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RIGHTS
WATCH

“Hopeless, Starving, and Besieged”

Israel’s Forced Displacement of Palestinians in Gaza

“Hopeless, Starving, and Besieged”
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Summary

The first thing I thought of was the Nakba [“The Catastrophe”] of 1948, I thought [the Israeli authorities] were trying to do this again, to take over our land and our houses again. Once I heard the evacuation order to go south, my first reaction was: I'm not leaving. It is not an option to leave everything I have worked for...but then the bombs started and our houses were being destroyed, I needed to protect my family. This is why I finally left.

— Dr. Hassan, a 49-year-old man who fled with his family from his home near Jabalia in northern Gaza to Khan Younis in the south, November 30, 2023

Dr. Hassan fled from his home in Jabalia refugee camp in northern Gaza on October 11, 2023, and fled south where he and 36 other members of his family sought refuge in Khan Younis after the Israeli military instructed people to go there for their safety. He described Israeli bombardments while fleeing along the main artery to the south, the Salah al-Din Road, and Israeli airstrikes when he got to Khan Younis where all the shelters were full, and his family had to separate to find somewhere to sleep. After multiple rounds of displacement Dr. Hassan and his family remain displaced in southern Gaza.

On October 7, 2023, Palestinian armed groups in Gaza carried out devastating attacks on southern Israel, committing numerous war crimes and crimes against humanity against civilians. Israel responded with a military offensive against Palestinian armed groups in Gaza. This offensive, which includes a massive bombing campaign and ground attacks across Israeli-occupied Gaza, continues to this day. There have been ongoing attacks on military targets, but there have also been significant amounts of unlawful airstrikes and destruction of civilian infrastructure and housing, a tight blockade of Gaza that has led to a humanitarian catastrophe and amounts to collective punishment of the civilian population, and the use of starvation as a weapon of war. Since the first days of the offensive, Israel has carried out these acts in conjunction with an evacuation system that has flagrantly failed to keep Palestinians in Gaza safe, and in fact put them in harm's way. Nowhere in Gaza is safe. As this report will show, Israel's actions have intentionally caused the mass and forced displacement of the majority of the civilian population of Gaza.

According to the United Nations, 1.9 million people were displaced in Gaza as of October 2024 out of a population of 2.2 million people. This report examines the Israeli authorities' conduct which has led to this extraordinarily high level of displacement and finds these actions amount to forced displacement. Given the evidence strongly indicates that multiple acts of forced displacement were carried out with intent, it amounts to war crimes. The report further finds that the Israeli government's acts of forced displacement are widespread and systematic. Statements by senior officials with command responsibility show that forced displacement is intentional and forms part of Israeli state policy and therefore amount to a crime against humanity. Israel's actions appear to also meet the definition of ethnic cleansing.

Israel is the occupying power in Gaza and as such its conduct is governed by international humanitarian law (IHL). Under IHL – or the laws of war – forcible transfer, which means the forced displacement of any civilian inside an occupied territory, is prohibited, and, if committed with criminal intent, is a war crime. The only exception to this fundamental prohibition is when an occupying power evacuates people for their security or for an imperative military reason. For each displacement of a civilian to be lawful, Israel's actions must also meet the following conditions: i) ensure that safeguards are in place so that the civilian who is forced from their home is moved safely, is not separated from family, and has access to food and water, health care, sanitation, and reception centers or shelter, ii) ensure the evacuation is temporary; and iii) facilitate the displaced person's return to their home as soon as possible after the end of the hostilities in the area from where the person was displaced.

Israel claims that the displacement of nearly all of Gaza's population has been justified for the security of the population and for imperative military reasons, and it has taken the requisite steps to safeguard civilians. Because Palestinian armed groups are fighting from among the civilian population, Israeli officials claim, the military has evacuated civilians to enable it to target fighters and destroy the groups' infrastructure, such as tunnels, while limiting harm to civilians, such that the mass displacements were lawful. This report, based on interviews with 39 Palestinians who are internally displaced in Gaza, most multiple times, an intricate analysis of Israel's evacuation system, the widespread destruction evidenced on satellite imagery, the analysis of videos and photographs of attacks on designated safe zones and roads and the humanitarian situation of the population, finds that Israel's claims of lawful displacement are largely false. Human

Rights Watch has amassed evidence that Israeli officials are instead committing the war crime of forcible transfer, a grave breach of the Geneva Conventions and a crime under the Rome Statute of the International Criminal Court (ICC).

Demonstrably, Israel has not evacuated Palestinian civilians in Gaza for their security, as they have not been secure during evacuations or on arrival at designated safe zones. Nor has Israel convincingly claimed that it had a military imperative for forcing most Palestinian civilians from their homes. Even if Israel was able to demonstrate such an imperative, its failure to ensure the security and the guarantee of protections of displaced persons as they fled and in the places to which they were displaced would still render the displacement unlawful. The evacuation system failed to keep people safe and instead often served only to spread fear and anxiety. Evacuation orders were inconsistent, inaccurate, and frequently not communicated to civilians with enough time to allow evacuations or at all. The evacuation orders also failed to take into account the needs of people with disabilities, many of whom are unable to leave without assistance. Designated evacuation routes and safe zones were repeatedly attacked by the Israeli military. Rather than meet its obligations to put in place basic safeguards to ensure access to food, water, sanitation, and health care, Israel has taken steps to cut them off or severely restrict humanitarian aid. Further, Israel is under an obligation to actively facilitate the return of displaced persons to their homes in areas where hostilities have ceased, but it has instead rendered large parts of Gaza uninhabitable. The Israeli military has carried out demolitions, intentionally destroying or severely damaging civilian infrastructure, including schools, and religious and cultural institutions, including after hostilities had largely ceased in an area and its forces controlled the area. The Israeli military is also establishing what appear to be permanent buffer zones – securitized and emptied areas of land between the Israeli and Gaza border where Palestinians will likely not be allowed to enter.

Military Imperative and the Security Exception

The burden is on Israel, as the occupying power of Gaza, to prove that overriding military reasons have made its repeated instructions to evacuate – which have displaced nearly all of Gaza’s population – imperative, or the evacuations were necessary for the security of the population itself. The term “imperative” sets a very high threshold – higher than an ordinary assessment of military necessity. Displacement can only be justified if it is a measure of last resort for military operations where there are no feasible alternatives. It

does not suffice for civilians to be at risk from an active or reasonably expected threat from an act (the Israeli bombardment) that would deprive Palestinian armed groups of, or secure for Israel, as the occupier, a military advantage. For there to be a military **imperative**, the operation threatened must be one whose frustration would threaten the entire military objective in the conflict.

Israel cannot simply rely on the presence of members of Palestinian armed groups, materiel, and installations in Gaza to justify the displacement of civilians. Israel would have to demonstrate that displacement of the civilians was, in each instance, its only option.

Evacuating a protected population for their security refers to the temporary removal or relocation of civilians from an area of danger or imminent harm to a safer location. This can be done to protect the population from military operations, ongoing hostilities, or other risks to their safety. While it could be argued that Israel at times moved Palestinians in Gaza to areas that were *safer* than areas from which they were ordered to leave, this report demonstrates that evacuation routes and so-called safe zones were consistently and repeatedly bombed, undermining the Israeli military's position that people were being moved "for their safety."

Israel cannot rely on the security and safety of civilians as a justification for evacuating people if there are no safe areas to which civilians can move. Ultimately, as this report will show, even if Israel can demonstrate that its actions fall within the displacement exception, its lack of adherence to the strict protections required to make an evacuation lawful demonstrates that its orders for people to move were a pretext for forced displacement.

Evacuation System

While there are not detailed criteria for what constitutes an IHL compliant evacuation system, article 49 of the Geneva Convention states that civilians should be, among other conditions, moved in "safety." In other words, the fundamental goal is to protect civilians from the dangers of conflict. Instead of protecting Palestinians in Gaza, Israel's evacuation system put people in harm's way.

The Israeli military began pounding Gaza with airstrikes on October 7, 2023. Days later, overnight into October 13, 2023, the Israeli military ordered more than a million people in

northern Gaza to evacuate within 24 hours. This first broad and urgent mass evacuation order was followed up with more orders and directives to Palestinian civilians throughout the north of Gaza to leave their homes and move south. Israel put in place an evacuation system that gave instructions which were unclear, inaccurate, and contradictory, making it extremely difficult for civilians to know where or when to move. Others contained missing or contradictory information about where to go, when, and which destinations were safe, and were corrected only hours later, if at all. For example, on July 1, the Israeli military issued an evacuation order for neighborhoods in eastern Khan Younis and Rafah, including al-Fukhari where the European Hospital, one of the largest hospitals in southern Gaza, is located. The next morning, the Israeli military and the Coordination of Government Activities in the Territories (COGAT) issued a clarification in English on their X accounts stating that the hospital was not subject to evacuation. The COGAT Arabic Facebook page also updated the evacuation order post to include the clarification. However, this clarification was not shared by any of the Israeli military's Arabic spokesperson's social media accounts. By the time the clarifications were issued, staff and patients had reportedly already started to flee the hospital. Many orders were issued online during time periods coinciding with total telecommunications network blackouts in Gaza. Dozens of orders were issued after the time period specified for safe evacuations had already begun, while others were issued after attacks had already started.

Where evacuation orders did suggest a destination or direction of movement, the orders gave far too little time for people to move through what was already an active conflict zone. Overall, Israel's evacuation system flagrantly failed to ensure civilians could travel safely or reach safety and would be secure after arriving to their place of displacement, and often served only to create widespread fear and confusion, misery, and anxiety. A recent report from the Independent International Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel, found that the Israeli military did not offer assistance to those who were unable to evacuate due to disability, age, illness, or other status.

Security Situation on Evacuation Routes and in Designated Evacuation Areas

Where civilians did attempt to move away from areas that were declared combat zones, both the routes and destinations were unsafe. Israeli forces' fire hit civilians on evacuation routes, notably the main north-south artery, Salah al-Din Road. Ultimately, no destination within Gaza was safe, with the Israeli military repeatedly attacking areas it had designated

as evacuation areas, including deadly attacks on locations where humanitarian aid workers had shared their precise coordinates with the Israeli military. For example, on February 20, an Israeli tank fired a medium-to-large-caliber weapon at a multi-story apartment building housing only Médecins Sans Frontières (MSF) staff and their families in al-Mawasi, the Israeli-designated humanitarian safe zone. The attack killed two people and injured seven. MSF said it had provided the coordinates of the building to Israeli authorities and neither saw military objects in the area nor received a warning prior to the attack.

Humanitarian Situation in Designated Evacuation Areas

Under the laws of war, Israel is required to put in place measures to ensure the health, nutrition, and safety of the displaced population if it wants to benefit from the evacuation exception to the prohibition on displacement. Instead, it displaced people to areas where it did not provide them with – and where they could not access – essential goods and services. For example, when Israel designated al-Mawasi as a humanitarian safe zone, the 20 square kilometer area had no running water, bathrooms, or the presence of international humanitarian agencies who could coordinate assistance.

Rather than meet its obligations, Israel’s response to the Hamas-led October 7 attacks has been to take steps to deny access to sufficient humanitarian aid in Gaza. It initially imposed a complete siege on Gaza, cutting off essential public services, including water and electricity, to Gaza’s civilian population and deliberately blocking the entry of fuel and rights-critical humanitarian aid. Since then, Israel has damaged and destroyed resources vital for the realization of human rights, including hospitals, schools, water and energy infrastructure, bakeries, and agricultural land, and has permitted only limited humanitarian access, which remains utterly insufficient to meet the essential needs of the population. As a result, Gaza is experiencing a humanitarian crisis. Children have died from malnutrition and dehydration, and as of October 2024, about 1.95 million out of Gaza’s 2.2 million people were projected to suffer “catastrophic,” “emergency,” or “crisis” levels of food insecurity, according to The Integrated Food Security Phase Classification (a tool for improving food security analysis and decision-making). The report further states that “the risk of famine between November 2024 and April 2025 persists as long as conflict continues, and humanitarian access is restricted.”

Since January 2024, the International Court of Justice (ICJ) has three times ordered provisional measures in South Africa’s case alleging that Israel is violating the Genocide Convention of 1948. On January 26, 2024, the ICJ ordered Israel to “take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance...in the Gaza Strip.” Despite this binding order, Israel continued to restrict or block aid. Noting that “catastrophic living conditions of the Palestinians in the Gaza Strip have deteriorated further,” and citing “the prolonged and widespread deprivation of food and other basic necessities,” the ICJ issued further measures in March 2024 ordering Israel to ensure the provision of urgently needed basic services and humanitarian assistance “including food, water, fuel, shelter, clothing, hygiene and sanitation requirements, alongside medical assistance, including medical supplies and support.” A third ICJ order, issued on May 24, required Israel to “maintain open the Rafah crossing for unhindered provision at scale of urgently needed basic services and humanitarian assistance.” At the time of publication, the Rafah crossing has remained closed since Israeli forces took control of it on May 7, 2024.

Creation of Conditions that Prevent Return

IHL requires any evacuation of a population to be temporary and people must be allowed to return to their homes.

Israeli forces have destroyed the majority of Gaza’s water, sanitation, communications, energy, and transport infrastructure, as well as its schools and hospitals. They have systematically razed orchards, fields, and greenhouses. So much civilian infrastructure has been destroyed that much of Gaza is uninhabitable, and it is inconsistent with Israel’s obligation to ensure that civilians can return when hostilities cease in an affected area. It largely took place after Israeli officials specifically stated that damage, not accuracy, was the purpose of bombardments. The World Bank has estimated that as of January 2024, over 60 percent of residential buildings and over 80 percent of commercial facilities have been damaged or destroyed in Gaza. By August 2024, over 93 percent of Gaza’s schools, and all its universities, had been destroyed or significantly damaged. The United Nations Environment Programme has noted the unprecedented impacts of the war on the environment, exposing the community to rapidly growing soil, water and air pollution and risks of irreversible damage to its natural ecosystems. As of July, the World Health Organization (WHO) has registered more than 1,000 attacks on healthcare facilities in the

Occupied Palestinian Territory (OPT) since October 7, 2023, and noted that there are no functional hospitals in Gaza's southernmost city of Rafah as of writing. The UN Agency for Development (UNDP) has estimated it will cost US\$40 to \$50 billion to rebuild Gaza and require an effort on a scale the world has not seen since World War II.

Israel has also carried out deliberate, controlled demolitions, including to create an extended "buffer zone" and a new road that bifurcates Gaza in the so-called "Netzarim Corridor." This permanently changes the land on which they are constructed, involves the demolition of homes and other civilian infrastructure, and demonstrates an intention to prevent Palestinian civilians in Gaza from returning once hostilities have ended. The intention to forcibly displace Palestinians in Gaza need not be permanent in order to constitute a war crime. What is abundantly clear, however, is many, if not the majority of, Palestinians in Gaza *will* be permanently displaced considering the level of destruction experienced in Gaza.

Human Rights Watch calls on Israel to respect the right of Palestinian civilians to return to the areas from which they have been displaced in Gaza. It bears remembering that 80 percent of Gaza's population are refugees and their descendants, people who were expelled or fled in 1948 from what is now Israel, in what Palestinians call the Nakba. Every person has the right to return to their country, a right enshrined in numerous human rights conventions, and affirmed for Palestinian refugees in UN General Assembly resolutions dating back to 1948. For decades, Israeli authorities have consistently denied this right and blocked Palestinian refugees from returning. This historic precedent looms over the experience of Palestinians in Gaza: those Human Rights Watch interviewed frequently spoke of living through a second Nakba. The violations committed against Palestinians forced to leave their homes more than 75 years ago continue against them and their descendants today as millions of Palestinians, including those living in Gaza during the current hostilities, continue to be denied their right to permanently return.

Forced Displacement as a Crime Against Humanity

Forced displacement can amount to a crime against humanity when it is committed as a part of a widespread or systematic "attack directed against a civilian population," which means the multiple commission of such crimes committed pursuant to a state policy. The crime against humanity of forced displacement is defined under the Rome Statute as

deportation or forcible transfer, meaning forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law.

Senior officials in the Israeli government and the war cabinet have repeatedly declared their intent to forcibly displace the population, declaring their policy goal throughout the conflict, from the early days of the war to over a year later, with government ministers stating that the territory of Gaza will decrease, that blowing up and flattening Gaza is beautiful, and that land will be handed to settlers. Avi Dichter, Israel's Minister of Agriculture and Food Security, said, "We are now rolling out the Gaza Nakba." Israeli officials' statements and actions have indicated they are implementing a plan to create large parts of Gaza as "buffer" areas or corridors, where Palestinians will not be permitted to live. While Prime Minister Benjamin Netanyahu has at times stated the opposite intention, the actions of the Israeli authorities and military throughout the conflict, as evidenced in this report, together with statements of intent by senior members of government, including Prime Minister Netanyahu, demonstrates the underlying state-level policy to forcibly transfer many, if not the majority, of the population in Gaza. Instead of providing for the displaced population, the Israeli authorities have deliberately restricted humanitarian assistance and used starvation as a weapon of war. The Israeli military has brought about widespread destruction in Gaza, much of this caused recklessly as a result of the hostilities or through deliberate razing of land and buildings after the military took control of the area.

Given the sheer number of Palestinian civilians in Gaza driven from their land and the manner of their displacement, and the attempts to make their return impossible, the forced displacement is widespread, systematic, and intentional, and amounts to a crime against humanity.

Ethnic Cleansing

Although not a formal legal term or a recognized crime under international law, "ethnic cleansing" was defined by the final report of the United Nations Commission of Experts on the former Yugoslavia as a purposeful policy by an ethnic or religious group to remove, by violent and terror-inspiring means, the civilian population of another ethnic or religious group from certain geographic areas. As this report makes clear, the displacement of

Palestinians in Gaza was conducted through serious human rights violations and violations of international humanitarian law, including war crimes and crimes against humanity.

The actions of the Israeli authorities in Gaza are the actions of one ethnic or religious group to remove Palestinians, another ethnic or religious group, from areas within Gaza by violent means. The organized, forced displacement of Palestinians in Gaza, has removed much of the Palestinian population from land, and specific areas of Gaza, that for decades and generations have been their home. Nowhere is this clearer than in areas which have been razed, extended, and cleared for buffer zones and security corridors. The intention of Israeli forces appears likely to ensure they remain permanently emptied and cleansed of Palestinians and, in their place, occupied and controlled by Israeli forces. Taken together, these acts indicate that, at least in the buffer zones and security corridors in Gaza, the Israeli authorities are pursuing a policy of ethnic cleansing.

Lack of accountability for grave violations in the OPT has fueled cycles of abuse for years. Victims of serious abuses in Israel and Palestine have faced a wall of impunity for decades. During the current conflict, Israel has cut food, water, and electricity that is vital for the lives of 2.2 million people who have been living under a blockade for 17 years. Entire families have been wiped off the family registry, the health and education systems destroyed, entire districts razed to the ground, all while the victims of these abuses are called “animals.” An entire population is being collectively punished when Israel prevents desperately needed aid from reaching them. The laws of war are clear: atrocities from one side do not justify atrocities from the other side. No party to any conflict is above IHL. Israeli and Palestinian lives have the same dignity, deserve the same protection, and attacks on either should spark the same levels of indignation. Given the grave nature of the violations which have been committed and documented in this report and the pervasive climate of impunity for those crimes, Human Rights Watch has for years pushed the ICC prosecutor to undertake a formal probe consistent with the court’s statute and welcomes the decision by the Prosecutor to seek arrest warrants in the situation in the State of Palestine.

The prevention of return can also amount to the crime against humanity of “other inhumane acts,” using the standard set out by an ICC pre-trial chamber in the Bangladesh/Myanmar situation when it causes great suffering, or serious injury to mental

or physical health, and is committed as part of a widespread or systematic attack on a civilian population, pursuant to a state policy to commit the crime.

Human Rights Watch calls on the Prosecutor to investigate Israeli authorities' forced displacement and prevention of the right to return as a crime against humanity.

Human Rights Watch calls on all governments to publicly support the ICC and uphold the court's independence, and publicly condemn efforts to intimidate or interfere with its work, officials, and those cooperating with the institution. Above all, Human Rights Watch calls on Israel to urgently and immediately end the mass and forced displacement of Palestinians in Gaza.

Recommendations

To the Israeli Authorities

- Immediately stop forcibly displacing and collectively punishing Palestinian civilians in Gaza.
- Until hostilities end, and where evacuation is unavoidable, implement an evacuation system that provides accurate and timely information to the civilian population with instructions on how to safely reach evacuation areas, and that ensures they are safe, have adequate shelter, and meets other humanitarian requirements.
- When issuing evacuation orders, take into account the needs of people with disabilities, and those who are sick or injured, many of whom are unable to leave without assistance. Ensure that evacuation areas can provide for the needs of people with disabilities, the sick, and the injured.
- Publicly declare that all displacement of residents of Gaza is temporary and that they will be able to return to their homes and places of origin as soon as hostilities cease or the reason for the displacement ends, whichever is earliest.
- Comply with all provisional measures ordered by the International Court of Justice as part of South Africa’s case alleging that Israel is violating the Genocide Convention of 1948.
- End deliberate or indiscriminate or other unlawful attacks on civilian objects, including those essential to survival, in areas of origin for displaced people that render them uninhabitable, including attacks on water and sanitation infrastructure, residences, and farmland.
- Halt mass demolitions in Gaza, including in the “buffer zone” and along the Netzarim and Philadelphi Corridors that might violate laws-of-war prohibitions against attacks on civilian objects and forced displacement of civilians.
- Stop obstructing aid – particularly food, including those items needed by children on a special diet, water, medicine, assistive devices, and fuel – from entering Gaza by fully opening its crossings, urgently opening additional ones, and not placing unjustified restrictions that prevent humanitarian goods from entering Gaza.
- Lift the closure of Gaza and permit the free movement of civilians and goods to and from Gaza, subject to individual screenings and physical inspections for security

- purposes only as necessary, with transparent requirements; publish lists of banned items that are consistent with international standards on “dual-use” items, and provide written justification for any rejections, with the possibility of appeal.
- Eliminate the “dual-use” label on medical-related supplies, assistive aids, and accessible technology like eyeglasses, wheelchairs, walkers, canes, hearing aids, and other assistive devices needed by people with disabilities and people with chronic health conditions, the restriction of which invariably has a disproportionate negative impact on civilians compared to any military advantage.
 - Restore access to electricity, water, and telecommunications services.
 - Reopen the Israeli side of the Rafah border crossing with Egypt to ensure that Palestinian civilians in Gaza who choose to exercise their right to leave and seek medical treatment or international protection outside of Gaza will not be prevented from doing so, while ensuring their right to return to Gaza.
 - Once hostilities have ended, allow access to international agencies, local partners, and nongovernmental organizations to conduct reconstruction-based assessments and planning, including for unexploded ordinance clearance, and support them to begin reconstruction as soon as possible.
 - Engage and work with international agencies, local partners, and NGOs to construct shelters and services to facilitate the return of displaced civilians to the sites of their pre-conflict homes in Gaza, for those who want to return to those places.
 - Respect the right of all Palestinians in or outside of Gaza to return to their homes or areas of origin in Gaza, other parts of the Occupied Palestinian Territory, or Israel.
 - Cooperate with the International Criminal Court, including responding to requests for assistance and access.
 - Set up a fair, accessible, and independent mechanism to provide reparation for gross human rights abuses against Palestinians in Gaza, including compensation, restitution, justice and guarantees of non-recurrence, ensuring victims’ rights are central to the process. This should include compensation for any forced displacement or unlawful destruction of property.
 - Cooperate with any international register of damage for the purposes of reparations, as called for by the General Assembly Resolution of September 13, 2024.

