co.il/news/politics/2023-12-03/ty-article-magazine/.premium/0000018c-2036-d21c-abae-76be08fe0000?utm_source=App_Share&utm_medium=Android_Native&utm_campaign=Share (accessed February 13, 2024); middleeastmonitor (middleeastmonitor) post to Instagram, December 11, 2023, <https://www.instagram.com/reel/CotKA-stHbo/?igshid=MzRlODBiNWFlZA%3D%3D> (accessed February 13, 2024).

⁸⁸² Human Rights Watch remote interview with Yasmin Porat, October 30, 2023.

In Nahal Oz, an armed fighter walked behind 17-year-old Tomer Arava Eliaz through the community during the assault, for some period holding Arava by the upper back from behind, and forced him to knock on the door of neighbors to get them to come out. A video capturing the incident shows the fighter, who is wearing a vest with the Qassam Brigades' insignia on it, shouting at residents inside in English, so not hiding his presence, while also asking Arava to communicate to those inside in Hebrew.⁸⁸³ He also forces Arava to walk to other homes in the community, and look through the window of one to see if residents are inside. It appears that the fighter may have been using Arava, among other things, to potentially block an attack. Tomer was later found dead.⁸⁸⁴

The media reported that in the “hostage detention plan” there was an instruction to “tie up some hostages around the site and use them as human shields, making sure they are clearly visible.” If authentic, this would indicate that the use of human shields was part of the plan of the assault.⁸⁸⁵ Human Rights Watch, however, could not verify the authenticity of the documents.

Pillage and Destruction of Property

International humanitarian law prohibits pillage and looting. Pillage and looting are the unlawful appropriation of private property during an armed conflict, which is a war crime.⁸⁸⁶ Also prohibited is the destruction of private property unless required by imperative military necessity, and is a war crime.⁸⁸⁷

Many witnesses described Palestinian fighters and apparent civilians from Gaza carry out pillage during the assault. During the attacks on residential communities, attackers stole personal possessions including money, jewelry, electronics, bicycles, and cars. Human Rights Watch verified 13 videos showing looting by both fighters and people in civilian

⁸⁸³ “Press Release from the Elyakim and Arava Families Regarding the Kidnapping of Noam and His Family, Who Were Abducted by Hamas,” video clip, Facebook, October 11, 2023,” (accessed June 20, 2024); Anna Foster, “‘Hamas said they wouldn’t shoot, then murdered my daughter’” *BBC*, October 3, 2023, <https://www.bbc.com/news/world-middle-east-67192885> (accessed June 20, 2024); קבוצת החדשות הגדולה בישראל - חידשות בזמן בטלגרם - קבוצת החדשות הגדולה בישראל, post to Telegram channel, October 7, 2023, (accessed June 26, 2024).

⁸⁸⁴ Merav Sever, “A cold-blooded massacre, live on Facebook: How Hamas forced a 17-year-old to help them go door to door,” *Israel Hayom*, October 19, 2023, <https://www.israelhayom.com/2023/10/19/a-cold-blooded-massacre-live-on-facebook-how-hamas-forced-a-17-year-old-to-help-them-go-door-to-door/> (accessed April 1, 2024).

⁸⁸⁵ ICRC, Customary IHL, Rule 52.

⁸⁸⁶ ICRC, Customary IHL, Rule 52.

⁸⁸⁷ ICRC, Customary IHL, Rule 50.

dress in and around Nir Oz, Sufa, Nir Yitzhak, Be’eri, Magen, and the Supernova Music Festival.