To Egypt

- Keep the Egyptian-controlled side of the Rafah border crossing open to Palestinian civilians who want to exercise their right to leave Gaza, in line with the customary international law obligation of nonrefoulement, not to expel or return anyone to a place where they would face the threat of persecution, torture, or other serious harm.
- Ensure Palestinians fleeing Gaza are provided with basic services and support, including access to health care, education, and protection, and help to facilitate the onward movement of Palestinians from Gaza who have legal pathways to other countries.

To All Governments

- Publicly condemn Israel's forced displacement of the civilian population in Gaza as a war crime and crime against humanity, as well as other violations of international humanitarian law, international human rights law, and international criminal law by Israeli authorities, and urge them to immediately halt those crimes and cooperate with international judicial bodies and investigative mechanisms.
- Increase public and private pressure on the Israeli government to stop violating international humanitarian law in the conduct of hostilities, to fully comply with its obligations and the binding orders and advisory opinion from the International Court of Justice, and to ensure the entry and safe distribution throughout Gaza of adequate aid and provision of basic services. Consider, in that regard, the review and possible suspension of bilateral agreements with Israel, such as the EU-Israel Association Agreement, as proposed by the governments of Spain and Ireland, and the US-Israel Free Trade Agreement.
- Suspend military assistance and arms sales to Israel so long as its forces commit violations of international humanitarian law with impunity.
- Enforce domestic legislation limiting the transfer of arms and military assistance for violations of international human rights and humanitarian law.
- Publicly support the International Criminal Court, uphold the court's independence, and publicly condemn efforts to intimidate or interfere with its work, officials, and those cooperating with the institution.
- Urge the Government of Israel to grant access to independent, international monitors, including from the UN Special Procedures.

- Impose targeted sanctions, including travel bans and asset freezes, against Israeli officials credibly implicated in ongoing serious violations, for the purpose of ending these violations.
- Address long-standing impunity by Israeli authorities and Palestinian armed groups for serious crimes under international law, and support reparations for all victims of gross human rights abuses.
- Support the creation of a register of damages, caused by unlawful Israeli action to persons in the Occupied Palestinian Territory, for the purposes of calculating reparations.

To Donor States, Companies, UN and Other Humanitarian Agencies, and Investors

- Do not provide funding or services where there is a real risk that they would contribute to serious human rights abuses.
- Ensure that all assessments, programming, and planning for reconstruction efforts in Gaza are done in collaboration with Palestinian communities there, and are based on fulfilling the human rights of the population, and do not use the status quo ante as a baseline given the severity of harms caused by Israel's unlawful 17-year closure of Gaza.

To the Prosecutor of the International Criminal Court

- Investigate Israeli authorities' forced displacement and prevention of the right to return as a crime against humanity.

Methodology

This report is based on interviews with 39 internally displaced Palestinians in Gaza. Twenty-two interviewees are male and seventeen are female. All 39 interviews were conducted between November 2023 and June 2024.

Interviews were conducted by telephone in private settings – either completely alone or with the interviewees’ immediate family members present – with assurances of confidentiality. The researcher informed all interviewees about the purpose and voluntary nature of the interviews, and the ways in which Human Rights Watch would use the information. All were told they could decline to answer questions or could end the interview at any time. The researcher told interview subjects they would receive no payment, service, or other personal benefit for the interviews. Interviews were conducted in Arabic using an interpreter and in English if the interviewee spoke English.

To protect confidentiality, pseudonyms are used for all interviewees, except for two who are featured in Human Rights Watch videos.

Human Rights Watch collected and analyzed 184 evacuation orders that the Israeli government posted between October 8, 2023 and August 31, 2024 to official social media accounts, airdropped as leaflets, or delivered by SMS to the residents of Gaza.¹ There is no official data confirming how many evacuation orders were made in the time period covered in this report.

The official social media platforms monitored include the X and Facebook accounts of Lt. Col. Avichay Adraee, the Israeli military’s spokesperson in Arabic, and the Facebook account of the Coordinator of the Government Activities in the Territories (COGAT), the military body responsible for coordinating humanitarian aid into Gaza. These accounts constitute the principal channels through which evacuation orders were shared on social media. Given that the X account of Lt. Col. Adraee posted the largest number of evacuation

¹ See Annex I for a full list including links of the evacuation orders analyzed for this report. When the number of evacuation orders referenced in the text surpasses ten, a footnote is provided with the assigned number for each evacuation order, as documented in Annex I.

orders, predominantly earlier in the day than other accounts, researchers used it as the primary channel of communication to document evacuation orders issued by Israel and documented when the evacuation orders were posted, how much warning they gave people, if any, and where people in various locations were being told to relocate.

In addition, Human Rights Watch searched across social media platforms and the websites of news agencies to find photographs of leaflets. We were unable to verify all the exact dates, when, and locations where leaflets were airdropped, but we aimed to find at least two different sources for the same leaflet to compare the dates they were posted online and where they were reported to have been airdropped. Human Rights Watch reviewed the photographs of leaflets to assess their authenticity by reviewing that the fonts and logos matched those used by the Israeli military and uploaded them on reverse image search engines to check that they were not posted online prior to the date they were believed to have been delivered.

Human Rights Watch was not able to collect an exhaustive list of Israeli evacuation orders because of the high number of phone calls, SMS messages, radio messages, and leaflets airdropped, and our lack of access to Gaza.

Human Rights Watch analyzed dozens of high- and very high-resolution satellite images since October 7, 2023, to document and verify the locations, times, and impacts of many of the attacks included in this report. This allowed us to monitor the damage to residential areas and civilian infrastructure across different governorates in Gaza and track the displacement of the civilian population to temporary, safer areas.

Additionally, Human Rights Watch, utilized derived geospatial datasets generated by UN agencies and mapping groups to assess the scale and extent of destruction across time.

Human Rights Watch analyzed and verified 19 photographs and 19 videos posted online of attacks across Gaza. Researchers compared visual material to satellite imagery to identify exactly where each was recorded, and compared shadows and other time identifiers to determine when the footage was taken. Going frame by frame in the videos, Human Rights Watch observed nine people who had been killed including at least one child and one older woman, as well as people who were injured, or in other ways harmed, as well as buildings, vehicles, and roads that had been damaged. In some cases, Human Rights

Watch reviewed and corroborated media reports and investigations which included photographs and videos found online to document findings included in this report.

Background

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.²

— Fourth Geneva Convention, article 49

Israel's Occupation

Israel has been occupying the West Bank, including East Jerusalem, and Gaza – known as the Occupied Palestinian Territory (OPT) – since 1967. Contrary to Israeli government claims, the withdrawal of its ground forces from Gaza in 2005 did not end its occupation.³ In fact, with the exception of Gaza's border with Egypt,⁴ Israel has continuously maintained effective control over Gaza, including its territorial waters and airspace, the movement of people and goods, and the infrastructure upon which Gaza relies. Israel has effectively rendered Gaza an open-air prison.⁵

Israel's 17-year closure of Gaza has devastated its economy, exacerbated social and political tensions, and isolated and fragmented its people. Even prior to the recent hostilities, the effects of the closure and other restrictions cumulatively established a pattern of Israeli dominance and abuse that amounts to the crimes against humanity of apartheid and persecution.⁶

² International Committee of the Red Cross (ICRC), *Geneva Convention IV (1949): Article 49*, <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-49> (accessed May 6, 2024).

³ International Court of Justice (ICJ), *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, July 19, 2024 <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf> (accessed October 22, 2024).

⁴ Lara Gibson, "How Israel-Hamas War Will Test Egypt's Balancing Act," *the New Arab*, October 11, 2023, <https://www.newarab.com/analysis/how-israel-hamas-war-will-test-egypts-balancing-act> (accessed May 6, 2024).

⁵ "Gaza: Israel's 'Open-Air Prison' at 15," Human Rights Watch news release, June 14, 2022, <https://www.hrw.org/news/2022/06/14/gaza-israels-open-air-prison-15>; *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution*, April 27, 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

⁶ Mezan Center for Human Rights, *The Gaza Bantustan: Israeli Apartheid in the Gaza Strip*, November 29, 2021, <https://mezan.org/uploads/files/16381763051929.pdf> (accessed May 6, 2024); Human Rights Watch, *A Threshold Crossed*.

Prohibition of Forced Displacement Under IHL and the Evacuation Exception

Article 49 of the Fourth Geneva Convention, which regulates the displacement of protected persons in occupied territories during hostilities, restricts the forced movement of people by an occupying power during conflicts.⁷ It prohibits the *forcible transfer* of civilians within a territory and the *deportation* of civilians outside of occupied territory. Both categories of displacement fall under the prohibition of forced displacement.⁸ Article 49 states:

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.⁹

Forced displacement takes place where the individuals are compelled to move without their genuine consent, by means of force or coercion, from the area in which they are lawfully present.¹⁰ Forcible transfer within a territory does not necessarily require physical force; it includes threats, coercion, or other forms of duress that leave the victims with no real choice but to leave.¹¹

In assessing the way civilians have been forced to move within Gaza since October 7, this report will refer to forcible transfer and forced displacement interchangeably.

An occupying power may **temporarily** evacuate civilians for their security or imperative military reasons. In this case, however, article 49 specifies that the occupying power:

- Must ensure that evacuations, to the greatest practicable extent, ensure that proper accommodation is provided to receive the protected persons, that the removals are effectuated in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated;
- Must ensure that evacuated persons are transferred back to their homes as soon as hostilities in the area in question have ceased; and

⁷ ICRC, *Geneva Convention IV (1949): Article 49*.

⁸ Ibid.

⁹ Ibid.

¹⁰ United Nations International Residual Mechanism for Criminal Tribunals (IRMCT), “Forcible Transfer,” undated, <https://cld.irmct.org/notions/show/370/forcible-transfer> (accessed October 17, 2024).

¹¹ Ibid.

- Must not displace protected persons outside the bounds of the occupied territory except when material reasons make it impossible to avoid such displacement.¹²

The extent and application of these exceptions is subject to a degree of interpretation, especially as article 49 states that an occupying power should adhere “to the greatest practicable extent” to the protections listed, but certain principles have been clearly established by courts, tribunals, and international humanitarian law (IHL) commentaries.¹³ These include that the displacement must occur in a manner consistent with returning the population after the threat is no longer present and consistent with the protection of civilians’ human rights. In addition, if displacement is conducted in an “atmosphere of terror,” it negates any claim that the evacuation was for imperative military reasons.¹⁴

The Geneva Conventions are clear that evacuated civilians must be treated humanely and that the occupying power ensures their safety and that they are provided with adequate shelter, food, water, and medical care. The International Committee of the Red Cross (ICRC) commentary adds that:

This wording is intended to cover the contingency of an improvised evacuation of a temporary character when urgent action is absolutely necessary in order to protect the population effectively against an imminent and unforeseen danger. If the evacuation has to be prolonged as a result of military operations and it is not possible to return the evacuated persons to their homes within a comparatively short period, it will be the duty of the Occupying Power to provide them with suitable accommodation and make proper feeding and sanitary arrangements.¹⁵

¹² ICRC, *Geneva Convention IV (1949): Article 49*.

¹³ International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, July 9, 2004, <https://www.un.org/unispal/document/auto-insert-178825/> (accessed November 4, 2024).

¹⁴ *Prosecutor v. Radislav Krstić*, Case No. IT-98-33-T, Judgement, August 2, 2001, <https://www.icty.org/x/cases/krstic/tjug/en/krs-tjo10802e.pdf> (accessed November 4, 2024), p. 185.

¹⁵ ICRC, *Convention (IV) relative to the Protection of Civilian Persons in Time of War*, Commentary of 1958, <https://ihl-databases.icrc.org/pt/ihl-treaties/gciv-1949/article-49/commentary/1958?activeTab=undefined> (accessed November 4, 2024).

Imperative Military Reason

Israel is bound by the laws of war to act in a manner which minimizes civilian harm. On October 7, referring to Gaza as a “city of evil” that Israel would reduce “to ruins,” Israeli Prime Minister Benjamin Netanyahu announced:

All the places where Hamas is organized, of this city of evil, all the places where Hamas hides, operates from – we will turn them into cities of ruins. ... I say to the residents of Gaza: get out of there now, because we will act everywhere and with all the strength.¹⁶

At the first provisional measures hearing at the International Court of Justice on January 12, 2024, legal counsel for Israel stated that “Israel is in a war of defense against Hamas, not against the Palestinian people.”¹⁷ Another lawyer representing Israel argued that civilian harm was both inevitable in Gaza, and that Hamas was to blame: “Urban warfare will always result in tragic deaths, harm and damage, but in Gaza these undesired outcomes are exacerbated because they are the desired outcomes of Hamas.”¹⁸

Regardless of its stated objectives, Israel is bound by the IHL rules on the conduct of hostilities. Those rules set out the obligations of each party to a conflict and take into account the conduct of the adversary, including during fighting in population centers. Forced displacement is not the unavoidable result of the lawful conduct of hostilities but a clear violation of Israel’s own obligations.

Under IHL, in circumstances where Israel intends to displace civilians, it is permitted to do so only in cases where it can demonstrate this is necessary for the security of the civilians involved or for a “military imperative.” The concept is narrowly defined in order to prevent abuse, ensuring that any such actions are justified by urgent military needs and do not contravene other IHL principles aimed at protecting civilians.

¹⁶ Tovah Lazaroff, “Netanyahu: Gazans should flee, IDF to avenge ‘black day,’” the Jerusalem Post, October 7, 2023, <https://www.jpost.com/arab-israeli-conflict/article-763179> (accessed November 4, 2024).

¹⁷ “War against Hamas in Gaza is act of self-defence, Israel tells world court,” UN News, January 12, 2024, <https://news.un.org/en/story/2024/01/1145452> (accessed November 4, 2024).

¹⁸ *Ibid.*

It has been noted that “courts have set a high threshold for accepting imperative military reasons as a justification, only doing so when civilian evacuations are deemed vital to the success of broader military operations.”¹⁹ For instance, this might include situations where civilian areas need to be evacuated to avoid casualties during intense combat operations or to clear a zone for a critical military operation where the presence of civilians would significantly impede military objectives. For there to be an imperative military reason, it must be “overriding.”²⁰

Human Rights Watch wrote to the Israeli military requesting information as to whether Israel had an imperative military reason or a reason related to the security of the population, to immediately displace most of the population in Gaza. We did not receive any substantive response. On October 10, the Israeli military spokesman, R. Adm. Daniel Hagari, said in a public statement that “while balancing accuracy with the scope of damage, right now we’re focused on what causes maximum damage,” and that Israeli attacks to date had already used “thousands of tonnes of munitions.”²¹

In any event, in each case of attack and evacuation, Israeli commanders are required to consider all alternatives to displacement and to minimize the impact to civilians where displacement was deemed unavoidable.²² Notably, Israel has had complete control over

¹⁹ Thomas Mulder, “Evacuations in Armed Conflict: A Fine Line Between a Life-Saving Measure and Forced Displacement,” EJIL: Talk!, October 9, 2024, <https://www.ejiltalk.org/evacuations-in-armed-conflict-a-fine-line-between-a-life-saving-measure-and-forced-displacement/> (accessed October 17, 2024).

²⁰ Emma Brandon, “Grave Breaches and Justifications: The War Crime of Forcible Transfer or Deportation of Civilians and the Exception for Evacuations for Imperative Military Reasons,” Oslo Law Review, Vol. 6, No. 2, September 17, 2019, <https://www.idunn.no/doi/10.18261/issn.2387-3299-2019-02-03> (accessed November 4, 2024), pp. 107-124. See also *Prosecutor v. Blagojević & Jokić*, International Criminal Tribunal for the Former Yugoslavia, Case No. IT-02-60, Judgment (Trial Chamber), January 17, 2005, <https://www.refworld.org/jurisprudence/caselaw/icty/2005/en/91971> (accessed November 4, 2024), at 598-599: “evacuations in this latter situation may only be carried out when necessitated by overriding, i.e. imperative, military reasons. In considering whether these exceptions justify proven acts of forcible population displacements, the trier of fact will consider whether there was in actual fact a military or other significant threat to the physical security of the population, and whether the military operation in question was ‘imperative.’”

²¹ Bethan McKernan and Quique Kierszenbaum, “We’re focused on maximum damage: Gaza ground incursion seems imminent,” the Guardian, October 10, 2023, <https://www.theguardian.com/world/2023/oct/10/right-now-it-is-one-day-at-a-time-life-on-israels-frontline-with-gaza> (accessed November 4, 2024). The Israeli military later stated that Rear Admiral Hagari meant the military’s goal was “causing ‘maximum damage’ to Hamas’s military capabilities in their entirety,” rather than “exactly” or “accurately” choosing specific “Hamas targets.” See Israel Defense Forces (IDF), “IDF Press Release Clarification,” December 25, 2023, <https://www.idf.il/en/mini-sites/israel-at-war/war-on-hamas-2023-resources/idf-press-release-clarification/> (accessed November 4, 2024).

²² Case 002/01, Extraordinary Chambers in the Courts of Cambodia, Judgment (Trial Chamber), August 7, 2014, <https://www.legal-tools.org/doc/4888de/pdf/> (accessed May 6, 2024), at para 539: “Instead, the leadership considered it preferable to expel the city’s population with little to no prior planning for the welfare of the evacuees during the journey, rather than to implement a staged evacuation, an option which was raised but rejected.”

the timing of the bombardment and associated displacement. With regard to the first mass evacuation orders issued on October 13, 2023, for example, a military imperative would likely not only require Israel to show that the mass evacuation of most Palestinians in northern Gaza was unavoidable, but also that it was required **immediately**. Israeli decision-makers had to be certain there were no possible options for a more deliberate and orderly evacuation plan for it to achieve its military objectives. It is important to note that it does not need to amount to the mass evacuation of the entire population of northern Gaza to potentially involve an act of forced displacement; the forcible transfer of even one individual can constitute a war crime under IHL.

Even if an imperative military reason existed, the evacuations on October 13, 2023 and subsequent evacuations would still amount to forced displacement because of the immense harm suffered by the civilian population in Gaza, including an absence of meaningful efforts by Israel to erect safeguards to ensure that humanitarian needs would be met. To the contrary, Israel's policy of starving the population²³ while displacing them demonstrates a failure to protect civilians and further proof that the evacuation orders amount to forced displacement.²⁴ Exacerbating the impact on displaced people of the overall siege of Gaza, during the over one year of hostilities, the Israeli military has repeatedly ordered Palestinians to move to areas where civilian infrastructure was either not scaled for a large population, such as the al-Mawasi "safe zone," in previously sparsely populated areas near the seashore, or where previous rounds of bombardment and fighting had extensively damaged and destroyed civilian infrastructure, leaving the displaced with utterly inadequate access to water, food, medical care, and shelter. Additionally, Israel cannot plausibly claim it is conforming to permissible exceptions of military necessity and civilian safety if it forcibly displaces civilians in a manner inconsistent with returning the population after the threat is no longer present. As this report will show, the widespread destruction throughout Gaza renders return almost impossible, at least in the foreseeable future.

²³ "Israel: Starvation 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>.

²⁴ "Israel Orders 1.1 Million People in Gaza to Move South: What to Know," Al Jazeera, October 13, 2023, <https://www.aljazeera.com/news/2023/10/13/israel-orders-1-1-million-people-in-gaza-to-move-south-what-to-know> (accessed May 6, 2024).

Any widespread or systematic displacement not justified by imperative military reasons or safety of civilians would constitute forced displacement and if found to be widespread or systematic, pursuant to a state policy, a crime against humanity.

An Assessment of Israel's Displacement of the Civilian Population

Buildup to the October 13 Evacuation Order

Israel launched a massive military campaign in Gaza hours after armed groups, principally the military wing of Hamas, carried out their attacks on Israeli civilians in southern Israel on October 7, 2023, which included the commission of war crimes and crimes against humanity.²⁵ Israel attacked locations throughout Gaza, from Beit Lahiya in the north to Rafah in the south. On October 7, Prime Minister Benjamin Netanyahu stated that the country was “at war,”²⁶ and the government officially proclaimed a “state of war” the following day.

Yoav Gallant, the Israeli minister of defense, ordered a complete siege of Gaza on October 9, stating there would be “no electricity, no food, no fuel, everything is closed...We are fighting human animals, and we act accordingly.”²⁷ This was followed by a statement from then-Minister of Energy, Israel Katz, on the same day confirming the extreme blockade of Gaza and the severance of basic goods necessary for rights-essential public services to function: “I ordered that the water supply be immediately cut off from Israel to Gaza. Electricity and fuel were cut off yesterday. What was will not be.”²⁸

On October 10, Gallant said of Israel's war plans:

²⁵ Human Rights Watch, “*I Can't Erase All the Blood From My Mind*”: Palestinian Armed Groups' October 7 Assault on Israel, July 17, 2024, <https://www.hrw.org/report/2024/07/17/i-cant-erase-all-blood-my-mind/palestinian-armed-groups-october-7-assault-israel>.

²⁶ Barak Ravid, “Netanyahu says ‘we are at war’ after Hamas launches surprise invasion,” Axios, October 7, 2023, <https://www.axios.com/2023/10/07/hamas-attack-invasion-israel-death-toll-netanyahu> (accessed November 4, 2024).

²⁷ Yoav Gallant (@yoavgallant), post to X, October 9, 2023, <https://twitter.com/yoavgallant/status/1711335592942875097> (accessed May 6, 2024).

²⁸ Israel Katz (@Israel_katz), post to X, October 9, 2023, https://twitter.com/Israel_katz/status/1711332854070640935 (accessed May 6, 2024).

This is the ISIS of Gaza. This is what we are fighting against. Gaza won't return to what it was before. We will eliminate everything [even] if it doesn't take one day, it will take...weeks, or even months, we will reach all places.²⁹

Human Rights Watch interviewees described watching in horror as their residential buildings and surrounding areas came under attack. They recounted their escape in panic, amidst scenes of carnage and destruction, having themselves suffered or witnessed injuries and seeing their loved ones killed. Most said they saw airstrikes and bombardments and heard hostilities behind and ahead of them as they fled. At the time, the Israeli military spokesperson, R. Adm. Daniel Hagari, declared their intention to “restore security to the people of Israel” stating that “ Hamas are hiding among Gazan civilians, inside Gazan homes and schools, hospitals and mosques... Israel will target Hamas and Islamic Jihad terrorists wherever they will be in Gaza. We will do whatever it takes...”³⁰

Anas, a 48-year-old man with a physical disability from al-Zeitoun neighborhood, south of Rimal and north of Wadi Gaza, described how a building he estimated was one meter from his home, and a few meters from a nearby market, was hit in the morning of October 9.³¹ Anas said he did not receive a warning before this attack, which took place before the general October 13, 2023 evacuation order.³² He said he had to pull himself and several of his seven children from the rubble of his home:

It was maybe 10:30 a.m., my wife was up and preparing breakfast, we were just doing our daily routine – suddenly we heard a huge noise. There was so much dust. I didn't know what was happening. I couldn't see much because of the dust.... I had to clear myself from the rubble. I started pulling my kids from the rubble.³³

²⁹ Olivia Flasch, “Rebutting Allegations of Genocide Against Israel,” EJIL:Talk!, January 10, 2024, <https://www.ejiltalk.org/rebutting-allegations-of-genocide-against-israel/> (accessed November 4, 2024).

³⁰ Israel Defense Forces (@IDF), post to X, October 8, 2024, <https://x.com/IDF/status/1711138315628372110> (accessed October 17, 2024).

³¹ Human Rights Watch telephone interview with Anas, January 12, 2024.

³² Ibid.

³³ Ibid.

Two of Anas' children had gone to the market that morning to buy sweets:

I went looking for my missing kids, looking all over the place, asking my neighbors. It was chaos. People were telling me different things. Some were saying they were under the rubble. It took me from 10:30 a.m. until 1:00 a.m. the next day to find out where they were. I found out eventually that some people had taken my daughter to al-Shifa hospital. She had shrapnel in her eyes and her leg was injured.³⁴

After finding both of his children, Anas sought shelter in a relative's home, four streets away from his own. Four days later, another apparent Israeli attack flattened a building 200 meters from that place, he said, forcing them to flee to another location.³⁵

By the time Israel issued its first mass evacuation order on October 13, 2023, government officials had already stated that they intended to enforce a total siege that would make civilians unable to meet their humanitarian needs. Declaring that Israel would "continue to tighten the siege until the Hamas threat to Israel and the world is removed," then-Minister of Energy Katz on October 11 said:

For years we supplied Gaza with electricity, water, and fuel. Instead of saying thank you, they sent thousands of human animals to slaughter, murder, rape and kidnap babies, women and the elderly – that's why we decided to stop the flow of water, electricity and fuel and now their local power station has collapsed and there is no electricity in Gaza.³⁶

The UN special rapporteur on internally displaced persons, Paula Gaviria Betancur, estimated that 423,000 people had already been forcibly driven from their homes before October 13, 2023.³⁷

³⁴ Human Rights Watch telephone interview with Anas, January 12, 2024.

³⁵ Ibid.

³⁶ Israel Katz (@Israel_katz), post to X, October 10, 2023, https://twitter.com/Israel_katz/status/1712083122227909116?t=nd9aPqyMtpUXy4AoHhqFMw (accessed May 6, 2024).

³⁷ "Israel Must Rescind Evacuation Order for Northern Gaza and Comply with International Law," Office of the United Nations High Commissioner for Human Rights (OHCHR) press release, October 13, 2023, <https://www.ohchr.org/en/press-releases/2023/10/israel-must-rescind-evacuation-order-northern-gaza-and-comply-international> (accessed May 6, 2024).

The October 13 Evacuation Order and Israel's Evacuation System

October 13 Evacuation Order

On October 13, 2023, the Israeli military ordered all the residents of northern Gaza – more than a million people – to evacuate to the south.³⁸ Written in broad and compulsory terms, instructing the population to leave the entire area of northern Gaza, this directive served as an order to evacuate rather than a specific warning of an imminent attack. They issued this order by airdropping leaflets, posting on social media channels, on television broadcasts, and through text messages and phone calls.³⁹ Just before midnight on October 12, team leaders of the UN Office of the Coordination of Humanitarian Affairs and the Department of Safety and Security in Gaza were told by Israeli military that this evacuation would have to take place within twenty-four hours.⁴⁰ Human Rights Watch could not find this time period referenced in other evacuation orders delivered on October 13, 2023 and Israeli military spokesperson Lt. Col. Peter Lerner told CNN that any deadline “may slip.”⁴¹ Israel justified the mass evacuation order as being for the safety of the civilian population and stated military reason for displacing the population was centered on the presence of Hamas fighters and military infrastructure, including Hamas’ extensive tunnel infrastructure, which the Israeli military identified as a threat.⁴² Israel’s evacuation order claimed that Hamas fighters were utilizing civilian areas for military purposes, thereby necessitating the displacement of civilians to minimize casualties during military operations.

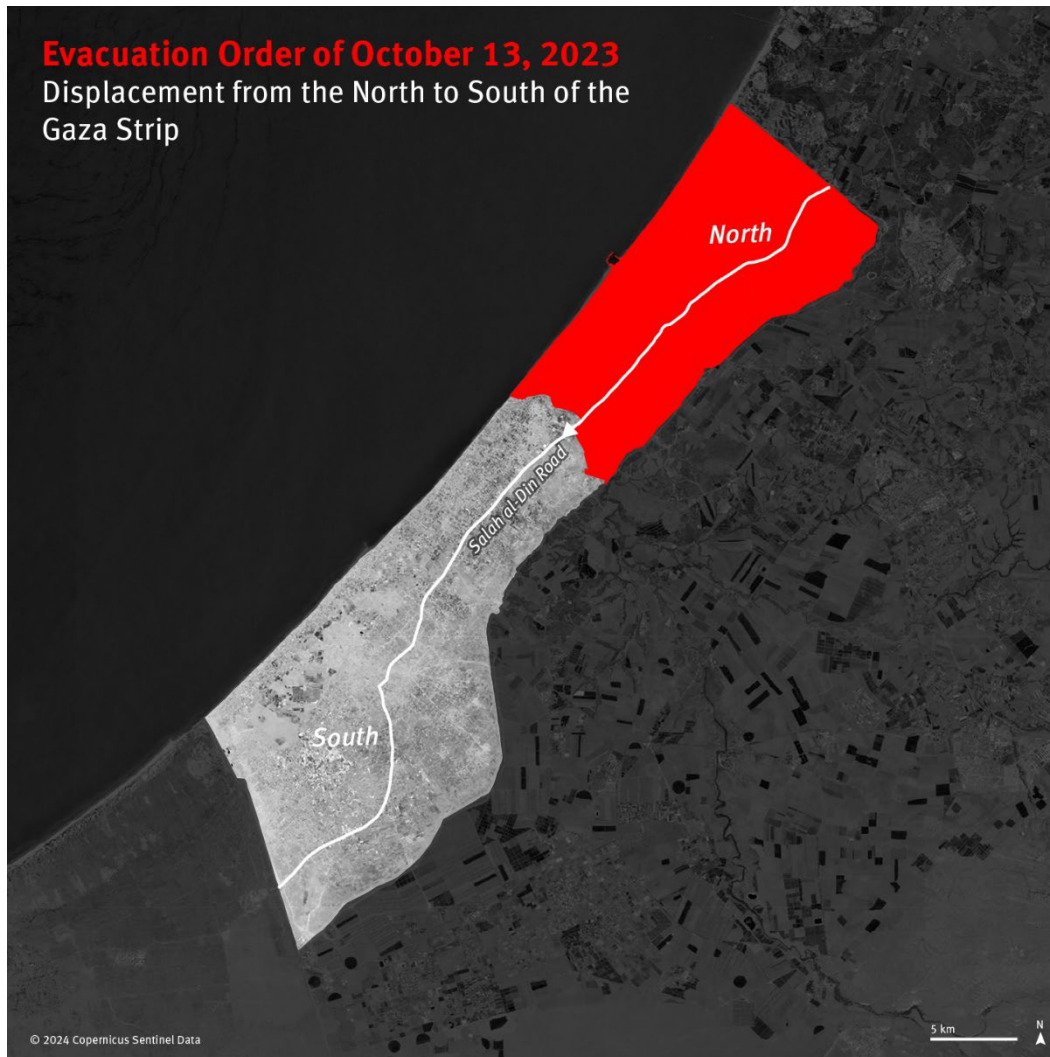
³⁸ “Humanitarian Crisis Unfolds in Gaza,” MSNBC, October 13, 2023, <https://www.msnbc.com/msnbc/watch/humanitarian-crisis-unfolds-in-gaza-195379781742> (accessed May 6, 2024); Steve Hendrix, Louisa Loveluck, et al., “Israel orders 1 million Gazans to evacuate; U.N. says that’s impossible,” the Washington Post, October 13, 2024, <https://www.washingtonpost.com/world/2023/10/13/israel-gaza-hamas-war-west-bank/> (accessed June 28, 2024).

³⁹ Israel Defense Forces (@IDF), post to X, October 13, 2023, <https://x.com/IDF/status/1712707301369434398?s=20> (accessed May 6, 2024); Israel Defense Forces (@IDF), post to X, November 2, 2023, <https://x.com/IDF/status/1720213978092101955> (accessed June 25, 2024).

⁴⁰ “Note to correspondents on Gaza,” United Nations, Latest Statements, Spokesman for the Secretary-General, October 12, 2023, <https://www.un.org/sg/en/content/sg/note-correspondents/2023-10-12/note-correspondents-gaza> (accessed October 31, 2024).

⁴¹ Helen Regan, Caitlin Hu, et al., “Israel tells 1.1 million Gazans to evacuate south. UN says order is ‘impossible,’” CNN, October 13, 2023, <https://edition.cnn.com/2023/10/13/middleeast/israel-gaza-hamas-war-friday-intl-hnk/index.html> (accessed October 31, 2024).

⁴² “Israel Orders 1.1 Million People in Gaza to Move South: What to Know,” Al Jazeera, October 13, 2023, <https://www.aljazeera.com/news/2023/10/13/israel-orders-1-1-million-people-in-gaza-to-move-south-what-to-know> (accessed May 6, 2024).



A map illustrating the Israeli military evacuation order issued on October 13, 2023 ordering 1.1 million Palestinians to move from the north to the south of the Gaza Strip. © 2024 Copernicus Sentinel Data. Graphics © 2024 Human Rights Watch

On the same day, however, the Israeli president, Isaac Herzog, stated:

It is an entire nation out there that is responsible. This rhetoric about civilians not aware, not involved, it's absolutely not true. They could've risen up; they could have fought against that evil regime...⁴³

⁴³ Rageh Omaar, "Israeli president Isaac Herzog says Gazans could have risen up to fight 'evil' Hamas," ITV News, October 13, 2023, <https://www.itv.com/news/2023-10-13/israeli-president-says-gazans-could-have-risen-up-to-fight-hamas> (accessed May 6, 2024).

UN Secretary General Antonio Guterres issued the following statement calling on the Israeli authorities to rescind the order:

[The] order by the Israel Defense Forces to Palestinians in Gaza to evacuate their homes within 24 hours was dangerous and deeply troubling. Any demand for a mass evacuation on extremely short notice could have devastating humanitarian consequences. The evacuation order applies to approximately 1.1 million people. It applies to a territory that is already besieged, under aerial bombardment and without fuel, electricity, water, and food.... As secretary general of the United Nations, I appeal to Israeli authorities to reconsider.⁴⁴

The UN special rapporteur on internally displaced persons condemned the evacuation order as a potential crime against humanity and a violation of international humanitarian law:

Forcible population transfers constitute a crime against humanity, and collective punishment is prohibited under international humanitarian law...

It is inconceivable that more than half of Gaza's population could traverse an active war zone, without devastating humanitarian consequences, particularly while deprived of essential supplies and basic services.⁴⁵

Israel's Evacuation System

The October 13, 2023 order forms part of what Human Rights Watch has termed an "evacuation system" that combines evacuation orders and directives to Palestinians in Gaza to move from their homes and other places of refuge to evacuation areas and warnings that specific areas or buildings would be under attack.⁴⁶

⁴⁴ António Guterres, "Why Israel Must Reconsider Its Gaza Evacuation Order," United Nations Secretary-General, October 13, 2023, <https://www.un.org/sg/en/content/sg/articles/2023-10-13/why-israel-must-reconsider-its-gaza-evacuation-order> (accessed May 30, 2024).

⁴⁵ "Israel Must Rescind Evacuation Order for Northern Gaza and Comply with International Law," OHCHR press release, October 13, 2023, <https://www.ohchr.org/en/press-releases/2023/10/israel-must-rescind-evacuation-order-northern-gaza-and-comply-international> (accessed May 6, 2024).

⁴⁶ In the case of an attack that may affect the civilian population, the laws of war require the parties to give "effective advance warning" unless the situation does not permit it. What is "effective" depends on the circumstances, and if civilians

Advance warnings are treated differently to evacuation orders under international humanitarian law (IHL). A warning relates to the IHL obligation to give advanced and effective warning of impending targeted attacks that might affect a civilian population, unless the situation does not permit it.⁴⁷ The primary purpose of advance warnings is to allow civilians sufficient time to leave an area or take cover to reduce civilian casualties and damage to civilian objects. Advance warnings are typically issued shortly before an attack is carried out, assuming that the tactical situation permits such a warning without compromising the military operation.

A lawful evacuation order is an exception to the general prohibition on arbitrarily displacing people from their homes and usually issued by a military or governmental authority for the removal of civilians from certain areas where there is a high risk of conflict or danger. These orders can be issued in anticipation of military operations that may last over a more extended period or in response to ongoing or expected threats, such as sustained bombings or other forms of hostilities. Lawful evacuation orders would aim to safeguard the civilian population by moving them to safer locations. There is a legal requirement on parties to an armed conflict to remove civilians and civilian objects under their “control” from the vicinity of military objects, to the extent this is feasible.⁴⁸

In this way, advance warnings are specific to imminent attacks and aim to reduce harm from a specific operation. On the other hand, evacuation orders are broader, involving relocation due to sustained or significant threats. Advance warnings are typically immediate and short-term, linked to specific military actions. In contrast, evacuation orders may involve longer-term displacement and are not necessarily linked to a single specific action. While linked, both correspond to different legal standards and the law on evacuation sets a much higher standard compared with the obligation to give an effective warning. An evacuation order is also an instruction.

are not able to leave for a safer area the warning will not be effective. See ICRC, “Rule 20. Advance Warning,” ICRC Customary IHL Database, undated, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule20> (accessed May 6, 2024).

⁴⁷ ICRC, “Rule 20. Advance Warning.”

⁴⁸ ICRC, “Rule 22. Principle of Precautions against the Effects of Attacks,” ICRC Customary IHL Database, undated, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule22> (accessed November 4, 2024); ICRC, “Rule 24. Removal of Civilians and Civilian Objects from the Vicinity of Military Objectives,” ICRC Customary IHL Database, undated, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule24> (accessed November 4, 2024).

Israel itself has argued that its practices form part of a coherent humanitarian effort to protect civilian lives and has explained this as part of its oral argument at the International Court of Justice’s provisional measures hearings on January 12, 2024:

The IDF [Israeli military] maintains a Civilian Harm Mitigation Unit to undertake this task. It works full-time to provide advance notice of areas in which the IDF [Israeli military] intends to intensify its activities, co-ordinate travel routes for civilians and secure these routes. This unit has developed a detailed map so that specific areas can be temporarily evacuated, instead of evacuating entire areas...The IDF [Israeli military] also enacts localized pauses in its operations to allow civilians to move. It does this even though Hamas does not agree to do the same and has even attacked IDF [Israeli military] forces securing humanitarian corridors...The IDF [Israeli military] employs a range of additional measures in accordance with the obligation to take precautionary measures under international humanitarian law. For example, it provides effective advance warnings of attacks where circumstances permit. To date, the IDF [Israeli military] has dropped millions of leaflets over areas of expected attacks with instructions to evacuate and how to do so, broadcast countless messages over radio and through social media warning civilians to distance themselves from Hamas operations, and made over 70,000 individual phone calls, including to occupants of the targets, warning them of impending attacks.⁴⁹

While Human Rights Watch notes that both evacuation orders and warnings fall under the umbrella of Israel’s evacuation system, it is beyond the scope of this report to undertake an investigation of individual attacks that took place in Gaza, the legality of these attacks, and the effectiveness of warnings given to people in the attacked locations. This report covers an assessment of the evacuation orders given by Israel.⁵⁰

⁴⁹ ICJ, “Public sitting held on Friday, January 12, 2024, at 10 a.m., at the Peace Palace, President Donoghue presiding, in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel),” Document Number: 192-20240112-ORA-01-00-BI, Verbatim Record, January 12, 2024, <https://www.icj-cij.org/node/203424> (accessed October 17, 2024).

⁵⁰ ICRC, *Geneva Convention IV (1949): Article 49*.

As already noted, the displacement of Palestinians can only be justified as a lawful evacuation if there are imperative military reasons or if the security of civilians requires it. Israel would also have to ensure that displacement protections were in place and that displacement occurred in a manner consistent with returning the population after the threat is no longer present and consistent with the protection of the civilians' human rights.

The following section presents Human Rights Watch's analysis showing that the evacuation system gave instructions through unreliable means that were unclear, inaccurate, and contradictory, making it very difficult for civilians to know where or when to move. Where evacuation orders did suggest a destination or direction of movement, the orders gave far too little time for over one million people to move through what was already an active conflict zone; both the routes and the destinations were often unsafe. Not only was there no safe place in Gaza, but these destinations and routes also came under attack during hostilities.

Israel did not put in place protections. Instead, through the widespread destruction of humanitarian resources, such as hospitals, bakeries, and agricultural land and its stated policy of cutting off all people in Gaza from resources essential to the realization of their human rights, such as water and electricity, Israel intentionally reduced the already limited ability of Palestinian civilians in Gaza to meet their own needs, leading to a humanitarian crisis where children are now dying from starvation.⁵¹

Israel's widespread destruction of civilian infrastructure, including residential areas, agricultural land, and cultural buildings, rendering large parts of Gaza uninhabitable, is also in direct conflict with its obligations to conduct its operations in a manner consistent with civilians returning.

⁵¹ "Israel: Starvation 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>.

Israel's Harmful Evacuation System

While Israel has claimed that its “evacuation orders” were an attempt to protect Palestinian civilians, our study reveals that...the “humanitarian measures” employed by the Israeli military have failed to provide protection for the Palestinian civilian population...but rather have amplified the forced transfer and mass displacement of Palestinians.⁵²

— Forensic Architecture, “Humanitarian Violence”

This section will examine how Israel's evacuation system did not move Palestinian civilians in conditions of “safety” as required by international humanitarian law (IHL).⁵³

Israeli authorities used various platforms to disseminate evacuation orders. These can be classified into two categories: first, orders disseminated for passive reception, such as airdropped leaflets, phone calls, SMS messages, or drone loudspeakers; second, orders people had to seek out actively by checking websites, social media platforms, or television and radio broadcasts.

The blanket evacuation order, issued on October 13, 2023, contained one central instruction to residents of northern Gaza: Go south. Israeli authorities disseminated this order on their official social media channels and television programs, through airdropped leaflets, and via phone calls and SMS messages.⁵⁴ Airdropped leaflets included a rudimentary map of Gaza indicating where civilians should move.⁵⁵

Subsequent evacuation orders became more specific, calling for particular neighborhoods to evacuate often along with maps with arrows pointing in the direction to flee. However,

⁵² Forensic Architecture, “Humanitarian Violence: Israel's Abuse of Preventative Measures in its 2023-2024 Genocidal Military Campaign in the Occupied Gaza Strip,” March 7, 2024, https://content.forensic-architecture.org/wp-content/uploads/2024/03/Humanitarian-Violence_Report_FA.pdf (accessed May 6, 2024).

⁵³ “The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent...that the removals are effected in satisfactory conditions of...safety...” See ICRC, *Geneva Convention IV (1949): Article 49*.

⁵⁴ Avichay Adraee (@AvichayAdraee), post to X, October 13, 2023, <https://twitter.com/AvichayAdraee/status/1712683686213144638> (accessed March 26, 2024); Israel Defense Forces (@IDF), post to X, October 12, 2023, <https://twitter.com/IDF/status/1712825819691716748> (accessed May 6, 2024).

⁵⁵ Forensic Architecture, “Humanitarian Violence: Israel's Abuse of Preventative Measures in its 2023-2024 Genocidal Military Campaign in the Occupied Gaza Strip.”

due to the size and scale of the maps shared, it was not always possible for the reader to know if they were in an area slated for evacuation.

On December 1, the Israeli military published an online map on its website, that could be accessed using a QR code from a mobile phone, that divided Gaza into a grid of 620 numbered blocks, allowing the user to know in which of these blocks they are located, using the location services of their phone, assuming one had a phone with sufficient battery charge and internet connection.⁵⁶ The Israeli military then continued to publish leaflets and social media posts indicating the blocks slated for evacuation.⁵⁷

Between the first evacuation order on October 8, 2023 and August 31, 2024, Human Rights Watch collected and analyzed 184 distinct evacuation orders that the Israeli government posted to official social media accounts,⁵⁸ airdropped as leaflets, or delivered by SMS to the residents of Gaza.