In two incidents, Human Rights Watch verified videos that showed Qassam Brigades fighters looting and destroying property. Human Rights Watch verified a video recorded by an apparent Qassam Brigades member on the morning of October 7 near Kissufim in which fighters beat a man and search him for valuables before taking a necklace that the man offers them. Another fighter then attaches a Qassam Brigades banner to the back of the man’s car before driving off in it.⁸⁸⁸

In an example of destruction of property and perhaps attempted murder, filmed by an armed group member and posted to X, a fighter wearing a green Qassam Brigades’ headband uses a cigarette lighter to set fire to some fabric hanging on a window of a house.⁸⁸⁹ While Human Rights Watch could not independently verify where this video was recorded, a witness confirmed that the act was filmed in Kibbutz Sufa while a family was sheltering inside.⁸⁹⁰

Attacks Against Medical Infrastructure

Hospitals, ambulances, and other medical infrastructure have special protection under international humanitarian law. They must be presumed to be civilian and lose their protection only if they are being used to commit “acts harmful to the enemy,” such as transporting ammunition or healthy fighters. Intentionally attacking medical infrastructure are war crimes.

Physicians for Human Rights Israel (PHRI) documented the killing of two medical workers on October 7, one on duty at the Supernova Music Festival and the other shot while in an ambulance.⁸⁹¹ Another two medical workers were wounded. PHRI reported that fighters opened fire on three ambulances and attacked two medical centers. Ashkelon’s Barzilai

⁸⁸⁸ South First Responders (@SouthFirstResponders) post to Telegram November 8, 2024, (accessed June 26, 2024).

⁸⁸⁹ Visegrád 24 (@visegrad24) post to X (formerly known to Twitter) October 9, 2023. (accessed Jun 27, 2024).

⁸⁹⁰ Human Rights Watch remote interview with Elia Natan Lilintal, November 29, 2023.

⁸⁹¹ “The Harming of Medical Personnel and Facilities, Attacks Hamas 2023 7, October the During, Physicians for Human Rights Israel, November 2023, https://www.phr.org.il/wp-content/uploads/2023/11/5746_Harming_Medica_paper_Eng.pdf (accessed February 5, 2024).

Medical Center was hit by three rockets during the assault.⁸⁹² Human Rights Watch documented fighters deliberately shooting the tire of an ambulance parked in Kibbutz Sufa, rendering it unusable for evacuating the injured.⁸⁹³ Bodycam footage from the gunman who shot the tire shows him moving with a second attacker who is wearing a green Izz al-Din al-Qassam Brigades headband.

Crimes Against Humanity on October 7

Under the Rome Statute of the ICC, certain acts are listed as crimes against humanity. These include: murder; extermination; imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; rape or any other form of sexual violence of comparable gravity; and persecution against any identifiable group or collectivity on racial, ethnic, national, religious or other grounds. Crimes against humanity must be committed as part of a widespread or systematic attack directed against a civilian population.

Human Rights Watch has determined that the Qassam Brigades and other Palestinian armed groups committed multiple acts of murder and unlawful imprisonment of civilians on October 7. These were in furtherance of an organizational policy to commit criminal acts including murder and unlawful imprisonment, and therefore amount to an “attack directed against a civilian population.”

As murder and unlawful imprisonment were committed as part of this attack on October 7, they amount to crimes against humanity.

Human Rights Watch also calls for investigation as to whether the crimes against humanity of extermination, rape and sexual violence, and persecution were committed on October 7.

⁸⁹² “The Harming of Medical Personnel and Facilities, Attacks Hamas 2023 7, October the During, Physicians for Human Rights Israel, November 2023, https://www.phr.org.il/wp-content/uploads/2023/11/5746_Harming_Medica_paper_Eng.pdf (accessed February 5, 2024).

⁸⁹³ South First Responders (@southfirstresponders) post to Telegram channel, October 15, 2023, (accessed February 5, 2024).

Acknowledgments

This report was researched and written by Belkis Wille, associate crisis, conflict, and arms division director; Robin Taylor, crisis, conflict, and arms division research assistant; and Devon Lum, former research assistant for the Digital Investigations Lab in the Technology, Rights and Investigations Division. Heather Barr, associate women's rights division director, contributed research and writing.

Anagha Neelakantan, senior crisis, conflict and arms division editor, provided drafting support and edited the report. The report was also edited by Ida Sawyer, crisis, conflict and arms division director, and Eric Goldstein, former deputy Middle East and North Africa (MENA) division director. Clive Baldwin, senior legal advisor, and James Ross, legal and policy director, provided legal review. Tom Porteous, deputy program director, and Sari Bashi, program director, provided programmatic review.