On March 13, 2024, Forensic Architecture, Al Mezan Center for Human Rights, and Al-Haq issued a joint report analyzing the Israeli evacuation system from October 8, 2023 until February 16, 2024 and found that it “created confusion and panic by providing unclear, incorrect, inconsistent, elastic, unspecified, conflicting, and inaccessible instructions, formats, names and communication protocols.”⁵⁹

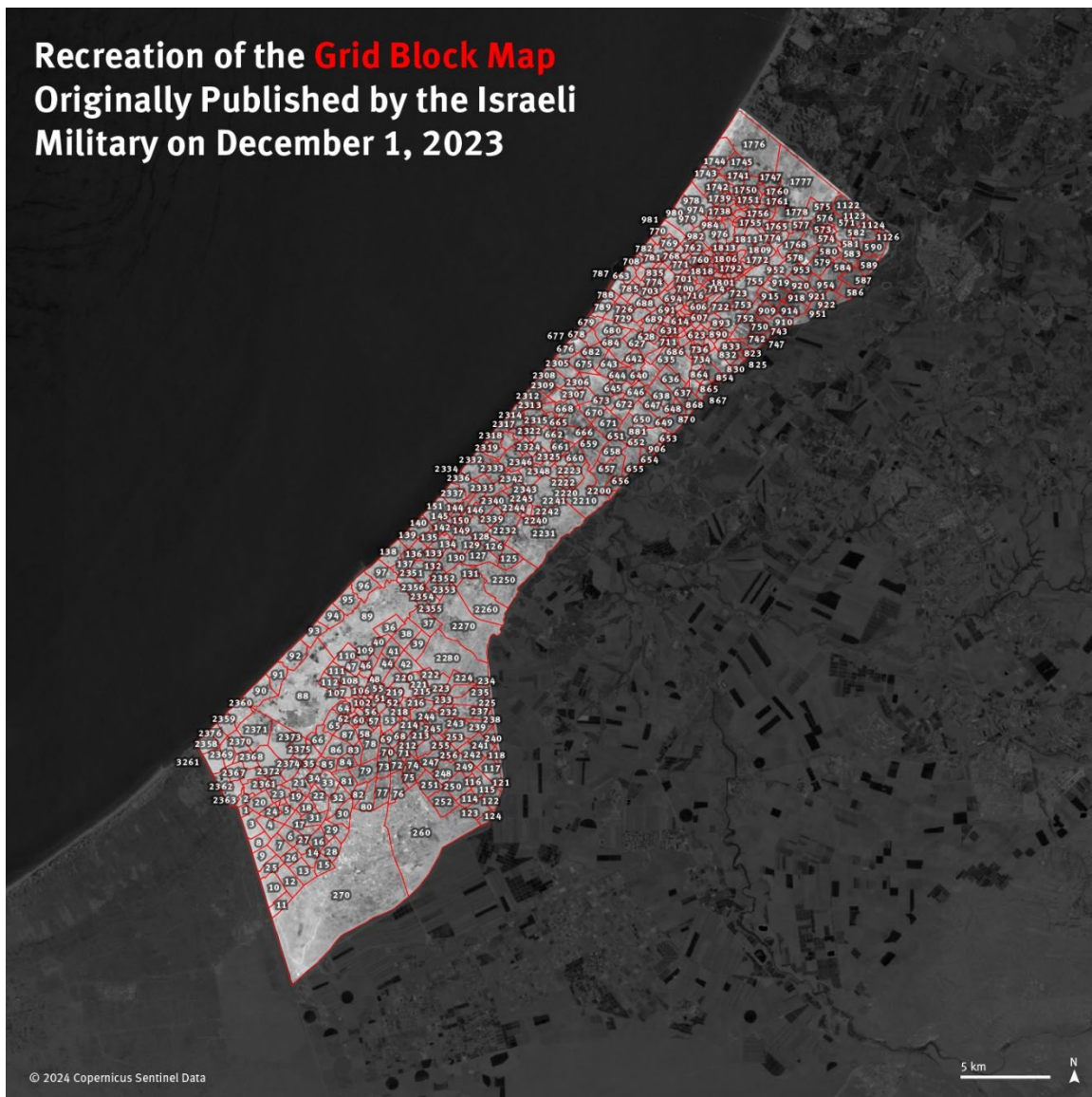
⁵⁶ Although there are 620 blocks, they are not numbered sequentially, but rather blocks are assigned numbers ranging from one to 3,261. See “IDF publishes list of block numbers to guide Gaza residents in evacuating targeted areas” (جيش الدفاع ينشر “قائمة بأرقام بلوكات لتوجيه سكان غزة في إخلاء المناطق المستهدفة”), Israeli Defense Forces news release, December 1, 2023, https://www.idf.il/ar/جيش-الدفاع-الإسرائيلي/جيش-الدفاع-الإسرائيلي/swordsofiron-011223-150/?itid=lk_inline_enhanced-template (accessed May 6, 2024); Anshel Pfeffer, “The IDF’s Confusing, Ironic Evacuation Map for Palestinians in Gaza,” Haaretz, December 6, 2023, <https://www.haaretz.com/israel-news/2023-12-06/ty-article/.premium/the-idfs-confusing-ironic-evacuation-map-for-palestinians-in-gaza/000018c-3b63-de12-a3af-3bef79640000> (accessed May 6, 2024).

⁵⁷ “IDF publishes list of block numbers to guide Gaza residents in evacuating targeted areas” (جيش الدفاع ينشر قائمة بأرقام بلوكات “لتوجيه سكان غزة في إخلاء المناطق المستهدفة”), Israeli Defense Forces news release, December 1, 2023, https://www.idf.il/ar/جيش-الدفاع-الإسرائيلي/جيش-الدفاع-الإسرائيلي/swordsofiron-011223-150/?itid=lk_inline_enhanced-template (accessed May 6, 2024); Avichay Adraee (@AvichayAdraee), post to X, December 1, 2023, <https://twitter.com/AvichayAdraee/status/1730500179852173621> (accessed May 6, 2024).

⁵⁸ Human Rights Watch considered identical evacuation orders posted across official accounts as one distinct evacuation order.

⁵⁹ Forensic Architecture, “Humanitarian Violence: Israel’s Abuse of Preventative Measures in its 2023-2024 Genocidal Military Campaign in the Occupied Gaza Strip.”

Recreation of the **Grid Block Map** Originally Published by the Israeli Military on December 1, 2023



The grid block map published online by the Israeli military on December 1, 2023, dividing the Gaza Strip into 620 numbered blocks. This map has been recreated by Human Rights Watch. © 2024 Copernicus Sentinel Data. Graphics © 2024 Human Rights Watch

Human Rights Watch research, presented below, supports these findings. Our findings show that faulty information was rife across these orders they were often inaccurate or inconsistent across platforms and sowed confusion about when, where, and how people should evacuate. This resulted in a fearful and chaotic atmosphere that oftentimes put Palestinians in harm's way.



A group of Palestinians read a warning leaflet dropped by Israeli warplanes on them in Rafah in southern Gaza, May 6, 2024. © 2024 Saher Alghorra/ZUMA Press Wire/Shutterstock

Reliance on Network Connections

On December 1, the day the online map was published, the UN Office for the Coordination of Humanitarian Affairs (OCHA) observed, “It is unclear how those residing in Gaza would access the map without electricity and amid recurrent telecommunications cuts.”⁶⁰

Almost immediately after October 7, 2023, telephone and internet services in Gaza began experiencing significant disruptions.⁶¹ Continuous disruptions in communication networks are a result of damage to core communications infrastructure, cuts to electricity, fuel

⁶⁰ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), “Hostilities in the Gaza Strip and Israel: Flash Update #56,” December 1, 2023, <https://reliefweb.int/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-56-enarhe> (accessed May 6, 2024).

⁶¹ Internet Society Pulse, “Internet Disconnected in Gaza,” Internet Shutdowns, active since October 7, 2023, <https://pulse.internetsociety.org/shutdowns/internet-disconnected-in-gaza> (accessed May 6, 2024).

blockades, and apparently deliberate shutdowns through technical measures by Israeli authorities.⁶²

Telecommunications services in Gaza had already been severely degraded since the start of the hostilities on October 7.⁶³ Widespread phone and internet outages occurred in Gaza on October 27, 2023, amid a concerted Israeli bombardment, almost entirely cutting off the 2.2 million residents from the outside world.⁶⁴

Since the start of the conflict, Gaza has suffered multiple communication blackouts, usually the result of attacks impacting communications infrastructure.⁶⁵ The longest blackout lasted a week in January 2024 when all telecommunications services throughout Gaza were down. On January 22, 2024, Paltel, one of the largest telecommunication companies in the Occupied Palestinian Territory (OPT) and one of the few remaining operational providers in Gaza, posted on X that telecom services in Gaza were down for the tenth time since October 7, 2023.⁶⁶ These periods of blacked out telecom services lasted between one day to a week. During these blackouts, the Israeli military continued to issue evacuation orders online.

⁶² Response letter from Paltel Group Chief Executive Officer Abdulmajeed Melhem to Human Rights Watch, November 14, 2023, https://www.hrw.org/sites/default/files/media_2023/11/gl.2023.11.14.Response%20from%20Paltel%20to%20Human%20Rights%20Watch.pdf.

⁶³ Kevin Collier, “Gaza Strip experiencing internet outages and electricity cuts after bombings,” NBC News, October 9, 2023, <https://www.nbcnews.com/news/world/gaza-strip-experiencing-internet-outages-electricity-cuts-bombings-rcna119564> (accessed June 28, 2024).

⁶⁴ “Blackout Disconnects Bombarded Gazans from the World and Each Other,” Reuters, October 28, 2023, <https://www.reuters.com/world/middle-east/blackout-disconnects-bombarded-gazans-world-each-other-2023-10-28/> (accessed May 6, 2024); IODA (@IODA_live), post to X, October 27, 2023, https://x.com/IODA_live/status/1717959029228462563?s=20 (accessed May 30, 2024). See also NetBlocks (@netblocks), post to X, October 27, 2023, <https://twitter.com/netblocks/status/1717942556703551590?s=20> (accessed June 28, 2024); Joseph Gedeon and Maggie Miller, “Internet blackout in Gaza as Israel expands operations,” Politico, October 27, 2023, <https://www.politico.com/news/2023/10/27/internet-blackout-gaza-israel-hamas-war-00124029> (accessed June 28, 2024); Ruby Mellen and Szu Yu Chen, “See how Israel’s siege has plunged Gaza into darkness and isolation,” the Washington Post, October 26, 2023, <https://www.washingtonpost.com/world/2023/10/26/gaza-israel-siege-blackout-isolation/> (accessed June 28, 2024).

⁶⁵ Matt Burgess, “The Destruction of Gaza’s Internet Is Complete,” Wired, October 27, 2023, <https://www.wired.com/story/gaza-internet-blackout-israel/> (accessed May 6, 2024); “#KeptOn: Telecommunications blackout in the Gaza Strip is an attack on human rights,” Access Now press release, October 13, 2023, <https://www.accessnow.org/press-release/communications-blackout-gaza-strip/> (accessed May 6, 2024); “A week in the dark: connectivity in Gaza must be restored now,” Access Now press release, January 18, 2024, <https://www.accessnow.org/press-release/gaza-a-week-in-the-dark/> (accessed May 6, 2024).

⁶⁶ Paltel (@Paltelco), post to X, January 22, 2024, <https://x.com/Paltelco/status/1749464176756449631> (accessed September 20, 2024)

Inadequacies of Online Evacuation Orders

Human Rights Watch found that the information contained in evacuation orders posted online was sometimes inaccurate and, in some cases, changed throughout the day, which would mean requiring constant connectivity and the foresight to check and recheck information.

Human Rights Watch found multiple discrepancies among the three main social media channels Israeli authorities used to disseminate evacuation information.⁶⁷ For example, an October 21 evacuation order telling Khirbet Ikhza'a residents to move to al-Mawasi appeared only on the Facebook account of the Coordinator of the Government Activities in the Territories (COGAT), not on Israel's other two social media platforms.⁶⁸ This was the only order posted online that addressed residents of southern Gaza at a time when evacuation instructions exclusively targeted those in the north.

Human Rights Watch identified 58 occasions in which an evacuation order posted on one social media channel was not posted on one or both of the other two channels.⁶⁹ Ten of these posts contained crucial information, for instance announcing for the first time a new neighborhood or block slated for evacuation.⁷⁰ Examples include an October 21 COGAT

⁶⁷ The official social media platforms monitored include the X account and the Facebook account of Lt. Col. Avichay Adraee, the Israeli military's spokesperson in Arabic, and the Facebook account of the Coordinator of the Government Activities in the Territories (COGAT).

⁶⁸ "Al-Munasseq" ("المنسق") [COGAT Arabic], post to Facebook, October 21, 2023, <https://www.facebook.com/photo.php?fbid=659277336312964&set=pb.100066921098856.-2207520000&type=3> (accessed May 6, 2024).

⁶⁹ See Annex I. Evacuation orders number 10, 13, 14, 15, 17, 18, 19, 20, 21, 25, 33, 38, 41, 43, 48, 49, 50, 51, 52, 53, 59, 60, 69, 71, 77, 81, 82, 84, 85, 86, 88, 90, 92, 93, 95, 102, 105, 106, 109, 116, 118, 119, 120, 121, 122, 123, 124, 125, 128, 132, 133, 135, 136, 144, 154, 155, 165, 178.

⁷⁰ AvichayAdraee (@AvichayAdraee), post to X, October 21, 2023, <https://twitter.com/AvichayAdraee/status/1715766785662767273> (accessed November 4, 2024); "Al-Munasseq" ("المنسق") [COGAT Arabic], post to Facebook, October 21, 2023, <https://www.facebook.com/photo/?fbid=659312296309468&set=a.285650167009018> (accessed May 27, 2024); AvichayAdraee (@AvichayAdraee), post to X, October 25, 2023, <https://twitter.com/AvichayAdraee/status/1717089441292927335> (accessed November 4, 2024); افياخي أدري - Avichay Adraee, post to Facebook, November 13, 2023, <https://www.facebook.com/photo/?fbid=904243671067241&set=a.306770754147872> (accessed November 4, 2024); AvichayAdraee (@AvichayAdraee), post to X, November 14, 2023, <https://twitter.com/AvichayAdraee/status/1724385295829815331> (accessed November 4, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 3, 2023, <https://twitter.com/AvichayAdraee/status/1731296821731873096> (accessed November 4, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 9, 2023, <https://twitter.com/AvichayAdraee/status/1733485933834449245> (accessed November 4, 2024); AvichayAdraee (@AvichayAdraee), post to X, March 18, 2024, <https://twitter.com/AvichayAdraee/status/1769613852021231856> (accessed

Facebook page announcement that warned that anyone within a newly designated “war zone” area within 1,000 meters of the border fence “puts their life in danger.”⁷¹ It took another four days for this announcement to be posted on the Israeli military’s Arabic Spokesperson’s X account⁷² and it was never posted on his Facebook account.

Errors and Confusion Over Where People Should Evacuate

In addition to the problems in the dissemination of evacuation orders outlined above, Human Rights Watch found 16 instances where evacuation messages themselves contained missing or contradictory instructions as to the locations from which and to which people were meant to evacuate or where the labeling, marking, or wording on the maps accompanying the order did not align with the text.⁷³

In 12 cases, more than one error occurred on the same evacuation order.⁷⁴

On December 3, the Israeli military posted an evacuation order on X at 6:36 a.m. with detailed information and a map showing residents in certain blocks in Khan Younis where they should go.⁷⁵ Nearly nine hours later, at 2:58 p.m., the Israeli military corrected the post with a new map showing a different area where civilians were directed to go.⁷⁶ Other errors in the same December 3 evacuation order, however, remained uncorrected. The caption in the X post instructed people living in blocks 36, 38 through 54, and 219 through 221 to evacuate, but the heading on the map provided a different list of block numbers: 36, 47 through 54, and 221 through 219, which resulted in the omission of nine blocks.

November 4, 2024); AvichayAdraee (@AvichayAdraee), post to X, July 28, 2024, <https://x.com/AvichayAdraee/status/1817566489676791840> (accessed November 4, 2024).

⁷¹ “Al-Munasseq” (“المنسق”) [COGAT Arabic], post to Facebook, October 21, 2023, <https://www.facebook.com/photo/?fbid=659312296309468&set=a.285650167009018> (accessed May 27, 2024).

⁷² AvichayAdraee (@AvichayAdraee), post to X, October 25, 2023, <https://x.com/AvichayAdraee/status/1717089441292927335> (accessed May 27, 2024).

⁷³ See Annex I. Evacuation order numbers: 66, 67, 69, 70, 73, 87, 88, 102, 103, 104, 107, 152, 155, 158, 162, 179.

⁷⁴ See Annex I. Evacuation order numbers: 66, 67, 69, 70, 73, 87, 88, 102, 103, 104, 107, 155.

⁷⁵ AvichayAdraee (@AvichayAdraee), post to X, December 3, 2023, <https://twitter.com/AvichayAdraee/status/1731170539023040697> (accessed May 6, 2023).

⁷⁶ AvichayAdraee (@AvichayAdraee), post to X, December 3, 2023, <https://twitter.com/AvichayAdraee/status/1731296821731873096> (accessed May 6, 2023).

Additionally, blocks 55, 99, and 104 were highlighted on the map despite not being listed either in the heading or the caption of the post.⁷⁷

Inconsistencies on December 3, 2023 Evacuation Orders



Blocks 55, 99 and 104 highlighted on the map, despite not being listed in either the heading or the caption of the post

Heading on the map omits 9 blocks listed in the caption

Imprecisely covered blocks

Screenshot of an evacuation order shared by Lt. Col. Avichay Adraee, the Israeli military’s spokesperson for Arab media, on his X account on December 3, 2023, at 6:36 a.m. local time. (Left). Screenshot of a correction shared by Lt. Col. Adraee on X on December 3 at 2:58 p.m. local time for the December 3 order with the caption. “***Note: The map that we issued this morning mixed up Tal al-Sultan and Al-Shabura Camp. The error has been corrected and the attached map is the correct one. Instructions have not been changed”. (Top right) An enlarged image of the map shared with the correction to the December 3 post, showing the updated locations for Tal al-Sultan and Al-Shabura Camp. (Bottom right) © 2023 Avichay Adraee

⁷⁷ AvichayAdraee (@AvichayAdraee), post to X, December 3, 2023, <https://x.com/AvichayAdraee/status/1731296821731873096/photo/1> (accessed May 6, 2023).

According to population figures inadvertently included in the source code of the Israeli military's evacuation webpage, as previously reported by Human Rights Watch, the blocks in Khan Younis listed in the heading on the map had a total population of 86,177 people.⁷⁸ Based on this data there were approximately 23,452 people in the nine omitted blocks at the time the data was collected. There were also three additional blocks highlighted on the evacuation map that were not included in the caption or header, representing another 8,137 people. It is not known by Human Rights Watch how current or accurate this population data is, however, according to these figures, it would mean that more than 31,000 people did not receive a comprehensive evacuation order. According to the UN, the area designated for evacuation covered 20 percent of Khan Younis and had nearly 117,000 residents.⁷⁹

In 20 cases, highlighted areas on the maps did not cover blocks to be evacuated in a precise way and some blocks were only partially highlighted, rendering the question over who exactly should evacuate unclear.⁸⁰

On July 1, the Israeli military issued an evacuation order for neighborhoods in eastern Khan Younis and Rafah, including al-Fukhari where the European Hospital, one of the largest hospitals in southern Gaza, is located.⁸¹ The next morning, the Israeli military⁸² and COGAT⁸³ issued a clarification in English on their X accounts stating that the hospital was not subject to evacuation. The COGAT Arabic Facebook page also updated the evacuation

⁷⁸ "Gaza: Israeli Military's Digital Tools Risk Civilian Harm," Human Rights Watch news release, September 10, 2024, <https://www.hrw.org/news/2024/09/10/gaza-israeli-militarys-digital-tools-risk-civilian-harm>. In May 2024 Human Rights Watch discovered data posted publicly online by the Israeli military that included operational data apparently related to systems used for monitoring the evacuation and movement through Gaza, as well as for calculating civilian harm before attacks. This data included what seem to be population figures consistent with years-old census data from Gaza, more updated and desegregated population data, as well as data about the Israeli military's presence in Gaza and cumulative figures of attacks, for each of the 620 blocks into which Gaza was divided. The data also included personal information: surnames for the most populous families in each block.

⁷⁹ OCHA, "Hostilities in the Gaza Strip and Israel: Flash Update #58," December 3, 2023, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-58> (accessed March 27, 2024).

⁸⁰ See Annex I. Evacuation order numbers: 66, 67, 69, 70, 73, 79, 80, 87, 88, 96, 102, 103, 104, 107, 142, 143, 175, 177, 178, 181.

⁸¹ AvichayAdraee (@AvichayAdraee), post to X, July 1, 2024, <https://x.com/AvichayAdraee/status/1807792175859536181/photo/1> (accessed July 8, 2024).

⁸² Israel Defense Forces (@IDF), post to X, July 2, 2024, <https://x.com/IDF/status/1807999218939748695> (accessed July 8, 2024).

⁸³ COGAT (@cogatonline), post to X, July 2, 2024, <https://x.com/cogatonline/status/1808024656978247711> (accessed July 8, 2024).

order post to include the clarification.⁸⁴ However, the Israeli military’s Arabic spokesperson did not share any of the clarifications on any of his social media accounts. The Israeli military issued these clarifications hours after humanitarian groups had published pleas to rescind the order to evacuate the hospital, and news reports circulated online of the hospital being evacuated of patients, staff and essential equipment, for instance, on the back of large lorries.⁸⁵ By the time the clarifications were issued, staff and patients had reportedly already started to flee the hospital.⁸⁶

A report in the Israeli newspaper Haaretz noted that the map accompanying the December 3 evacuation order was rotated contrary to convention, with north positioned on the left, making the map “misleading.”⁸⁷ Human Rights Watch also found that the subsequent block maps released by the Israeli military were rotated in the same way and none of them included a north arrow, which is commonplace on maps in order to communicate their orientation to the user. In the absence of a north arrow, a map’s user would typically assume that the top of the map is north. However, since the maps’ rotations were distorted, this assumption was often invalid, creating additional confusion about the direction in which civilians should flee for their safety. For example, the June 27 evacuation order contains an arrow pointing to the evacuation area on the map and instructs people to move south. However, without the north arrow, a user could have perceived the instruction to move west – as the arrow is pointing to the left of the map – which is usually read as to the west on a conventional map.⁸⁸

⁸⁴ “Al-Munasseq” (“المنسق”) [COGAT Arabic], post to Facebook, July 1, 2024, <https://www.facebook.com/photo/?fbid=800675305506499&set=pb.100066921098856.-2207520000> (accessed July 8, 2024).

⁸⁵ “Patients, medics flee south Gaza hospital after evacuation orders, WHO says,” Reuters, July 2, 2024, <https://www.reuters.com/world/middle-east/patients-medics-flee-south-gaza-hospital-after-evacuation-orders-who-says-2024-07-02/> (accessed September 9, 2024); “Civilians forced to evacuate Gaza’s Khan Younis, again,” Al Jazeera, July 2, 2024, <https://aje.io/8zuruh?update=3020322> (accessed September 9, 2024); “Gaza’s European Hospital in Khan Younis is ‘virtually empty’ after Israel ‘evacuation order,’” the New Arab, July 2, 2024, <https://www.youtube.com/shorts/h6UQS7IgyDU> (accessed September 9, 2024).

⁸⁶ OCHA, post to LinkedIn, July 4, 2024, https://www.linkedin.com/posts/united-nations-ocha_gaza-activity-7214295772475908096-oib6 (accessed July 8, 2024).

⁸⁷ Amira Haas, “With Hardly Any Internet Access and Confusing IDF Tweets, Gazans Don’t Know Where to Go,” Haaretz, December 7, 2023, <https://www.haaretz.com/israel-news/2023-12-07/ty-article-magazine/.premium/with-hardly-any-internet-access-and-confusing-idf-tweets-gazans-dont-know-where-to-go/0000018c-3e7b-d53d-a7fc-beff3f3e0000> (accessed March 26, 2024).

⁸⁸ AvichayAdraee (@AvichayAdraee), post to X, June 27, 2024, <https://x.com/AvichayAdraee/status/1806264754068942966> (accessed September 27, 2024).

A day after the Israeli military issued the online map of the blocks, on December 2, they also issued a “neighborhood-based map” on their website, which they removed later that same day.⁸⁹

Separately, also on December 2, Israeli military spokesperson, Lt. Col. Adraee, posted an evacuation order on X for residents in the south and north of Gaza.⁹⁰ The order was accompanied by five maps; each highlighted different blocks whose residents were instructed to evacuate and showing them, using arrows, where they should go. One of the highlighted areas that the maps visually instructed people to evacuate from included al-Fukhari neighborhood (this instruction was conveyed visually through the map but not specifically stated in the accompanying text).⁹¹ Yet less than 24 hours later, on December 3 and December 4, the same X account listed a well-known IDP shelter in al-Fukhari as one of the areas people should move to for their safety.⁹² Similarly, on July 7, the Israeli military instructed residents of Gaza to evacuate to “known shelters” in the west of Gaza City.⁹³ Less than 24 hours later on July 8, the Israeli military this time ordered neighborhoods in the west of Gaza City to evacuate to shelters in Deir al-Balah, in the south.⁹⁴

An analysis published by CNN points to other flaws related to the aforementioned December 2 evacuation order posted by Lt. Col. Adraee and the contradictions in Israeli military guidance.⁹⁵ CNN’s analysis shows that certain blocks, such as blocks 720 and 717, are presented simultaneously as safe and unsafe on the two maps included in the same post calling for evacuation of residents in northern Gaza.

⁸⁹ Forensic Architecture, “Humanitarian Violence: Israel’s Abuse of Preventative Measures in its 2023-2024 Genocidal Military Campaign in the Occupied Gaza Strip.”

⁹⁰ AvichayAdraee (@AvichayAdraee), post to X, December 2, 2023, <https://x.com/AvichayAdraee/status/1730849868447436881> (accessed March 26, 2024).

⁹¹ AvichayAdraee (@AvichayAdraee), post to X, December 2, 2023, <https://twitter.com/AvichayAdraee/status/1730849877263786259/photo/1> (accessed March 26, 2024).

⁹² AvichayAdraee (@AvichayAdraee), post to X, December 3, 2023, <https://twitter.com/AvichayAdraee/status/1731170539023040697> (accessed March 26, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 4, 2023, <https://twitter.com/AvichayAdraee/status/1731539367368241265> (accessed March 26, 2024).

⁹³ AvichayAdraee (@AvichayAdraee), post to X, July 7, 2024, <https://x.com/AvichayAdraee/status/1809963484022518268> (accessed July 8, 2024).

⁹⁴ AvichayAdraee (@AvichayAdraee), post to X, July 8, 2024, <https://x.com/AvichayAdraee/status/1810265410475823110> (accessed July 8, 2024).

⁹⁵ Jake Tacchi, “Israel struck some areas it directed civilians to in Gaza, CNN analysis shows,” CNN, December 21, 2023, <https://edition.cnn.com/2023/12/21/middleeast/israel-strikes-evacuation-zones-gaza-intl-cmd/index.html> (accessed March 26, 2024).

Unfeasible Timeframe Given to Evacuate in Orders Posted on July 7 and July 8, 2024



Map from an evacuation order by the Israeli military on July 7



Map from an evacuation order by the Israeli military on July 8

Screenshot of the evacuation order map shared by Israeli military spokesperson Lt. Col. Adraee on his X account on July 7, 2024 at 5. 51 p.m. local time instructing residents of Gaza to evacuate to “known shelters” in the west of Gaza City. (Top). Screenshot of the evacuation order map shared by Lt. Col. Adraee on his X account on July 8, 2024, instructing neighborhoods in the west of Gaza City to evacuate to shelters in Deir al-Balah. (Bottom) The comparison of the evacuation order maps shows how residents of Gaza were instructed to evacuate to west of Gaza City, and ordered the leave the area again in less than 24 hours. © 2024 Avichay Adraee



Tents housing internally displaced Palestinians crowding the beach and the Mediterranean shoreline in Deir al-Balah in central Gaza on May 28, 2024. © 2024 Majdi Fathi/NurPhoto via AP

Errors and Confusion Over When People Should Evacuate

Human Rights Watch reviewed and verified the time windows given to Palestinians in Gaza to evacuate and found irregularities that rendered the evacuation orders unpredictable and confusing.

In total, 47 of the evacuation orders analyzed by Human Rights Watch contained periods of time during which people were directed to evacuate, typically between 10 a.m. and 2 p.m. or 10 a.m. and 4 p.m.⁹⁶ These included 46 orders on X and Facebook, and one via airdropped leaflet. While at the beginning of the conflict, the evacuation messages often specified timeframes for evacuation, at later stages, evacuation timeframes were mostly

⁹⁶ See Annex I. Evacuation order numbers: 4, 6, 7, 9, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 52, 53, 83, 84, 85, 86, 88, 112, 113, 114, 116, 118, 119, 120, 121, 122, 123, 124, 125, 126, 132.

omitted.⁹⁷ Aside from the twenty-four-hour period provided to the UN on October 12,⁹⁸ the longest time window identified by Human Rights Watch was given overnight on November 5, with 10 hours 25 minutes,⁹⁹ and the shortest time window was 2 hours and 53 minutes, issued **after** the evacuation window had already begun on November 13.¹⁰⁰ Of the 47 evacuation orders analyzed, 26 orders were posted online after the evacuation window had already begun.¹⁰¹

The evacuation orders also included inconsistent, intermittently changing time windows to evacuate, making it hard for people to know when it was safe to move and plan for the following days. For instance, evacuation orders on October 13,¹⁰² 14,¹⁰³ and 15,¹⁰⁴ told residents of Gaza City a different time to move south along Salah al-Din Road, a major north-south artery in Gaza, warning them to be off the road by 8 p.m., 4 p.m., and 1 p.m., respectively.

⁹⁷ See AvichayAdraee (@AvichayAdraee), post to X, October 21, 2023, <https://twitter.com/AvichayAdraee/status/1715766785662767273> (accessed May 6, 2024).

⁹⁸ “Note to correspondents on Gaza,” United Nations, Latest Statements, Spokesman for the Secretary-General, October 12, 2023, <https://www.un.org/sg/en/content/sg/note-correspondents/2023-10-12/note-correspondents-gaza> (accessed October 31, 2024).

⁹⁹ AvichayAdraee (@AvichayAdraee), post to X, November 5, 2023, <https://twitter.com/AvichayAdraee/status/1720917602522820925> (accessed March 26, 2024).

¹⁰⁰ “Al-Munasseq” (“المنسق”) [COGAT Arabic], post to Facebook, November 13, 2023, <https://www.facebook.com/photo/?fbid=670985828475448&set=a.285650167009018> (accessed May 14, 2024).

¹⁰¹ See Annex I. Evacuation orders numbers: 29, 30, 31, 32, 37, 38, 39, 40, 41, 42, 84, 85, 86, 88, 112, 113, 114, 118, 119, 120, 121, 122, 123, 124, 125, 126.

¹⁰² AvichayAdraee (@AvichayAdraee), post to X, October 13, 2023, <https://x.com/AvichayAdraee/status/1712846493747495223> (accessed March 26, 2024).

¹⁰³ AvichayAdraee (@AvichayAdraee), post to X, October 14, 2023, <https://twitter.com/AvichayAdraee/status/1713065991511388610> (accessed May 6, 2024).

¹⁰⁴ AvichayAdraee (@AvichayAdraee), post to X, October 15, 2023, <https://twitter.com/AvichayAdraee/status/1713431675458200042> (accessed May 6, 2024).

Insufficient Time to Respond to Evacuation Orders

You must evacuate your homes immediately and go to the south of Wadi Gaza.

— Israeli military evacuation order, October 13, 2023

International humanitarian law (IHL) does not specify a precise amount of time that an evacuation order must give civilians to leave an area, but it would be reasonable to assume that Palestinians in Gaza should have been given orders to leave in a timely manner that were feasible to follow within that timeframe, allowing civilians enough time to evacuate safely.

On October 13, Israeli forces issued a general evacuation order to all residents in Gaza north of Wadi Gaza. But even before this evacuation order was issued, a massive campaign of Israeli air strikes had, as of that same day, already killed 1,900 people in Gaza, including at least 583 children, according to the Gaza health ministry.¹⁰⁵ Israeli forces also issued additional evacuation orders to people in different areas of northern Gaza that day, which had shorter or immediate time windows for evacuation. But in multiple cases, witnesses from different areas in northern Gaza told Human Rights Watch that Israeli attacks commenced in their areas either before they received these evacuation orders, or within hours of receiving them, and that the bombardments made it impossible to evacuate, regardless of whether these orders instructed them to move immediately. Civilians who remain in besieged or contested areas continue to retain their protection under the laws of war, even if they do not comply with evacuation orders.¹⁰⁶ This section will not assess the lawfulness of attacks in Gaza, but the impact of the Israeli military's evacuation orders in midst of intense bombardments.

Ghassan, a 34-year-old man, from the Jabalia refugee camp in northern Gaza – the largest of the eight refugee camps in Gaza, with over 119,540 registered residents as of 2023,

¹⁰⁵ Sari Bashi (Human Rights Watch), “Nowhere to Go in Gaza,” commentary, *The New York Review*, October 13, 2023, <https://www.hrw.org/news/2023/10/13/nowhere-go-gaza>.

¹⁰⁶ “The protection of the civilian population during sieges: what the law says,” ICRC, February 5, 2024, <https://www.icrc.org/en/document/protection-civilian-population-during-sieges-what-law-says> (accessed November 5, 2024).

according to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)¹⁰⁷ – said the Israeli military airdropped leaflets on the camp at around noon on October 15, which he read, instructing people to evacuate for the south. He explained how he did not leave immediately because he did not know where to go, but that within a few hours, at 2:30 p.m., the Israeli military started attacking the area with explosive munitions.¹⁰⁸ He described the desperation and panic of the moment:

At 2:30 p.m. on the same day [October 15] the Israeli military started bombing our area – our neighborhood [in Jabalia]. After maybe two hours from [airdropping] the paper leaflets. When the bombing started, I started running towards my building but then I saw people running out of the building. I was trying to find my family, and I kept asking people about my family. People said probably they’ve gone to a small school nearby. But I couldn’t find them there. I was asking everyone and no one could help. There was no way to contact my family because the phones didn’t work.¹⁰⁹

As described earlier in this report, in October 2023, telephone and internet services in Gaza were significantly disrupted. On the same night, Ghassan took refuge in a car with his cousin next to an UNRWA clinic and a post office in Jabalia which he said was struck in an Israeli airstrike shortly after he took refuge there:

That night I was so close to death... I saw a bright light and I completely lost consciousness for maybe 40 seconds. When I woke up, I felt something was wrong, my body was heavy. My cousin was on the driver’s side. I tried to open the car door, my body was so stressed, it was hard to open the door. I got out of the car, and people were running to me. The Israelis attacked the post office, and the car was parked next to it. I looked at my cousin; he had lost consciousness and was covered in blood. There were two ambulances and the people approached us to check on us. When I reached the ambulance, I opened the camera on my phone and saw myself full of

¹⁰⁷ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), “Jabalia Camp,” Where We Work, undated, <https://www.unrwa.org/where-we-work/gaza-strip/jabalia-camp> (accessed July 20, 2024).

¹⁰⁸ Human Rights Watch telephone interview with Ghassan, February 9, 2024.

¹⁰⁹ Ibid.

shrapnel and blood. We didn't know where the injuries were. People took me to the Indonesian Hospital; I had shrapnel in my back and face.¹¹⁰

The fact that Israeli forces began intense attacks in the Jabalia refugee camp, apparently using explosive munitions with wide area effects, within a few hours of airdropping evacuation notices on the camp, could indicate that the Israeli military did not give civilians enough time to evacuate the area. On October 16, Ghassan left with his family to Rafah and at the time of interview was living in a tent next to the sea, without access to adequate food, water or sanitation facilities, or medical care.

Omar, a 35-year-old man with five children, aged between two and six, woke up at 5 a.m. on October 13 when his building in Yarmouk Street in north Gaza came under attack by what he said were Israeli airstrikes.¹¹¹ He said he did not receive an evacuation order before the airstrikes.¹¹² Human Rights Watch confirmed that the October 13 general evacuation order was shared for the first time that day at 7:15 a.m., on Israeli military spokesperson Lt. Col. Avichay Adraee's Facebook account.¹¹³ In total, 39 members of Omar's family were inside the building at the time, of whom four were killed, including his six-year-old son, and 12 were injured, Omar said:

The first bomb hit in between our building and the one next door and exploded and the second went through our building. The house collapsed. When the [first] bomb hit, I jumped out of my apartment and was trying to leave. When the second hit, I was on the stairs in between the floors. I could see through the walls and through the house. I saw the body of one of my nieces that looked like she had been blasted from her apartment into a neighbor's. My brother's wife and kids and her aunt were all completely covered under the rubble. There was no way for us to take them to the hospital.¹¹⁴

¹¹⁰ Human Rights Watch telephone interview with Ghassan, February 9, 2024.

¹¹¹ Human Rights Watch telephone interview with Omar, November 21, 2023.

¹¹² Ibid.

¹¹³ أفبخاي أدري - Avichay Adraee, post to Facebook, October 13, 2023, <https://www.facebook.com/photo/?fbid=881713343320274&set=a.306770754147872> (accessed June 25, 2024).

¹¹⁴ Human Rights Watch telephone interview with Omar, November 21, 2023.

Omar rushed those injured whom he could access to al-Shifa Hospital in Gaza City. His heavily pregnant wife suffered severe burns as well as several broken bones. At the time of interview, Omar and his family were sheltering in a tent in a displacement camp in Khan Younis. Given the military operation in Khan Younis in December 2023, it is likely Omar and his family were subsequently forced to flee once again.

Sahar, a 42-year-old woman with an 11-year-old son, living in Beit Lahiya, a city in northern Gaza close to Israel, said she and her family left their home on October 14 “because of the excessive bombing to civilian houses, which killed entire families.”¹¹⁵ She added, “The airstrikes were close to my house, so we didn’t have a choice but to leave.”¹¹⁶ She said she received recorded telephone calls from the Israeli military to leave and read airdropped paper leaflets, but the attacks had already started:

Yes, the leaflets and recorded calls were what I understood to be evacuation orders, and yes, we wanted to follow them, but could not because the Israelis started bombing the area heavily even before the announcement. People were killed in huge numbers and in brutal ways.¹¹⁷

Sahar went on to recall her journey to the shelter in her town amid the bombardments:

From my house to the shelter in our town, we went walking (around two kilometers), there were airstrikes while we were walking but we followed people and survived. In the shelter my child who is 11 years old knew that many of his friends and classmates were killed and he was terrified and kept thinking that he will be killed too. I tried to block all the news from reaching him, but we were in a place with zero privacy; everyone was talking about the deaths and the horrible situation in front of the kids.¹¹⁸

¹¹⁵ Human Rights Watch telephone interview with Sahar, January 29, 2024.

¹¹⁶ Ibid.

¹¹⁷ Ibid. See also Peter Beaumont, “‘The buildings are now ashes’: nowhere feels safe from Israeli bombs in Gaza,” the Guardian, October 12, 2023, <https://www.theguardian.com/world/2023/oct/12/the-buildings-are-now-ashes-gazans-feel-nowhere-is-safe-from-israeli-bombs> (accessed May 6, 2024).

¹¹⁸ Human Rights Watch telephone interview with Sahar, January 29, 2024.

It is clear from the above accounts together with many other interviews Human Rights Watch conducted with Palestinians in Gaza, that the early days of the war in the lead up and immediate aftermath of the general evacuation order of October 13, were marked by terror, death, and panic as people had limited time to evacuate their homes amid continuous airstrikes and bombardments.

Human Rights Watch documented in two reports that Israeli military also failed to provide adaptable evacuation procedures for children and adults with disabilities, who needed support to evacuate.¹¹⁹ In June, the UN Commission of Inquiry also found that Israeli forces did not offer assistance to those who were unable to evacuate due to age, illness or disability or other status.¹²⁰

Ghazal, a 14-year-old girl with cerebral palsy, who had lost her assistive devices in an attack on her home on October 11, and who tried to follow the evacuation orders from October 13 to flee south described the difficulties she faced that eventually led her to beg her family to leave her behind:

We had no idea where we were heading. That period was the hardest I've ever gone through. It feels like black memories I don't want to hold onto because I don't want to keep thinking about them. I was a burden on them [my family], an extra load alongside their belongings. I couldn't find any means of transportation. Even people without disabilities struggled with the walk, so you can imagine what it was like for someone with a disability.

We tried to grab onto any cart or vehicle on the road, but everyone was looking for help. Eventually, my father decided to carry me on his

¹¹⁹ "Gaza: Israeli Attacks, Blockade Devastating for People with Disabilities," Human Rights Watch news release, November 1, 2023, <https://www.hrw.org/news/2023/11/01/gaza-israeli-attacks-blockade-devastating-people-disabilities>; "They Destroyed What Was Inside Us": Children with Disabilities Amid Israel's Attacks on Gaza, September 30, 2024, <https://www.hrw.org/report/2024/09/30/they-destroyed-what-was-inside-us/children-disabilities-amid-israels-attacks-gaza>.

¹²⁰ UN Human Rights Council, Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, "Detailed Findings on the Military Operations and Attacks Carried Out in the Occupied Palestinian Territory from 7 October to 31 December 2023," A/HRC/56/CRP.4, June 10, 2024, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-4.pdf> (accessed November 5, 2024), para. 92.

shoulders. I refused and decided to push myself to walk on my feet for as long as possible. I felt at that moment that death was near.

I gave up and sat on the ground in the middle of the road, crying. I told them to go on without me.¹²¹

¹²¹ Human Rights Watch telephone interview with Hala al-Ghoula, mother of Ghazal, a 14-year-old girl with cerebral palsy, January 12, 2024. For more on Ghazal's story, see Human Rights Watch, "*They Destroyed What Was Inside Us.*"

Nowhere Safe in Gaza

We have established a safe zone.¹²²

— Prime Minister Benjamin Netanyahu, November 10, 2023

Nowhere is safe in Gaza. Not hospitals, not shelters, not refugee camps. No one is safe. Not children. Not health workers. Not humanitarians.¹²³

— Martin Griffiths, United Nations Emergency Relief Coordinator, December 5, 2023

Israeli authorities have not only issued evacuation orders that have been unclear, inconsistent, contradictory, and impossible to comply with in the allotted time, but it has also regularly failed to provide destinations or routes of travel that were safe. For these reasons, Israel’s evacuations fail to meet the criteria in international humanitarian law (IHL) that would bring the displacement of Palestinians in Gaza within the lawful evacuation exemption for civilian security.¹²⁴

The UN-mandated Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem and Israel, noted in its report of June 10, 2024, that “although ISF [Israeli Security Forces] did not use the specific term ‘safe zones’ in relation to the evacuation areas, it did advise civilians to move to these areas ‘for their safety,’ thereby effectively designating these as safe zones with the guarantee of safety for the civilians.”¹²⁵

Interviewees told Human Rights Watch that they and people around them were attacked in areas not subject to evacuation orders and on evacuation routes such as the Salah al-Din

¹²² Jacob Magid, “Israel isn’t seeking to displace Gazans or rule enclave, Netanyahu reassures US,” the Times of Israel, November 10, 2023, <https://www.timesofisrael.com/israel-isnt-seeking-to-displace-gazans-or-rule-enclave-netanyahu-reassures-us/> (accessed May 31, 2024).

¹²³ OCHA, “Hostilities in the Gaza Strip and Israel: Flash Update #60,” December 5, 2023, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-60> (accessed May 30, 2024).

¹²⁴ The Extraordinary Chambers in the Courts of Cambodia (ECCC), in Case 002/01, highlighted that exposing people to significant risk negates any defence predicated on safeguarding the population. Trial Chamber, Extraordinary Chambers in the Courts of Cambodia, Case 002/01 Judgment, Case No. 002/19-09-2007/ECCC/TC, <https://www.internationalcrimesdatabase.org/Case/3312> (accessed May 6, 2024).

¹²⁵ The Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem and Israel, “Detailed findings on the military operations and attacks carried out in the Occupied Palestinian Territory from 7 October to 31 December 2023.”

Road, the main highway that runs between the north and south of Gaza. Survivors of these journeys then said they came under attack in areas that evacuation orders had directed people to flee to. Even if some or all of these attacks might have been lawful under IHL, they demonstrate Israel's failure to ensure safe evacuations. Overall, these evacuation directives resulted in more fear and an egregiously unsafe forced displacement, than to ensure a temporary evacuation in line with humanitarian principles.

Amina received the October 13 general evacuation order to northern governorates to leave for the south of Gaza. She said she chose that day to go to Khan Younis as she believed it was far away from the north and would be safe:

My older brother took me and my family from our house to Khan Younis. On the road there were thousands of people. We took the Salah al-Din Road. It is the road that connects our area [in Rimal] to what they called safe areas, but it wasn't safe and the roads also were not safe. When I passed the truck that had been transporting people to Khan Younis, I saw that it had already been attacked. The fire had been put out and there was a pile of five other affected cars [which had been on fire]. This caused a lot of traffic, the bodies of people who died in the bombing were piled on one side of the road and they were loading them into cars: I will never forget that sight in all my life.¹²⁶

Using the Salah al-Din Road

The Salah al-Din Road is the main highway that runs north-south through Gaza. It extends over 45 kilometers, spanning the entire length of the territory from the Erez Crossing with Israel in the north to the southern Rafah Crossing with Egypt. The Israeli military has consistently designated this major thoroughfare as a “safe passage” for people fleeing from the north to the south as they were instructed to do by evacuation orders.¹²⁷

¹²⁶ Human Rights Watch telephone interview with Amina, January 21, 2024. The October 13 evacuation order told people to go south “for their safety.”

¹²⁷ Bethan McKernan and Sufian Taha, “Gaza civilians afraid to leave home after bombing of ‘safe routes,’” the Guardian, October 15, 2023, <https://www.theguardian.com/world/2023/oct/14/gaza-civilians-afraid-to-leave-home-after-bombing-of-safe-routes> (accessed November 5, 2024).