Specialist reviews were provided by Julia Bleckner, senior researcher in the Asia division and global health initiative; Emina Ćerimović, associate director in the disability rights division; Louis Charbonneau, UN director in New York; Philippe Dam, director for EU advocacy; Sam Dubberley, director of the Technology, Rights and Investigations division; Claudio Francavilla, associate director for European Union advocacy; Mark Hiznay, associate director in the crisis, conflict and arms division; Gabriela Ivens, head of open source research for the Digital Investigations Lab in the Technology, Rights and Investigations division; Lucy McKernan, United Nations advocacy deputy director in Geneva; Oryem Nyeko, senior researcher in the Africa division; Sunai Phasuk, senior researcher in the Asia division; Hilary Power, UN Geneva director; Macarena Sáez, executive director of the women's rights division; Omar Shakir, Israel and Palestine director; Bridget Sleaf, senior researcher on older people's rights; Letta Tayler, former associate director in the crisis and conflict division; Bill van Esveld, acting Israel and Palestine associate director; and Sarah Yager, Washington director.

The report was prepared for publication by crisis, conflict and arms division associate, Nīa Knighton; publications officer, Travis Carr; and senior administrative manager, Fitzroy Hepkins.

We would also like to thank Michael Sfar for his review of segments of the report.

We would like to thank the individuals who made this report possible by sharing their experiences with us despite the acute trauma they and their communities were experiencing at the time of the interviews.

Annex: English Translation of Hamas's Response Letter, April 14, 2024

Sunday, April 14, 2024

Dear Mr. Tom Porteous
Deputy Program Director
Human Rights Watch

Subject: Response to questions about the October 7th attack

The [Hamas] movement emphasizes that its struggle is with the Zionist settler occupation project and not with the Jews as Jews. Hence, the struggle is with the existing occupying power, and resistance is the legitimate right of the Palestinian people in the context of international law, which is a framework that all must respect. Hamas is committed to respecting international and human rights law and has agreed without reservation to the Rome Statute of the International Criminal Court. Palestinian resistance and all forms of its struggle are an extension of wars of national liberation, and the Palestinian people's right to use resistance is established under the rules of international legitimacy to end the occupation, become self-determining, and establish the Palestinian state.

The October 7th attack was carried out at specific sites with light military equipment, meaning that much of the violence and destruction were caused by weaponry not owned by Palestinian resistance fighters but by the Israeli military. Many photographs have been published showing destroyed homes, roads torn up by tracked vehicles, holes in walls, and lines of burnt-out and destroyed cars. None of these things relate in any way to the specific action of resistance fighters.

As much as is possible under the circumstances of war, the following are answers to the questions you addressed.

- 1. What was the scope of Hamas's involvement in the October 7th attack? How many Hamas members [participated in the attack]? What was Hamas's role compared to other groups?**

The military wing, the Qassam Brigades, is responsible for military operations. It planned the October 7th attack and initiated its implementation against the Israeli army's Gaza Division, which is responsible for illegally and inhumanely blockading the Gaza Strip and locates itself in and around Israeli settlements and kibbutzim. However, the Gaza Division collapsed within a very short time, and then people rushed out, along with Palestinian groups that were not participating in the military operation, resulting in chaos in the field and, thus, changing the plan to conduct an operation against military targets. Hence, the nature of the operation brought about surprises and variables that were not in the original plans, which resulted in Israel killing and capturing hundreds of Palestinian citizens.

Naturally, the number of participants in the operation was in the hundreds, given that it targeted various locations throughout the length and breadth of military areas and sites adjacent to the Gaza Strip. The outpouring of citizens and other groups makes it difficult to know the precise numbers that participated in the operation.

2. How many “hostages” did Hamas take, how many hostages are alive, how many are civilians, and how do you justify their continued detention?