Salah al-Din Road Main Evacuation Route Designated by the Israeli Military



The main evacuation route designated by the Israeli military as a "safe passage" for people fleeing from the north to the south of the Gaza Strip from October 13, 2023 until it was closed to civilians on January 4, 2024 and the Al Rashid coastal road was designated as a "safe passage" route instead. © 2024 Copernicus Sentinel Data. Graphics © 2024 Human Rights Watch

Investigations by media outlets,¹²⁸ previous reporting by Human Rights Watch, and Human Rights Watch interviews with Palestinians in Gaza together with analysis and verification of videos, photographs, and satellite imagery demonstrate that this route was rarely if ever safe, including the side roads and access routes that people had to use in order to reach the Salah al-Din Road. An al-Monitor article described it as the “passage of death.”¹²⁹

On September 9, 2024, UNOSAT, the United Nations Satellite Centre, released a satellite-based comprehensive damage assessment of the state of road network in Gaza based on an image recorded on August 18. The assessment reveals that 68 percent of the road network in Gaza has been damaged, including Salah al-Din Road and the other main safe-passage route, al-Rashid coastal road, which roughly parallels Salah al-Din Road to the west. As of August 18, 37 kilometers, more than 80 percent, of Salah al-Din Road appears damaged.¹³⁰

In nearly all instances investigated, Israeli orders to evacuate via Salah al-Din Road provided a time window of less than two hours to evacuate, were vague, inconsistent, and were contradicted by the reality on the ground. For example, evacuation leaflets airdropped on October 13 provided no time frames in which residents could use the Salah al-Din Road as a safe and designated route to evacuate. On the same day at 6:03 p.m., the Israeli military posted on its X account that residents had until 8 p.m. to use the Salah al-Din Road, meaning residents had less than two hours in which to access the information online, – if they had access at all, given the power and network outages described in the previous section of this report – make their escape plans, and carry them out.¹³¹

¹²⁸ Robin Stein, Haley Willis, et al., “A Times Investigation Tracked Israel’s Use of One of Its Most Destructive Bombs in South Gaza,” the New York Times, December 21, 2023, <https://www.nytimes.com/2023/12/21/world/middleeast/israel-gaza-bomb-investigation.html> (accessed November 5, 2024); Rozina Ali (@rozina_ali), post to X, December 26, 2023, https://x.com/rozina_ali/status/1739764035640524812?s=46 (accessed May 6, 2024); Qasim Rashid, Esq. (@qasimrashid), post to X, December 27, 2023, <https://x.com/qasimrashid/status/1740134880032276723?s=46> (accessed May 6, 2024); Marc Owen Jones, “Fact or Fiction: Israel’s Evacuation Plan for the Palestinians in Rafah,” Al Jazeera, February 13, 2024, <https://www.aljazeera.com/opinions/2024/2/13/fact-or-fiction-israels-evacuation-plan-for-the-palestinians-in-rafah> (accessed May 6, 2024). A video posted on social media on October 30 shows an Israeli tank along Salah al-Din Road, see “Gaza: Unlawful Israeli Hospital Strikes Worsen Health Crisis,” Human Rights Watch news release, November 14, 2023, <https://www.hrw.org/news/2023/11/14/gaza-unlawful-israeli-hospital-strikes-worsen-health-crisis>.

¹²⁹ “Gaza’s Salah al-Din highway ‘road of death in every sense of the word,’” al-Monitor, November 11, 2023, <https://www.al-monitor.com/originals/2023/11/gazas-salah-al-din-highway-road-death-every-sense-word> (accessed May 6, 2024).

¹³⁰ UNOSAT, “UNOSAT Gaza Strip Road Network Comprehensive Damage Assessment - August 2024,” September 9, 2024, <https://unosat.org/products/3957> (accessed September 11, 2024).

¹³¹ Avichay Adraee (@AvichayAdraee), post to X, October 13, 2023, <https://twitter.com/AvichayAdraee/status/1712846493747495223> (accessed May 6, 2024).



Satellite imagery shows a large crowd of people gathered along Salah al-Din Road in southern Gaza attempting to flee south along the Israeli-designated evacuation corridor on November 17, 2023. Satellite image © 2023 Maxar Technologies



Palestinians flee to southern Gaza on Salah al-Din Road in al-Bureij on November 8, 2023. © 2023 AP Photo/Hatem Moussa

Over the following month, orders were issued to Palestinians that gave different time frames in which to use the road, such as between 10:00 a.m. and 4:00 p.m. on October 14, 2023,¹³² 10:00 a.m. and 1:00 p.m. on October 15, 2023,¹³³ 8:00 a.m. and 12 p.m. on October 16, 2023,¹³⁴ 10 a.m. and 2 p.m. on November 5, 2023,¹³⁵ then again from 10 a.m. and 4 p.m. on November 9, 2023,¹³⁶ and 9:00 a.m. and 4 p.m. on November 14, 2023.¹³⁷ These timeframes were unrealistic, given the conditions on the ground as many interviewees described their journey along the Salah al-Din Road taking far longer than usual due to traffic congestion caused by the sudden mass movement of people, residents forced to walk due to other transportation means being inaccessible, and newly established checkpoints.

Rami, a 34-year-old-man living in Jabalia with his wife and three children, said he and his family left their home on October 13, 2023, after receiving automated telephone calls from the Israelis to leave the area in which their home was located and head south immediately.¹³⁸ “The dark irony is that they were bombing the area since October 7,” he said, “and after a whole week of that [the Israeli military] told us to leave.”¹³⁹ He described the Salah al-Din Road journey:

We were not attacked directly, but many bombs were dropped in spots behind us and very close to us; one of them was less than 100 meters away. We could hear the airstrikes all the time. The Salah al-Din Road usually takes one hour but it took us three hours because of the traffic.

¹³² Avichay Adraee (@AvichayAdraee), post to X, October 14, 2023, <https://twitter.com/AvichayAdraee/status/1713065991511388610> (accessed May 6, 2024).

¹³³ Avichay Adraee (@AvichayAdraee), post to X, October 15, 2023, <https://twitter.com/AvichayAdraee/status/1713431675458200042> (accessed May 6, 2024).

¹³⁴ Avichay Adraee (@AvichayAdraee), post to X, October 16, 2023, <https://twitter.com/AvichayAdraee/status/1713779715868110946> (accessed May 6, 2024).

¹³⁵ Avichay Adraee (@AvichayAdraee), post to X, November 6, 2023, <https://twitter.com/AvichayAdraee/status/1721438457526985143> (accessed May 6, 2024).

¹³⁶ Avichay Adraee (@AvichayAdraee), post to X, November 9, 2023, <https://twitter.com/AvichayAdraee/status/1722527895657005370> (accessed May 6, 2024).

¹³⁷ Avichay Adraee (@AvichayAdraee), post to X, November 14, 2023, <https://twitter.com/AvichayAdraee/status/1724326961336434934> (accessed May 6, 2024).

¹³⁸ Human Rights Watch telephone interview with Rami, January 31, 2024.

¹³⁹ Ibid.

People were walking in the middle of the road and there were many burning cars and houses on the sides of the road. I took another [stranded] family from the road with us in my car, I wish I could have done more.¹⁴⁰

Interviewees said the situation on the ground was chaotic, and people with disabilities, children, and older people were moving among the large groups of displaced people.

The pervasive fear of being caught up in Israeli airstrikes persisted, underscoring the grave risks associated with the evacuation. Youssef, a 30-year-old man, said that his family sought refuge in a school in al-Shati (“Beach”) refugee camp after an Israeli airstrike hit in front of his house on October 9.¹⁴¹ He fled the area with his heavily pregnant wife and two children on November 9 after Israeli bombardments struck increasingly close to the school:

The night we decided to leave, we were hit by different missiles... [near] the school. Everyone left the school that day. A lot of places surrounding the school were hit and the school was damaged.

It took us five hours on foot [to get to the South]. We had to hold white flags from our place in the school to al-Shifa and then to al-Remal Street and then to the Salah al-Din Road. We walked with a lot of injured people. The bombings were happening around us and I saw people injured on the way.¹⁴²

As the war progressed, and the Israeli ground invasion advanced into Gaza, Israeli armored military vehicles reached this crucial road by the end of October and installed checkpoints demarcating the front line and establishing a dividing line between the north and the south.¹⁴³ A video, shared by the Israeli military on November 9, 2023, shows hundreds of people walking on the Salah al-Din Road waving white flags. Many of them are

¹⁴⁰ Ibid.

¹⁴¹ Human Rights Watch telephone interview with Youssef, November 27, 2023.

¹⁴² Human Rights Watch telephone interview with Youssef, November 27, 2023.

¹⁴³ A video posted on social media on October 30 shows an Israeli tank along Salah al-Din Road, see “Gaza: Unlawful Israeli Hospital Strikes Worsen Health Crisis,” Human Rights Watch news release, November 14, 2023, <https://www.hrw.org/news/2023/11/14/gaza-unlawful-israeli-hospital-strikes-worsen-health-crisis>.

shown walking with both arms up in the air and passing an Israeli armored vehicle.¹⁴⁴ BBC Verify geolocated this video and found the armored vehicle in the same position on satellite imagery captured on November 7, 2023.¹⁴⁵

Several interviewees spoke of degrading treatment at checkpoints along the Salah al-Din Road as they evacuated per the Israeli authorities' instructions. Leila, a 40-year-old woman from al-Zeitoun neighborhood of Gaza City who uses a wheelchair, described her humiliating treatment at the hands of Israeli soldiers at a checkpoint at al-Kuwait roundabout, where she and her family were attempting to access the Salah al-Din Road:

We were searched and humiliated at the roundabout and the Israelis were talking and insulting us with terrible words. The Israeli soldiers used words and insults to hurt us, including shouting “Walk you donkeys!” They used this word all the time and at everyone passing through the checkpoint. The Israeli soldiers asked me to show my identity card when I passed and even though he saw me in a wheelchair, they stopped me. I was tormented until I reached the last checkpoint.¹⁴⁶

Leila received an evacuation order via an airdropped leaflet from the Israeli authorities on November 8, 2023. It instructed the residents of al-Zeitoun neighborhood to leave between 7 a.m. and 2 p.m.¹⁴⁷ Leila explained that she could not flee immediately. On November 9, 2023, Leila said her building was targeted in an Israeli airstrike which badly damaged the third floor of her building.¹⁴⁸ She explained that everyone on the third and second floors took refuge on the first floor and waited till the following day to flee. “On that day between eight and nine people were injured – mostly children – from shrapnel and many people were injured mentally,” she said.¹⁴⁹

¹⁴⁴ Israel Defense Forces (@IDF), post to X, November 13, 2023, <https://x.com/IDF/status/1724018068131557816/video/1> (accessed May 30, 2024); Jake Horton, Merlyn Thomas, Daniele Palumbo, “Israel-Gaza war: Dead bodies and tanks on road south as people flee,” BBC News, November 9, 2023 <https://www.bbc.com/news/world-middle-east-67361128> (accessed May 30, 2024).

¹⁴⁵ Ibid.

¹⁴⁶ Human Rights Watch telephone interview with Leila, January 10, 2024.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

As she huddled in a room, Leila said the blasts had contaminated the air and she breathed in something “very aggressive that led to a chest infection.”¹⁵⁰

Leila started her journey when there was a pause in the bombardments on November 10, 2023. She said she saw an Israeli soldier firing on her group as they tried to reach the road:

We escaped at 6:00 a.m. As soon as we left the house, an Israeli sniper started shooting at us from between the houses, quickly and it was terrifying. I saw the sniper with my eyes firing at us.¹⁵¹

Leila eventually made it to Rafah where she was living in a tent with 15 other family members at the time of our interview.

Saleem, a 29-year-old man who was living in Nuseirat, an area south of Wadi Gaza, before the hostilities broke out, said he was taking care of his 14 brothers during the hostilities. He said he received automated calls from the Israeli authorities to leave the area, but these came *after* an Israeli airstrike hit his neighbor’s house, which caused damage to his house and injured one of his brothers:

We left on foot because we did not have a car. The roads were not safe. There was an Israeli bombing nearby, which we luckily survived. One bomb that did not explode fell less than 30 meters from me and my brothers. We walked the whole road from al-Nuseirat to Alkiam in Deir Al Balah.¹⁵²

Saleem now lives in a tent in Deir al-Balah, struggling to survive and provide for his 14 younger brothers.

As Israeli ground operations intensified, tanks and armored vehicles were reported in the north. Families fleeing from heavily hit areas had to navigate past Israeli tanks.¹⁵³ Adding

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² Human Rights Watch telephone interview with Saleem, January 30, 2024.

¹⁵³ Wafaa Shurafa, Samy Magdy, Kareem Chehayeb, “Civilians fleeing northern Gaza’s combat zone report a terrifying journey on foot past Israeli tanks,” AP News, November 7, 2023, <https://apnews.com/article/civilians-fleeing-gaza-combat-israel-ground-operation-656545c0bd132d5dc2b6d108687ff13e> (accessed November 5, 2024).

to the ordeal, displaced people had to walk significantly longer and more difficult distances because of damaged roads.

On December 11, 2023, the Israeli military called on Palestinian residents who remained north of Wadi Gaza to leave southwards through a “corridor” along Salah al-Din Road between 9:00 a.m. and 4:00 p.m. However, this stretch of the road running north and east of Khan Younis City reportedly experienced intense battles at this time, making movement hazardous and difficult.¹⁵⁴

Salah al-Din Road was closed to civilians on January 4, 2024, and al-Rashid coastal road was designated as a safe passage route instead.

In such circumstances, Israeli forces could have taken steps, if there was time, to tell Palestinians not to use that route for evacuations, and provided a safe alternative route, and/or delayed plans to attack the areas civilians were to be evacuated from.

Media Coverage of Killings of Palestinians on the Move

Media reports included description of Israeli attacks on evacuation convoys and evidence of what appeared to be extrajudicial killings of women, men, and children attempting to evacuate.

On October 13, 2023, MSNBC News reported that 70 people, mostly women and children, were killed as they evacuated in three convoys, citing the Gaza Ministry of Health and interviews.¹⁵⁵

A video posted to social media on November 3, 2023 that was verified by Reuters and corroborated by Human Rights Watch, showed the bodies of at least seven people, including at least one child, lying on al-Rashid coastal road south of Gaza City, one of the

¹⁵⁴ OCHA, “Hostilities in Gaza Strip and Israel: Flash Update #66,” December 11, 2023, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-66> (accessed May 6, 2024).

¹⁵⁵ Katy Tur, “70 killed after convoys of evacuees in Gaza hit by Israeli strikes,” MSNBC News, October 13, 2023, <https://www.msnbc.com/katy-tur/watch/70-killed-after-convoys-of-evacuees-in-gaza-hit-by-israeli-strikes-195213381735> (accessed May 6, 2024).

two main roads considered as an evacuation route as described in the previous section, which was under attack by Israeli forces.¹⁵⁶

Middle East Eye received and verified footage showing 57-year-old Hala Khreis being shot and killed on November 12, 2023 by an Israeli gunman as she was holding the hand of her 5-year-old grandson, who was waving a white flag in his other hand.¹⁵⁷ The ICRC said that her group had been ordered to evacuate their northern Gaza home and was taking an evacuation route that had been “cleared” by the Israeli military.¹⁵⁸

ITV News published footage filmed by one of its camera operators on January 22, 2024 outside al-Aqsa University in al-Mawasi. It shows five men with their hands in the air, one of whom is holding a white flag.¹⁵⁹ The camera operator interviews one of the men, Ramzi Abu Sahloul, who explains that they are trying to reach his mother and brother. He says that the Israeli military did not allow his brother to evacuate. The camera operator leaves and the group comes under fire; Abu Sahloul is shot dead. NBC News investigated and verified the incident.¹⁶⁰ Its report included a statement from Ahmed Hijazi, a Palestinian videographer, who said the bullets came from one of the nearby Israeli tanks.¹⁶¹ Forensic Architecture documented the movement of tanks near the university at the time of incident. Brig. Gen. Dan Goldfuss confirmed to ABC News that his troops fired the shots and confirmed that the incident was being investigated.¹⁶²

¹⁵⁶ “Video shows bodies on road south of Israel-besieged Gaza City,” Reuters, November 3, 2023, <https://www.reuters.com/world/middle-east/video-shows-bodies-road-south-israel-besieged-gaza-city-2023-11-03/> (accessed May 6, 2024).

¹⁵⁷ Mohammed al-Hajjar, Lubna Masarwa, et al., “Gaza grandmother shot and killed by Israeli sniper as child waved white flag,” Middle East Eye, January 10, 2024, <https://www.middleeasteye.net/news/war-gaza-israel-grandmother-killed-waving-white-flag> (accessed September 6, 2024).

¹⁵⁸ “Shot in ‘cold blood’: Killing of Palestinian grandmother sparks outcry,” Al Jazeera, January 13, 2024, <https://www.aljazeera.com/news/2024/1/13/shot-in-cold-blood-killing-of-elderly-palestinian-woman-sparks-outcry> (accessed May 30, 2024).

¹⁵⁹ ITV News (@itvnews), post to X, January 23, 2024, <https://x.com/itvnews/status/1749925191835148442> (accessed June 3, 2024); John Irvine, “Moment innocent civilian brandishing white flag in Gaza ‘safe zone’ is shot dead in the street,” ITV News, January 25, 2024, <https://www.itv.com/news/2024-01-23/moment-civilian-brandishing-white-flag-in-gaza-safe-zone-is-shot-dead> (accessed June 3, 2024).

¹⁶⁰ Yasmine Salam and Caroline Radnofsky, “A group of Palestinian men waving a white flag is shot at, killing 1,” NBC News, January 24, 2024, <https://www.nbcnews.com/news/world/gaza-palestinian-israel-white-flag-shot-dead-killed-rcna135419> (accessed June 3, 2024).

¹⁶¹ Forensic Architecture (@ForensicArchi), post to X, January 26, 2024, <https://x.com/ForensicArchi/status/1750876558166741003> (accessed June 3, 2024).

¹⁶² “IDF general answers questions about alleged war crimes in southern Gaza,” ABC News, January 29, 2024, <https://abcnews.go.com/International/live-updates/israel-gaza-hamas-war/idf-general-answers-questions-about-alleged-war-crimes-in-southern-gaza-106755972?id=106753225> (accessed June 3, 2024).

The investigation’s findings have not been published at the time of writing this report. Human Rights Watch confirmed that the university building was located within al-Mawasi humanitarian zone – the boundaries of which the Israeli military had set on December 6, 2023. A day after the incident, on January 23, 2024, an evacuation order instructed residents of Khan Younis neighborhoods to move to this area.¹⁶³

On January 29, 2024, two brothers who were holding white flags were reportedly shot and killed by an Israeli military sniper while trying to flee Khan Younis in the south of Gaza. Al Jazeera’s Sanad verification agency investigated the incident and verified footage provided by the family of the two brothers dead in the street.¹⁶⁴

Evacuation Areas

On November 10, 2023, Prime Minister Netanyahu said that Israel was not seeking to displace anyone, but added that “[Israel is] trying to...get the Gazans in the northern part of the Gaza Strip where the fighting has taken place to move one to four miles south where we have established a safe zone.”¹⁶⁵ Prime Minister Netanyahu went on to say, “We want to see field hospitals. We’re encouraging and enabling humanitarian help to go there.”¹⁶⁶

A November 16, 2023 statement from the heads of 18 of the world’s major UN and related humanitarian agencies outlined the minimal conditions for a safe zone:

- The agreement of the parties to refrain from hostilities in and around the zone and to respect its civilian character.
- Provision of the essentials for survival, including food, water, shelter, hygiene, health assistance, and safety.

¹⁶³ Avichay Adraee (@AvichayAdraee), post to X, January 23, 2024, <https://x.com/AvichayAdraee/status/1749716786818281575> (accessed September 20, 2024).

¹⁶⁴ “Two brothers shot by Israeli forces in Khan Younis, white flag ignored,” Al Jazeera, January 29, 2024, <https://www.aljazeera.com/news/2024/1/29/two-brothers-shot-by-israeli-forces-in-khan-younis-white-flag-ignored> (accessed May 6, 2024).

¹⁶⁵ Jacob Magid, “Israel isn’t seeking to displace Gazans or rule enclave, Netanyahu reassures US,” the Times of Israel, November 10, 2023, <https://www.timesofisrael.com/israel-isnt-seeking-to-displace-gazans-or-rule-enclave-netanyahu-reassures-us/> (accessed May 31, 2024).

¹⁶⁶ Ibid.

- Allowing displaced people to move freely and voluntarily return to their residences as soon as possible.¹⁶⁷

The statement went on to say, “Failure to meet these basic conditions may constitute a breach of international humanitarian and human rights law.”¹⁶⁸

Israel cannot rely on the security and safety of civilians as a justification for evacuating people if there are no safe areas to which civilians can move. Interviewees consistently told Human Rights Watch that “evacuation areas” designated by the Israel authorities came under attack from the Israeli military.¹⁶⁹ They also recounted how they were unable to meet basic humanitarian needs.

In early December 2023, James Elder, spokesperson for the United Nations Children’s Fund (UNICEF), told reporters in Geneva via video-link from Cairo that safe zones in Gaza, “are not possible,” adding, “I think the authorities are aware of this.”¹⁷⁰ He said, “It’s a safe zone when you can guarantee the conditions of food, water, medicine, and shelter. I’ve seen for myself these are entirely, entirely absent.”¹⁷¹

All those interviewed by Human Rights Watch were forced to flee multiple times, as evacuation orders proliferated across Gaza. According to the UN, as of October 2024 the total area covered by evacuation orders in Gaza, excluding those that have been revoked, constitutes about 84 per cent of Gaza.¹⁷² The Israeli military forced civilians to move into

¹⁶⁷ United Nations Inter-Agency Steering Committee (IASC), “Statement by Principals of the Inter-Agency Standing Committee, Humanitarian chiefs will not take part in unilateral proposals to create ‘safe zones’ in Gaza,” November 16, 2023, <https://interagencystandingcommittee.org/about-inter-agency-standing-committee/statement-principals-inter-agency-standing-committee-humanitarian-chiefs-will-not-take-part> (accessed June 16, 2024).

¹⁶⁸ Ibid.

¹⁶⁹ See Hala Gorani and Briony Sowden, “NBC News investigation reveals Israel strikes on Gaza areas it said were safe,” NBC News, April 26, 2024, <https://www.nbcnews.com/news/world/palestinians-killed-israeli-strikes-safe-zones-exclusive-nbc-report-rcna148008> (accessed May 30, 2024); Jake Tacchi, “Israel struck some areas it directed civilians to in Gaza, CNN analysis shows,” CNN, December 21, 2023, <https://edition.cnn.com/2023/12/21/middleeast/israel-strikes-evacuation-zones-gaza-intl-cmd/index.html> (accessed May 30, 2024).

¹⁷⁰ “‘Safe zones’ for civilians in Gaza impossible, UN says,” DW, December 5, 2023, <https://www.dw.com/en/israel-hamas-war-idf-strikes-khan-younis-in-southern-gaza/live-67633542#liveblog-post-67637807> (accessed November 5, 2024).

¹⁷¹ Ibid.

¹⁷² OCHA, “Humanitarian Situation Update #227: Gaza Strip,” October 8, 2024, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-227-gaza-strip> (accessed November 5, 2024).

smaller and smaller areas, “for their safety.” The areas frequently changed, shifted, and became battle zones from which people were forced to flee again.

The majority of Palestinians in Gaza took shelter in Rafah until May 6, when the Israeli military issued new evacuation orders¹⁷³ for Rafah’s eastern neighborhoods and told people to seek refuge in the “expanded humanitarian area”¹⁷⁴ in al-Mawasi encompassing neighborhoods in Khan Younis, Deir al Balah, and Rafah governates.