To begin with, we register our reservation at the term “hostages” because the definition does not even match the definition in the International Convention against the Taking of Hostages—especially since Hamas expressed more than once that it did not insist on holding them. Indeed, in the first days of the Israeli aggression, Hamas declared that it was ready to freely hand over civilian detainees, but Israel refused. Subsequently, Hamas handed over a number of them upon its own initiative, despite Israel's refusal and procrastination. During the recent period, Israel has not allowed an opportunity to conduct a tally of the number of detainees, though Hamas requested an extension of the ceasefire that took place at the end of November in order to complete this tally despite the occupation government's objection.

We have stressed that we do not wish to continue detaining civilians, and negotiations regarding their release were steps decided and agreed upon in the ceasefire negotiations. However, Israel is stalling on this issue, and we are increasingly convinced that their government is deliberately ignoring their circumstances.

In this regard, we affirm that we distinguish between civilians and combatants, in accordance with the provisions and rules of international humanitarian law, i.e., civilians are those who were not in the ranks of the regular or reserve forces during the October 7th attack. We stress our rejection of Israeli attempts to describe most of the detainees as civilians, even those who were detained inside military sites and whom we found to be working for the Israeli army on tasks of a military nature, even if not directly related to combat.

3. How many detainees have died and under what circumstances?

As of March 10th, al-Qassam had announced the death of 70 of the detainees it holds due to the ongoing Israeli bombing of the Gaza Strip. Another number [of fatalities] could be added, which are those who died as a result of famine and lack of health services that our people are also experiencing. We are not able to give an exact number of those alive, killed, or deceased because they are in various locations and with various military groups. We have emphasized the importance of reaching a ceasefire to gather the necessary information about prisoners and recover the bodies of the deceased and those still under the rubble, like thousands of Palestinians. Despite consecutive warnings that indiscriminate and intensive bombing may lead to the killing of more Israeli detainees, the occupation government does not appear concerned with the lives of its citizens and soldiers in Gaza.

4. The conditions of their detention and measures taken to ensure access to water, food, and medical care:

Over months of war, al-Qassam has made major efforts to preserve the lives of its detainees. Medical care was provided for those with chronic diseases, in addition to urgent surgical interventions for some of the injured. Some of this was documented with al-Qassam cameras and subsequently published during the recent period. Furthermore, the testimonies of freed detainees clearly answer the question about the extent of care they received, despite the harsh conditions of war and the need to move them from place to place in fear of their life from the savage Israeli bombardment. In agreement with Qatar and other countries, Hamas also took the initiative to accept proposals for bringing medications into the Gaza Strip for the detainees, according to their needs.

Hamas stresses that the detainees are treated humanely and in accordance with the provisions of the Islamic faith, the rules of international humanitarian law and related conventions.

5. What were the goals of the attack?

The operational goal was to attack the Gaza Division and destroy its defenses. The political objectives were multiple and intended to deal with attempts to erase the Palestinian cause. These objectives included dealing with the criminal Israeli occupation, apartheid, and siege of Gaza, and changes to the status quo in Jerusalem and the spread of settlements in the West Bank and Jerusalem, even though those areas are inalterably Muslim.

In recent years, the Palestinian cause has been subjected to broad pressure that put it at the bottom of international priorities, following the success of Israel's extremist right government in establishing new facts on the ground through attempts to annex and enshrine Israeli hegemony and the US's role in trying to obliterate the Palestinian cause.

We can summarize the political goals as follows:

- Recapture international interest in the Palestinian cause after long years of marginalization, where an Israeli vision prevailed that was based on possible involvement in regional and international projects without resolving the Palestinian issue.
- Emphasize that ignoring the Palestinian people and their rights will not necessarily lead to regional or international security.
- Release Palestinian prisoners and detainees in Israeli prisons, dozens of whom have been detained for decades.
- Lift the blockade on the Gaza Strip, which has exhausted Gazans, prolonged their suffering, turned more than 70% of them into aid recipients, and crushed the economy there.
- Stop all Israeli violations in Jerusalem and halt settlement activity in the West Bank.
- Initiate a possible way to force Israel to comply with all international resolutions regarding the Palestinian cause.