By late May 2024, the UN said that about one million Palestinians had been displaced from Rafah since Israel launched its offensive.¹⁷⁵ Interviewees uniformly told Human Rights Watch they felt nowhere is safe inside Gaza.

Since the early days of the war, UN agencies, UN experts, and humanitarian agencies have declared in the most powerful terms that nowhere in Gaza is safe. On January 5, 2024, Martin Griffiths, the UN Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator said:

Gaza has become a place of death and despair... Families are sleeping in the open as temperatures plummet. Areas where civilians were told to relocate for their safety have come under bombardment. Medical facilities are under relentless attack. The few hospitals that are partially functional are overwhelmed with trauma cases, critically short of all supplies, and inundated by desperate people seeking safety. For children, in particular, the past 12 weeks have been traumatic. No food. No water. No school. Nothing but the terrifying sounds of war, day in and day out. Gaza has simply become uninhabitable.¹⁷⁶

¹⁷³ AvichayAdraee (@AvichayAdraee), post to X, May 6, 2024, <https://x.com/avichayadraee/status/1787344298943365560> (accessed May 6, 2024); AvichayAdraee (@AvichayAdraee), post to X, May 11, 2024, <https://x.com/AvichayAdraee/status/1789171670105636971> (accessed May 23, 2024).

¹⁷⁴ Israel Defense Forces (@IDF), post to X, May 6, 2024, <https://x.com/IDF/status/1787347748737421635?lang=en> (accessed May 6, 2024).

¹⁷⁵ OCHA, “Hostilities in the Gaza Strip and Israel: Flash Update #172,” May 29, 2024, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-172> (accessed July 20, 2024).

¹⁷⁶ “The war in Gaza must end - Statement by Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator,” Relief Web, January 5, 2024, <https://reliefweb.int/report/occupied-palestinian-territory/war-gaza-must-end-statement-martin-griffiths-under-secretary-general-humanitarian-affairs-and-emergency-relief-coordinator-5-january-2024-enhear> (accessed May 6, 2024).

On April 26, an NBC News investigation into seven deadly airstrikes found Palestinians were killed in areas of southern Gaza “that the Israeli military had explicitly designated as safe zones.”¹⁷⁷

On May 24, 2024, the International Court of Justice issued, for the third time, provisional measures as part of South Africa’s case against Israel under the Genocide Convention of 1948. As part of its order, the Court specifically noted that:

On the basis of the information before it, the Court is not convinced that the evacuation efforts and related measures that Israel affirms to have undertaken to enhance the security of civilians in Gaza, and in particular those recently displaced from the Rafah Governorate, are sufficient to alleviate the immense risk to which the Palestinian population is exposed as a result of the military offensive in Rafah.¹⁷⁸

On August 22, Muhannad Hadi, the Humanitarian Coordinator for the Occupied Palestinian Territory, recalled that “During August alone, the Israeli forces have issued 12 evacuation orders – on average, once every two days – forcing as many as 250,000 people to move yet again” and concluded that:

If evacuation orders are meant to protect civilians, the fact is that they are leading to the exact opposite. They are forcing families to flee again, often under fire and with the few belongings they can carry with them, into an ever-shrinking area that is overcrowded, polluted, with limited services and – like the rest of Gaza – unsafe. People are being deprived of access to services essential for their survival, including medical facilities, shelters, water wells and humanitarian supplies.¹⁷⁹

¹⁷⁷ NBC Nightly News with Lester Holt (@nbcnightlynews), post to X, April 26, 2023, <https://twitter.com/nbcnightlynews/status/1784001112124932600?s=46> (accessed May 6, 2024).

¹⁷⁸ ICJ, “Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) - Request for the modification of the Order of 28 March 2024 - The Court reaffirms its previous provisional measures and indicates new measures,” May 24, 2024, <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240524-pre-01-00-en.pdf> (accessed May 30, 2024).

¹⁷⁹ OCHA, “Mass evacuations in Gaza choke survival and severely constrain aid operations,” Statement by Muhannad Hadi, Humanitarian Coordinator for the Occupied Palestinian Territory, August 22, 2024, <https://www.ochaopt.org/content/mass-evacuations-gaza-choke-survival-and-severely-constrain-aid-operations> (accessed August 23, 2024).

On August 26, UN aid operations in Gaza were forced to stop after the Israeli military issued new evacuation orders for Deir al-Balah in central Gaza where the UN operations center is located.¹⁸⁰ The evacuation order came as the UN prepared to begin a campaign to vaccinate an estimated 640,000 children in Gaza, where the WHO said a 10-month-old baby had been paralyzed by the type 2 poliovirus,¹⁸¹ the first such case in the territory in 25 years.¹⁸²

Khan Younis

At the outset of the war, the Israeli military issued evacuation orders telling people to go south. In certain cases, the orders told people to seek safety in Khan Younis.¹⁸³ While Khan Younis was initially designated as an evacuation area, Gaza's second largest city experienced a high level of Israeli attacks and fatalities from the early days of the conflict, as demonstrated from OCHA's Flash Updates¹⁸⁴ and Airwars, an NGO that investigates civilian harm in conflict zones.¹⁸⁵

Dr. Hassan, a 49-year-old-man, married with seven children, who was living in Izbat Abed Rabo near Jabalia in northern Gaza before the war, described how he fled his home with his family in just their pajamas after receiving automated calls from the Israelis to leave immediately for the south of Gaza.¹⁸⁶ They fled to Khan Younis to a relative's house where 36 people were living in a space of 100 square meters:

¹⁸⁰ Nidal Al-Mughrabi and Ramadan Abed, "Gaza ceasefire hopes dim, families flee after new evacuation orders," Reuters, August 26, 2024, <https://www.reuters.com/world/middle-east/families-flee-after-new-israeli-evacuation-orders-gaza-ceasefire-hopes-dim-2024-08-26/> (accessed November 5, 2024).

¹⁸¹ Tala Ramadan, "Baby paralysed in Gaza's first case of type 2 polio for 25 years, WHO says," Reuters, August 23, 2024, <https://www.reuters.com/world/middle-east/baby-paralysed-gazas-first-case-type-2-polio-25-years-who-says-2024-08-23/> (accessed November 5, 2024).

¹⁸² Michelle Nichols, "UN aid operations in Gaza halt after Israel evacuation orders," Reuters, August 26, 2024, <https://www.reuters.com/world/middle-east/un-aid-operations-gaza-halted-after-israel-evacuation-orders-2024-08-26/> (accessed August 27, 2024).

¹⁸³ See Avichay Adraee (@AvichayAdraee), post to X, October 13, 2023, <https://x.com/AvichayAdraee/status/1712846493747495223> (accessed June 26, 2024); Avichay Adraee (@AvichayAdraee), post to X, October 14, 2023, <https://x.com/AvichayAdraee/status/1713065991511388610> (accessed June 26, 2024); Avichay Adraee (@AvichayAdraee), post to X, October 15, 2023, <https://twitter.com/AvichayAdraee/status/1713431675458200042> (accessed June 26, 2024); Avichay Adraee (@AvichayAdraee), post to X, October 16, 2023, <https://twitter.com/AvichayAdraee/status/1713779715868110946> (accessed June 26, 2024).

¹⁸⁴ See OCHA, "Updates," undated, <https://www.ochaopt.org/updates> (accessed May 6, 2024).

¹⁸⁵ Airwars, "Israel and Gaza (2023)," undated, <https://airwars.org/conflict/israel-and-gaza-2023/> (accessed May 6, 2024).

¹⁸⁶ Human Rights Watch telephone interview with Dr. Hassan, November 30, 2023.

Two days before the ceasefire [in late November 2023], there were attacks on the municipality in al-Qarara, which is less than one kilometer from where we are [in my area of displacement]. I know the attacks were very close – we have a heavy iron door and it was damaged from the attacks.

There are a lot of attacks in the [displacement] area and I do not think it is safe here. A lot of areas next to ours have been asked to evacuate – al-Qarara, Alzana, Absan, and Alkzaa. The area I am in had an evacuation order before I arrived, but we have not been asked to evacuate again. I hope the area stays safe because I don't know where we would go.¹⁸⁷

Hisham, a 34-year-old video journalist with two children who was living in North Rimal Street in Gaza City when the war broke out, described how he had to flee his building when he received a notification to leave through one of his neighbors:

The [automated Israeli military] calls don't come to each and every family. They go to neighbors and usually say that the person should tell others. It was such a mess. Most people were terrified, screaming. It was hectic. The [warning to leave] call went to our neighbors. These are automated calls – saying you have to evacuate because the area is considered a war zone. Usually you get a few days, but two days after we received the warning [from the neighbors] the targeting of the area started.¹⁸⁸

Hisham first sought refuge with his family at a friend's home next to al-Shifa Hospital. He was forced to flee this area when he said a neighbor's house was hit in an Israeli airstrike.¹⁸⁹ He said a neighbor had received an automated call from the Israeli military instructing them to leave, but the attack happened only five minutes later.¹⁹⁰ Hisham and his family survived the attack. "The pressure of the bomb caused damage [to his friend's home] and people were injured from shrapnel....It was 2 a.m. At sunrise, we decided [my family] needed to separate and try to get to a safe place," he said.¹⁹¹

¹⁸⁷ Ibid.

¹⁸⁸ Human Rights Watch telephone interview with Hisham, January 11, 2024.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid.

¹⁹¹ Ibid.

Hisham decided to move further south to Khan Younis where he stayed until the end of October 2023. In November 2023, he was forced to flee once again as the Israeli military operation progressed towards the south of Gaza:

The Israelis said Khan Younis was a safe place. It was a farming area – there was no reason to attack the area. But they started bombing this area and the farms. I took a decision to leave and go to Rafah... The emotional state of the kids – what they witnessed in the last area, they are in shock, they are terrified. They jump at small sounds now. It was so hard for me to get my family from the last place to here. Most of the areas were closed by the Israelis as they were considered battle areas.¹⁹²

The Israeli military began ground operations around Khan Younis in southern Gaza in December 2023. Israeli tanks cut off the road between Khan Younis and Deir al-Balah in central Gaza, effectively dividing Gaza into three parts.¹⁹³ The campaign in Khan Younis involved both bombardments of suspected Hamas targets and a ground offensive, leading to significant casualties and damage to infrastructure. The city, which had swelled with displaced individuals seeking refuge, found itself at the heart of some of the most intense fighting witnessed since the conflict's onset in October.

Throughout this period, international observers and humanitarian organizations expressed concern over the escalating violence and its impact on the civilian population, highlighting the dire humanitarian situation in Khan Younis and broader Gaza.

On December 1, 2023, the Israeli military issued an evacuation order for eastern neighborhoods in Khan Younis but at the same time declared the whole area a “combat zone.”¹⁹⁴ This confusing articulation left people living outside of the eastern neighborhoods unsure how to respond. Declaring an area a combat zone without the concomitant instructions of where and how to evacuate does not constitute an evacuation order.

¹⁹² Human Rights Watch telephone interview with Hisham, January 11, 2024.

¹⁹³ Dan Sabbagh, “Israel says its ground forces are operating across ‘all of Gaza,’” the Guardian, December 3, 2023, <https://www.theguardian.com/world/2023/dec/03/fresh-strike-on-jabaliya-refugee-camp-reported-as-israel-intensifies-attacks-on-gaza> (accessed May 6, 2024).

¹⁹⁴ “Gaza Strip’s Khan Younis declared as ‘war zone’ by Israel army,” A News, December 1, 2023, <https://www.aneews.com.tr/world/2023/12/01/gaza-strips-khan-younis-declared-as-war-zone-by-israel-army> (accessed May 6, 2024).

Rashad, a 31-year-old-man living in Khan Younis, explained how his home had become a shelter for scores of displaced people: “I live with my mother, father, brother, wife, and two kids but now we have 80 displaced people living with us.”¹⁹⁵ He said there were 25 children under the age of seven living in his home.¹⁹⁶

Human Rights Watch spoke to Rashad on December 1, just as he received an Israeli evacuation order warning that Khan Younis was considered a combat zone:

The Israeli evacuation leaflet says the whole area of Khan Younis is considered a combat zone. Then it says it is a “formal warning.” I am unwilling to go anywhere. Wherever we go will change again. We were told [by the Israeli military] to go to Khan Younis and now they are saying this isn’t safe, and to move to Rafah. There is no other place to go in the shelters in Rafah. And today there were civilian houses hit in Rafah and 30 casualties and this area is not safe for anybody.¹⁹⁷

Rashad told Human Rights Watch that he was responsible for his family and other IDPs who were depending on him. Human Rights Watch could not reach Rashad again to find out if he and his household of IDPs managed to leave Khan Younis.

As the Israeli military offensive encircled Khan Younis, where it says many Hamas leaders were based, people sought refuge further south and crowded into Rafah. Israeli military attacks in Khan Younis included strikes on hospitals and UN facilities where thousands of displaced people from the north had been sheltering.¹⁹⁸

¹⁹⁵ Human Rights Watch telephone interview with Rashad, December 1, 2023.

¹⁹⁶ Ibid.

¹⁹⁷ Human Rights Watch telephone interview with Rashad, December 1, 2023.

¹⁹⁸ “Israeli Forces Carry Out Operation Inside Khan Younis Hospital,” VOA News, February 15, 2024, <https://www.voanews.com/a/health-officials-report-israeli-attack-on-khan-younis-hospital/7488543.html> (accessed May 30, 2024); Celine Alkhalidi, Ibrahim Dahman, Kareem Khadder, “‘Mass casualties’ as UN shelter struck amid intense fighting in Khan Younis,” CNN, January 24, 2024, <https://edition.cnn.com/2024/01/24/middleeast/khan-younis-gaza-un-shelter-strike-intl/index.html> (accessed May 30, 2024).

Sara: A Case Study

Sara, a 37-year-old psychologist with three children, was living in Khan Younis with her family when the war broke out. She opened her apartment to displaced relatives from Gaza City, so 20 people were living there on December 7, 2023, when her residential building was damaged in an Israeli airstrike that destroyed her relatives' home, less than 10 meters away.¹⁹⁹ Both buildings were in an area, block 108, that had not been marked for evacuation on the online Israeli military map, so presumably were not considered to be dangerous.²⁰⁰ Sara said she went to work as normal that day but returned home to a scene of carnage:

It was 4 p.m., and I was coming back from my job. This is when I saw the fire and the destruction, and there were people under the rubble [of my relatives' home]...

What I saw was a massacre. I arrived and it was hectic – everyone was screaming. I was scared because my kids were in my house [less than 10 meters away]. There was so much damage to my relatives' building. This stopped me entering properly into it. A lot of people were injured. Big, massive, injuries, the cousin of my husband was burned in her face and disfigured and the kids were either injured or killed that day. My family in my apartment were thank God okay. But we saw the bodies [in my relatives' building], and people under the rubble, the emotional state of the kids was so bad. It changed us all.²⁰¹

Sara said she had nowhere to go immediately after her home was damaged, so she left the next day and found shelter in an UNWRA school in Khan Younis with 8,000 to 9,000 other displaced people.²⁰² Human Rights Watch spoke with Sara again on February 19, 2024. “Thank God we are still alive,” she said, explaining that she and her family had been forced to flee again, this time to Rafah after the Israeli offensive in Khan Younis.²⁰³ “Now

¹⁹⁹ Human Rights Watch telephone interview with Sara, January 4, 2024.

²⁰⁰ Human Rights Watch telephone interview with Sara, January 4, 2024.

²⁰¹ Ibid.

²⁰² Human Rights Watch telephone interview with Sara, January 4, 2024.

²⁰³ Human Rights Watch interview with Sara, February 19, 2024.



Location of Block 108, in Khan Younis, attacked by the Israeli military on December 7, 2023. © 2024 Copernicus Sentinel Data. Analysis and Graphics © 2024 Human Rights Watch

we are sitting in tents in the extreme cold. My children are sick and our condition is bad. All necessities of life are lacking. And we are left with nothing,” she said.²⁰⁴

Human Rights Watch analyzed six photographs posted online and a video taken by Agence France-Presse, geolocating the attack that destroyed Sara’s relatives’ building and heavily damaged those adjacent in the same blast – including the building where Sara and her family were living – by comparing landmarks in the photographs and videos with satellite

²⁰⁴ Ibid.

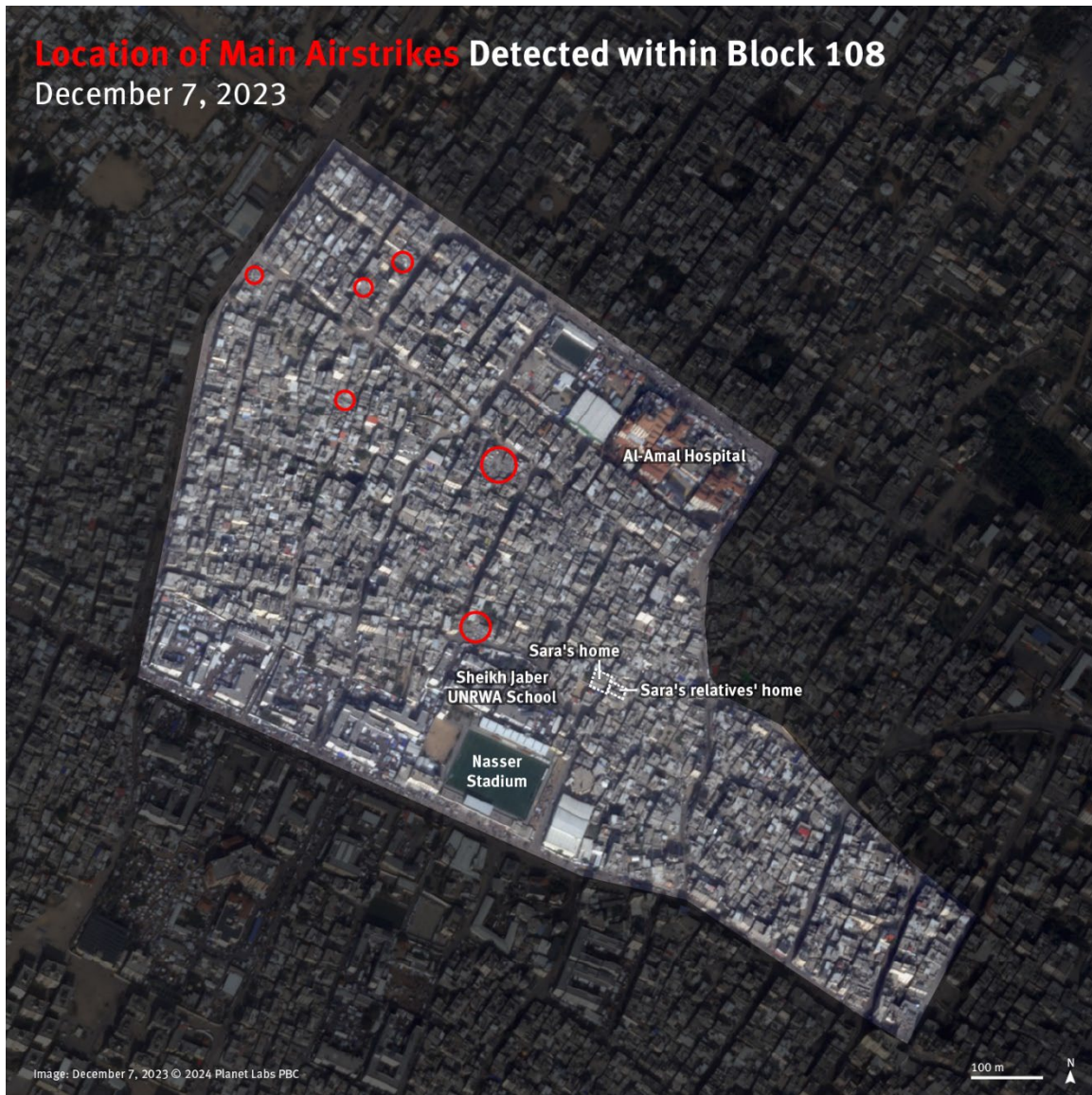
imagery captured before and after the attack. By analyzing online evacuation orders and photographs of airdropped leaflets posted online, Human Rights Watch established that block 108 was not slated for evacuation until January 23, 2024, six-and-a-half weeks later.²⁰⁵

A satellite image from December 7, 2023 at 12:09 p.m. local time displays no indications of damage to the building; an image captured on December 8, 2023, at 10:16 a.m. local time confirms the complete destruction of Sara’s relatives’ building and severe damage to her building and to many nearby structures. The title card of the Agence France-Presse video states it was recorded on December 7, 2023 and shows civilians recovering two injured women and one body from Sara’s relatives’ destroyed building. An additional two more strikes are visible in the same timeframe on satellite imagery, occurring just dozens of meters from the attack that destroyed Sara’s relatives’ home and severely damaged hers.