6. How did the plan for the operation envision the treatment of civilians and adherence to international law?

The Qassam Brigades was clear in directing its members and fighters not to target civilians. In a speech in which he announced Operation Al-Aqsa Flood in the first moments of the attack, the commander-in-chief of the Qassam Brigades directed that civilians not be targeted. Hamas's policy, even in negotiations, confirms that it distinguishes between combatants and non-combatants when it made the release of civilians the first step and stage of any future de-escalation agreement.

We also note many cases reported by Hebrew media in which many Israeli civilians who lived through the military attack confirmed that they were not harmed or mistreated by Hamas fighters, who withdrew from civilian homes.

7. Timeline and response of Israeli forces:

Precise operational details are held by the Qassam Brigades, and it is difficult to communicate [with them] prior to a ceasefire to provide coverage of these details. However, the incursions began after a cover fire with multi-range rocket shells, in addition to targeting surveillance cameras throughout the operational areas prior to the engagement of fighters according to the pre-set plan. While details can be included in the course of other replies, it is important to point out that the Israeli army bears great responsibility for the killing of many settlers, as noted in Israel's own reports, either during the targeting of the Spring Festival with planes and artillery shells or the bombing of homes where there were Israeli civilians on suspicion of the possible presence of resistance fighters there, in accordance with Israel's Hannibal Protocol. The above are the testimonies of Israeli survivors and Israeli reports.

8. Extent of adherence to the attack and any deviation from it

The first main attack took place largely according to plan, though we do not deny some possible operational errors, which we cannot at this time determine because the exceptional circumstances of the war make it difficult to conduct investigations into operational behavior.

However, the subsequent stage, in which Gaza residents and armed forces rushed in without coordination with Hamas, led to many mistakes. This operation and everything

arising from it require a thorough examination from our side, but it cannot be done at the moment.

9. The number of Hamas members killed in the operation

Gathering statistics on the number of martyrs who died in the operation is not feasible currently, especially since the Israeli army has not disclosed the count of martyrs and prisoners in its custody who participated in the operation. In addition, the Israeli army detained hundreds of citizens who crossed the border fence in the first hours after the operation and considered them participants and members of the Qassam Brigades, which we completely and totally deny.

Meanwhile, the Israeli side can be required to disclose the real data about the prisoners detained in the operation, stressing that it distinguish between combatants and civilians who crossed the border fence after the operation began.

10. Investigations we have begun

The established policy of Hamas and its military wing is always to conduct comprehensive and transparent investigations into the errors, violations, or gaps that are part of any operation. However, the exceptional nature of this battle, Israel's attack of the entire Gaza Strip, and the involvement of Hamas and its leaders and fighters in combatting this brutal war, make it very difficult at this time to conduct internal investigations, though it should emphasized that all the information obtained from Israeli detainees will be handled seriously, including any complaints of abuses. Hamas is committed to conducting any required investigations at the first available opportunity, and it will take any required steps regarding any violation proven against any of its members.

11. Information on the presence of civilian objects

Of course, the operational focus was on attacking military targets associated with the Gaza Division, Shin Bet, and the occupation army's intelligence forces. However, some sites that were attacked were located inside Israeli kibbutzim and settlements that contain civilian facilities, which indicates Israel's use of these civilian objects as human shields. Nevertheless, they were not the primary target of the attack, and in

this regard, we question the narrative Israel has propagated about the attack and its allegations about the killing of civilians and the targeting of civilian facilities—especially after Israeli allegations that have been promoted to prove that Hamas intentionally attacked civilians have been proven false in many cases. Furthermore, there are civilian targets closer to the Gaza Strip, but the Qassam Brigades did not head in their direction. If the Qassam Brigades had intended to attack civilians, they would have included them in the attack, but they did not. In addition, the Qassam Brigades launched several attacks within the Occupied Palestinian Territory in 2014, all of which were against Israeli army positions. This is evidence of al-Qassam’s military doctrine not to target civilians.

12. Our view of civilian women and men over 18

It should be clarified that the reference to the occupation army’s recruitment process came in the context of the participation of many civilians in confronting the Qassam Brigades’ forces during the operation. This reference includes knowledge of the background situation in the occupying state, but under no circumstances does it mean that we consider all civilians as military personnel or place them on an equal footing. We adopt the definition of combatants and civilians provided in international humanitarian law and relevant conventions. We also stress what we have previously mentioned: in the framework of the current negotiations, we offer great flexibility regarding the release of civilians, while the process we are discussing in detail relates to soldiers.

13. Precision weapons

The reference to a lack of precision or guided weapons comes in the context of explaining the circumstances that led to injuring civilians during the attacks by Hamas and resistance [groups]. Shelling operations target military sites but, in the absence of guided missiles that can be directed specifically towards the target, the measurement process is approximate. In this regard, some attacks may lead to wounding Israelis in attempts to bomb military sites. This is unintended collateral damage, and the military apparatus takes all the precautions within its capabilities to comply with relevant rules and principles.

14. Cooperation with the International Criminal Court

Hamas has been explicit about its intention to cooperate with any international investigation of events in the Palestinian territories and the Israeli aggression against the Gaza Strip. In this vein, Hamas emphasizes its readiness to cooperate with any international actor to examine any conduct suspected of being a violation of international law and international humanitarian law. We are also ready to respond to any inquiries or accusations in this regard.

Hamas has agreed with the complaint before the International Criminal Court and confirmed its readiness to cooperate with an independent and serious international investigation. For its part, Israel has refused any cooperation with the International Criminal Court and is fighting the application of international law. Hamas stresses that anyone who wants to go before the International Criminal Court must accept the rules of the dispute, in particular the Court’s decision of February 5, 2021, ruling that Palestine is a state with sovereign jurisdiction over the West Bank, Gaza, and East Jerusalem. Every state and entity must be subject to the same rule of law, in accordance with the principle of one law for all.

Sincere regards,

Dr. Bassem Naim
Head of Political Department and International Relations—Hamas



“I Can’t Erase All the Blood from My Mind” Palestinian Armed Groups’ October 7 Assault on Israel

On October 7, 2023, the Qassam Brigades and at least four other Palestinian armed groups carried out a planned, coordinated assault in southern Israel, attacking military outposts and bases, and numerous residential communities and social gatherings. The armed groups killed at least 815 civilians, and they took as hostage at least 251 civilians and Israeli security force personnel and brought them back to Gaza.

“I Can’t Erase All the Blood”: Palestinian Armed Groups’ October 7 Assault on Israel is based on research conducted between October 2023 and June 2024, and includes interviews with 94 Israeli and other nationals who witnessed the attack, as well as 50 family members of victims of abuses; first responders; medical experts; municipal officials; and journalists who later visited the attack sites. Human Rights Watch also verified and analyzed over 280 photos and videos.

Palestinian armed groups committed numerous war crimes during the assault, including attacks targeting civilians and civilian objects; willful killing of persons in custody; cruel and other inhumane treatment; sexual and gender-based violence; hostage taking; mutilation and despoiling (robbing) of bodies; use of human shields; and pillage and looting. Human Rights Watch also concluded that the planned murder of civilians and the taking of hostages – a form of unlawful imprisonment – were crimes against humanity.

Human Rights Watch calls on Palestinian armed groups to immediately release all civilian hostages and outlines recommendations to bring accountability for the crimes detailed in the report.

Above: During a tribute to people killed or taken hostage during the October 7, 2023 assault by Palestinian armed groups, a man places a picture of a festivalgoer at the site of the Supernova music festival in Re’im, southern Israel, November 28, 2023.
© 2023 REUTERS/Amir Cohen

Cover: A family photo hangs on the wall inside a burned-out house in Kibbutz Be’eri in the aftermath of the October 7, 2023 assault by Palestinian armed groups on southern Israel, October 14, 2023.
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