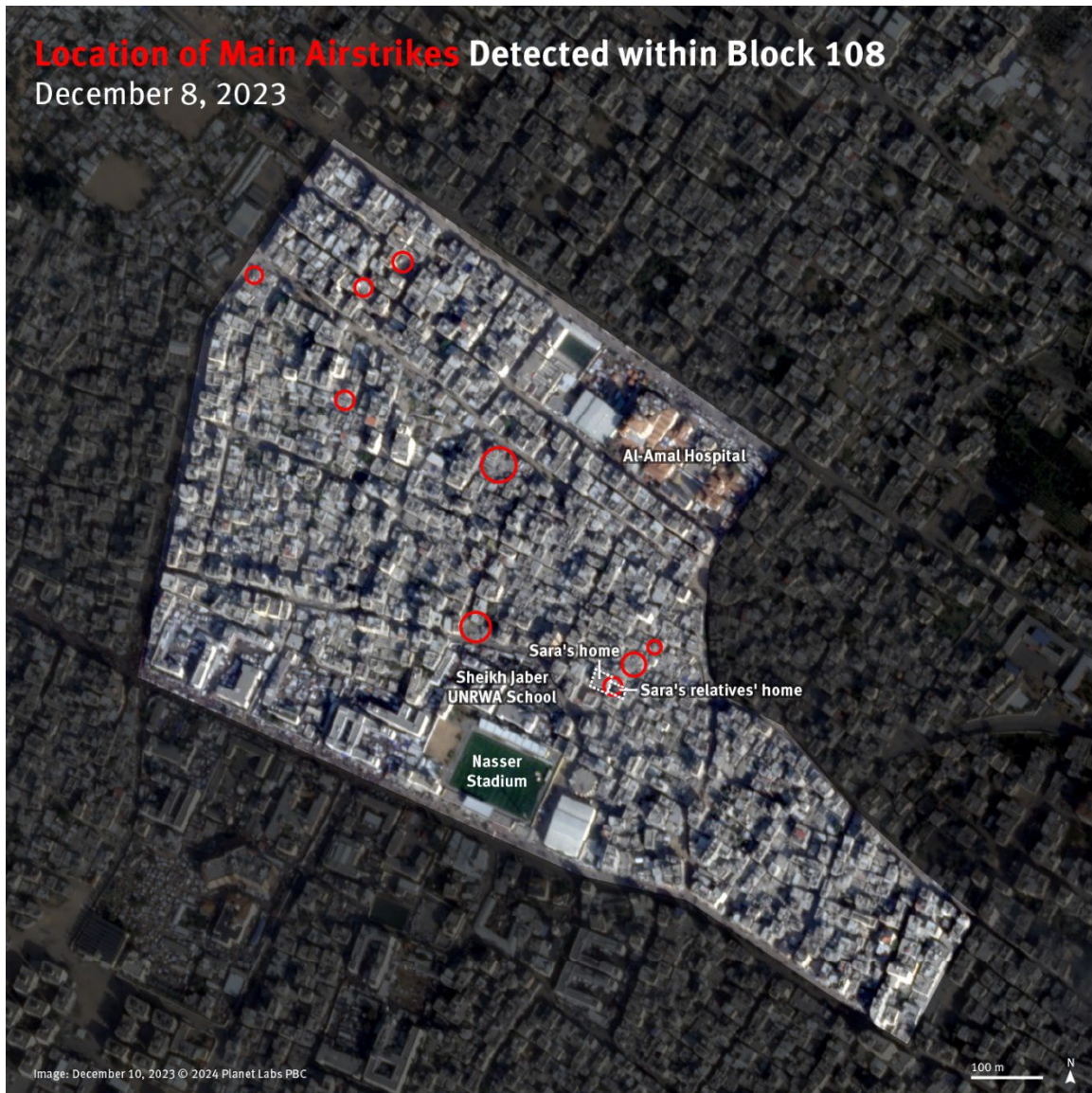
Before and after satellite imagery showing the location of the Israeli attack that destroyed Sara’s relatives’ home and severely damaged her own. The impact of two additional Israeli strikes carried out in the same timeframe are also visible on satellite imagery, dozens of meters northeast of Sara’s house. An earlier impact near the Sheikh Jaber UNRWA school was already visible in the December 7 image. © 2024 Planet Labs PBC. Right image: December 10, 2023. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

²⁰⁵ Block 108 was not slated for evacuation on according to evacuation orders published on and around the date of the attack. See AvichayAdraee (@AvichayAdraee), post to X, December 3, 2023, <https://x.com/AvichayAdraee/status/1731170539023040697> (accessed May 30, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 4, 2023, <https://x.com/AvichayAdraee/status/1731539367368241265> (accessed May 30, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 6, 2023, <https://x.com/AvichayAdraee/status/1732298414828797999> (accessed May 30, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 7, 2023, <https://x.com/AvichayAdraee/status/1732658906982203723> (accessed May 30, 2024); AvichayAdraee (@AvichayAdraee), post to X, December 8, 2023, <https://x.com/AvichayAdraee/status/1733036333352767914> (accessed May 30, 2024).



Location of Israeli military airstrikes carried out within Block 108 in Khan Younis and detected on satellite imagery prior to the morning of December 7, 2023. Image: December 7, 2023. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

The December 7 attack was not an isolated event to affect Block 108; this area was subjected to multiple attacks prior to that date. Human Rights Watch identified at least six additional strikes, before the attack on December 7, some likely involving large airdropped munitions as evidenced by satellite imagery.



Location of the nine main Israeli military airstrikes within Block 108, as of December 8, 2023. This includes the strike that destroyed Sara’s relatives’ home and severely damaged Sara’s house. Image: December 10, 2023. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch.

Despite the recurrent attacks, block 108 was not designated for evacuation until January 23, 2024.²⁰⁶ Notably, several schools, including Sheikh Jaber UNRWA School, are located within block 108. From late October onwards, numerous tents for displaced people were erected within the block’s school compounds. Additionally, a field hospital was

²⁰⁶ AvichayAdraee (@AvichayAdraee), post to X, January 23, 2024, <https://x.com/AvichayAdraee/status/1749716786818281575> (accessed May 30, 2024).

established at Nasser Stadium in mid-December 2023, but it was dismantled around January 19, 2024, after only a month of operation.

In the period following the evacuation order issued on January 23, 2024, satellite imagery analysis conducted by Human Rights Watch shows a surge in attacks on the area – apparently from Israeli airstrikes. The first visible impact of ground incursions and demolitions within block 108 appear on satellite imagery on February 3, 2024. A week later, the Israeli military occupied Sheikh Jaber School and Nasser Stadium.

Over 70 percent of residential buildings within the block exhibit heavy damage or have been demolished by mid-February. Demolitions increased until the end of February 2024, including Sara’s house that appears to have been reduced to rubble as seen in satellite imagery and in a video and three photographs sent directly to Human Rights Watch.



Evolution of the destruction within Block 108, in Khan Younis, after the Israeli attack on December 7, 2023 that destroyed Sara’s relatives’ home. The field hospital established on Nasser Stadium and visible on satellite imagery as of December 22, 2023 was dismantled a month later. The areas filled by tent shelters within the courtyard of Sheikh Jaber UNRWA school have been removed and are occupied by the Israeli military as is visible on February 17, 2024. Signs of razing and demolitions are also visible on the satellite imagery. At the end of February, satellite imagery shows acceleration of the demolitions within Block 108, including Sara’s house that appears to be reduced to rubble. Left image: December 22, 2023. © 2024 Planet Labs PBC. Center image: February 17, 2024. © 2024 Planet Labs PBC. Right image: February 28, 2024. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch



A photograph sent directly to Human Rights Watch researchers showing Sara's house reduced to rubble.

© 2024 Private

Al-Mawasi

In October 2023, Israel designated an area in al-Mawasi – a Palestinian Bedouin town on the southern coast of Gaza – a “humanitarian zone.”²⁰⁷ According to the UN, the area is approximately one kilometer wide and fourteen kilometers long and is mostly barren and sandy.²⁰⁸ There is no running water in al-Mawasi.

Since designating al-Mawasi a “humanitarian zone” the Israeli military has defined different boundaries for the area on at least fourteen different occasions on its various

²⁰⁷ COGAT (@cogatonline), post to X, October 18, 2023, <https://x.com/cogatonline/status/1714497441091682646?s=20> (accessed May 6, 2024); Wafaa Shurafa, Jack Jeffery, Isabel Debre, “Israel designates a safe zone in Gaza. Palestinians and aid groups say it offers little relief,” AP News, December 8, 2023, <https://apnews.com/article/israel-hamas-war-refugees-displaced-muwasi-ca3860fafedo3cb2333adobdf2379e31> (accessed November 5, 2024).

²⁰⁸ UN, “UNICEF Brings Critical Supplies to the Isolated Children of Al-Mawasi,” UNICEF press release, March 30, 2005, <https://www.un.org/unispal/document/auto-insert-195018/> (accessed September 27, 2024).

communications channels.²⁰⁹ On April 28, 2024, the area was expanded eastward to the Salah al-Din Road and northward to include most of Deir al-Balah.²¹⁰ From July 22, 2024 onwards, claiming that the eastern part of al-Mawasi was used to launch rockets towards Israel, the Israeli military reduced the size of the humanitarian zone and urged people in the area eliminated to move to areas within the reduced zone.²¹¹ Between July 22 and August 25, the Israeli military redefined and reduced the size of the boundaries of the “humanitarian zone” at least six times. It also redesignated at least 43 blocks within it as combat zones.²¹²

Israeli airstrikes and bombardments hit al-Mawasi humanitarian zone, as they hit other designated evacuation areas.

On January 4, 2024, Save the Children, an international NGO, issued a press statement stating:

Fourteen people, the majority of them children under 10 years old, were reportedly²¹³ killed by Israeli airstrikes near al-Mawasi this morning, an area designated a “humanitarian area”²¹⁴ by Israeli authorities, to which Israeli forces ordered civilians to evacuate for their safety.²¹⁵

²⁰⁹ Human Rights Watch used the evacuation orders posted by Lt. Col. Adraee as the primary communication channel to monitor the changes in the humanitarian zone boundaries, apart from two instances where the boundary changes were delineated in post to X by Lt. Col. Adraee about developments in the conflict and in an Israeli military press release.

²¹⁰ Israel Defense Forces (@IDF), post to X, April 28, 2024, <https://x.com/IDF/status/1784624831511626121> (accessed June 3, 2024).

²¹¹ AvichayAdraee (@AvichayAdraee), post to X, July 22, 2024, <https://x.com/AvichayAdraee/status/1815247774117433358> (accessed September 11, 2024).

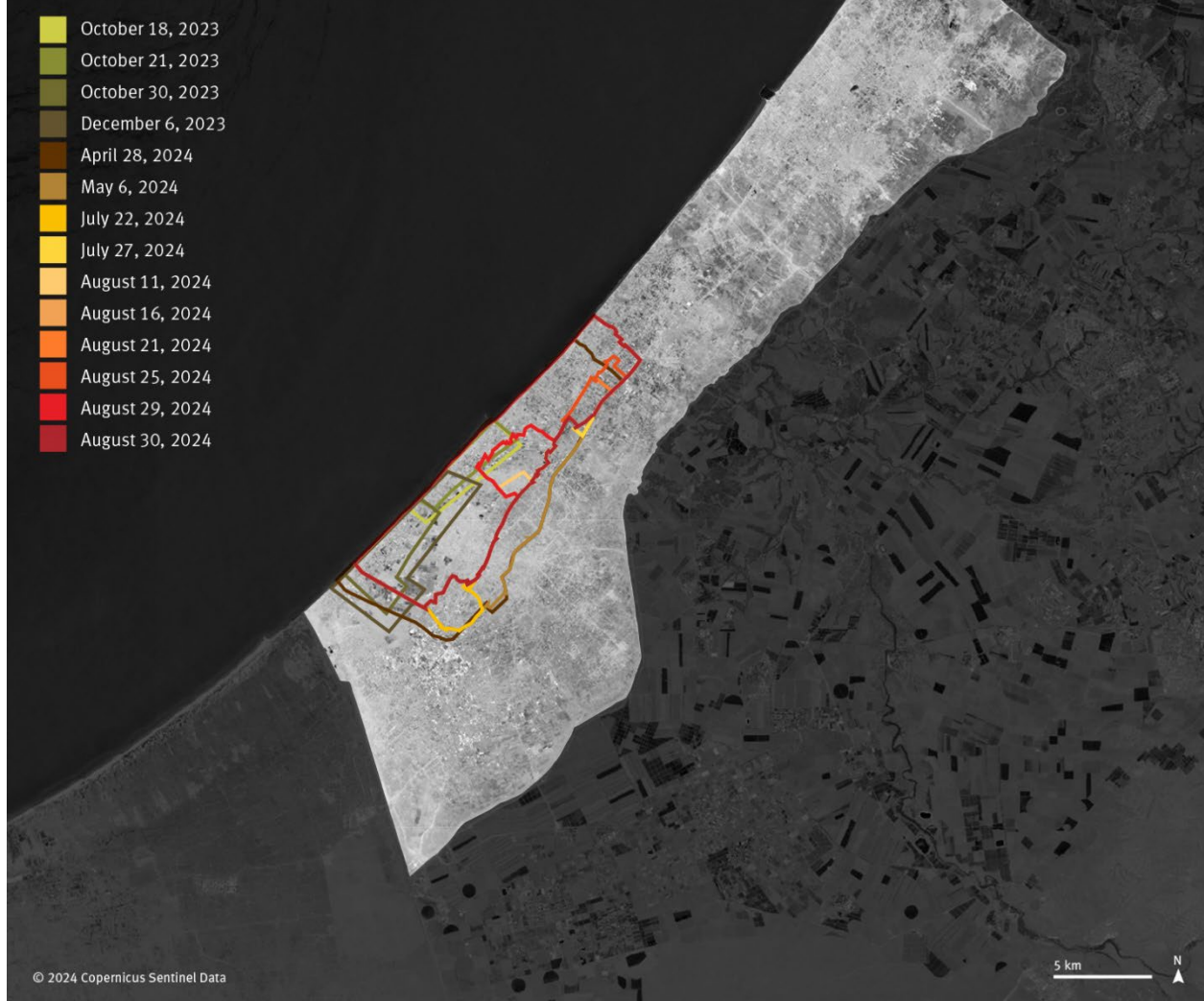
²¹² AvichayAdraee (@AvichayAdraee), post to X, July 27, 2024, <https://x.com/AvichayAdraee/status/1817064860376510514> (accessed September 11, 2024); AvichayAdraee (@AvichayAdraee), post to X, August 11, 2024, <https://x.com/AvichayAdraee/status/1822492670981259665> (accessed September 11, 2024); AvichayAdraee (@AvichayAdraee), post to X, August 16, 2024, <https://x.com/AvichayAdraee/status/1824341497811980409> (accessed September 11, 2024); AvichayAdraee (@AvichayAdraee), post to X, August 21, 2024, <https://x.com/AvichayAdraee/status/1826183693787947512> (accessed September 11, 2024); AvichayAdraee (@AvichayAdraee), post to X, August 25, 2024, <https://x.com/AvichayAdraee/status/1827715577940750418> (accessed September 11, 2024).

²¹³ Ali Harb and Brian Osgood, “Israel war on Gaza updates: South Gaza attacks to continue – Defence chief,” January 4, 2024, <https://www.aljazeera.com/news/liveblog/2024/1/4/israel-hamas-war-live-bloody-day-for-hezbollah-tensions-with-israel-soar> (accessed May 30, 2024).

²¹⁴ Coordinator of Government Activities in the Territories (COGAT), “Humanitarian Efforts,” last update November 3, 2024, <https://govextra.gov.il/cogat/humanitarian-efforts/home/> (accessed November 5, 2024).

²¹⁵ “No safe place in Gaza: 14 killed, mostly children, by Israeli airstrikes near so-called ‘humanitarian zone’ Al-Mawasi,” Save the Children press release, January 4, 2024, <https://www.savethechildren.org.uk/news/media-centre/press-releases/fourteen-killed-near-humanitarian-zone-in-gaza> (accessed May 6, 2024).

Al-Mawasi Humanitarian Zone and its Changing Boundaries Defined by the Israeli Military from October 18, 2023 to August 30, 2024



Al-Mawasi Humanitarian Zone boundaries as defined by the Israeli military between October 13, 2023 and August 31, 2024. The Israeli military redefined the zone's boundaries on at least 14 different occasions during this period. © 2024 Copernicus Sentinel Data. Analysis and Graphics © 2024 Human Rights Watch.

The statement reiterated that there was nowhere safe in Gaza:

Israeli forces have issued multiple so-called “evacuation orders” since 7 October, primarily directing civilians to three areas in the south—Khan

Younis, Rafah and Al-Mawasi. All three have been subsequently hit by Israeli airstrikes, with civilians, including children, killed, and injured.²¹⁶

Jason Lee, Save the Children's Country Director of Occupied Palestinian Territory, concluded:

I cannot stress this enough: there is nowhere safe in Gaza. But under International Humanitarian Law, there should be. Camps, shelters, schools, hospitals, homes and so-called "safe zones" should not be battlegrounds. Yet Gaza has been laid to waste.

These relocation orders offer nothing more than a smokescreen of safety. If people stay, they are killed. If they move, they are killed. People are facing the "choice" of one death sentence or another.²¹⁷

Various media outlets covered the January 4 airstrike. It hit displaced Palestinians taking refuge in a house and tents in al-Mawasi. The attack killed 16 people, according to Gaza's health ministry,²¹⁸ although other sources reported the number to be 14 and 17.²¹⁹ Human Rights Watch verified three videos and four photographs collected from news outlets and published on January 4, 2024, showing the aftermath of the strike and featuring interviews with witnesses. A 10-meter-diameter crater, consistent with an airdropped munition is visible on a satellite image taken on the morning of January 5. A January 3 image shows no signs of damage. The videos and the photographs geolocated by Human Rights Watch show this large crater along with severe destruction of nearby buildings and structures. The site of the attack falls within the boundary the Israeli military defined for the humanitarian zone on December 6, 2023. Human Rights Watch was not able to independently verify the number of casualties resulting from the attack.

²¹⁶ Ibid.

²¹⁷ Ibid.

²¹⁸ Ali Harb and Brian Osgood, "Israel war on Gaza updates: South Gaza attacks to continue – Defence chief," January 4, 2024, <https://www.aljazeera.com/news/liveblog/2024/1/4/israel-hamas-war-live-bloody-day-for-hezbollah-tensions-with-israel-soar> (accessed May 30, 2024); " Hamas accuses Israel of hitting Gaza 'safe zone' killing 14," BBC News, January 4, 2024, <https://www.bbc.com/news/live/world-middle-east-67879726> (accessed June 6, 2024).

²¹⁹ "Where is the humanity?' asks eyewitness of deadly blasts in Gaza's Khan Younis," NBC News, January 4, 2024, <https://www.nbcnews.com/video/deadly-explosions-leave-huge-crater-at-camp-in-khan-younis-201344069909> (accessed June 6, 2024); "Palestinian human rights organisations demand an end to Israel's deliberate attacks on internally displaced persons," al-Haq press release, January 5, 2024, <https://www.alhaq.org/advocacy/22484.html> (accessed June 27, 2024).



Satellite imagery of the site of an Israeli military attack on January 4, 2024 in al-Mawasi shows a large impact crater. The site of the attack was within the boundaries of the “humanitarian zone” as defined by the Israeli military on December 6, 2023. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

Human Rights Watch also documented an attack carried out by Israeli forces on a Médecins Sans Frontières (MSF) guest house in al-Mawasi.²²⁰ On February 20, 2024, an Israeli tank fired a medium-to-large caliber weapon at a multi-story apartment building housing only MSF staff and their families in al-Mawasi.²²¹ The attack killed two people and injured seven, according to a New York Times investigation.²²² In a statement published on its website, MSF said it had provided the coordinates of the building to Israeli authorities and confirmed it neither saw military objects in the area prior to the attack, nor did it

²²⁰ “Gaza: Israelis Attacking Known Aid Worker Locations,” Human Rights Watch news release, May 14, 2024, <https://www.hrw.org/news/2024/05/14/gaza-israelis-attacking-known-aid-worker-locations>.

²²¹ “Gaza: MSF strongly condemns deadly Israeli attack on staff and family shelter,” MSF news release, February 22, 2024, <https://msf.org.uk/article/gaza-msf-strongly-condemns-deadly-israeli-attack-staff-and-family-shelter> (accessed June 5, 2024); Olive Enokido-Lineham, “Israeli military ‘examining’ attack on Gaza aid shelter after Sky investigation,” Sky News, March 27, 2024, <https://news.sky.com/story/israeli-military-examining-attack-on-gaza-aid-shelter-after-sky-investigation-13098550> (accessed May 30, 2024).

²²² Halley Willis, Robin Stein, et al., “‘We’re Aware of the Location’: Aid Groups in Gaza Coordinated With I.D.F. but Still Came Under Fire,” New York Times, April 25, 2024, https://www.nytimes.com/video/world/10000009393031/aid-groups-gaza-israel.html?te=1&nl=visual-investigations&emc=edit_ntvi_20240425 (accessed June 5, 2024).

receive a warning that an attack was imminent from the Israeli military.²²³ Human Rights Watch reviewed photographs and videos taken by Sky News and MSF and confirmed that a large MSF flag was draped on the outside of the building at the time of the attack. Researchers also verified a photograph MSF posted on X on February 22, showing damage to the exterior of the building. The ground photographs and satellite imagery show that the MSF building was secluded and that the nearest buildings were approximately 50 meters away. Israeli authorities confirmed to Sky News that they had received the coordinates, and explained that the army fired on the building because it had been “identified as a building where terror activity is occurring.”²²⁴ The Israeli military said it would conduct its own examination of the attack.²²⁵ At the time of writing, no results have been made public.

Human Rights Watch verified and analyzed additional attacks on areas where displaced Palestinians were sheltering in the area of al-Mawasi humanitarian zone defined on October 18. On March 10, 2024, Israeli military attacked displaced families sheltering in al-Mawasi.²²⁶ The attacks struck a farm owned by Ziad Abdel Ghafour used as a shelter by families and killed 15 civilians including two people with disabilities and four children, according to a video interview with Ghafour published to YouTube by the Palestinian Centre for Human Rights.²²⁷ Human Rights Watch analyzed and geolocated four videos published by news outlets and collected from social media platforms which captured the aftermath of the attack. These showed the interior and exterior of severely damaged tents which had been sheltering people.²²⁸ The videos show the front of a heavily damaged large tent that can accommodate several people, and two other tents with signs of fragmentation damage to its canvas. People’s belongings lay scattered, and blood stains

²²³ “Gaza: MSF strongly condemns deadly Israeli attack on staff and family shelter,” MSF news release, February 22, 2024, <https://msf.org.uk/article/gaza-msf-strongly-condemns-deadly-israeli-attack-staff-and-family-shelter> (accessed June 5, 2024).

²²⁴ Olive Enokido-Lineham, “Israeli military ‘examining’ attack on Gaza aid shelter after Sky investigation,” Sky News, March 27, 2024, <https://news.sky.com/story/israeli-military-examining-attack-on-gaza-aid-shelter-after-sky-investigation-13098550> (accessed May 30, 2024).

²²⁵ “MSF, Gaza: Israeli forces attack MSF shelter in Al-Mawasi,” MSF news release, February 21, 2024, <https://www.doctorswithoutborders.org/latest/gaza-israeli-forces-attack-msf-shelter-al-mawasi> (accessed September 27, 2024).

²²⁶ “Al-Mawasi: Gaza’s ‘safe zone’ attacked for third time by Israel,” Al Jazeera video report, March 10, 2024, <https://www.youtube.com/watch?v=7AVJVs8ZbuE> (accessed June 5, 2024).

²²⁷ “There is no safe place in Gaza,” Palestinian Centre for Human Rights video report, May 4, 2024, https://www.youtube.com/watch?v=X6_ugDRXXuo&t=15s (accessed June 21, 2024).

²²⁸ “The occupation bombs the tents of the displaced in al-Mawasi, west of Khan Yunis” (الاحتلال يقصف خيام النازحين في المawasi) (“غرب خان يونس”), Al Jazeera Arabic video report, March 10, 2024, <https://www.youtube.com/watch?v=Uj1WhvnFGj8> (accessed June 5, 2024).

are visible on pillows and mats inside one of the tents. Satellite imagery analysis confirmed that the attack took place between March 9 at 10:40 a.m. local time and March 10 at 10:39 a.m. local time. Additionally, in the area adjacent to these large tents, several impacts craters are visible where smaller tents once stood. Human Rights Watch geolocated three videos posted on social media and by media outlets on March 10 showing people sorting through and packing their belongings amid destroyed tents and remains of burned objects in the aftermath of the attack. Human Rights Watch was unable to independently verify the number of casualties resulting from the attacks. When the attack on the farm took place, it no longer fell within the defined area of al-Mawasi humanitarian zone according to the boundaries set on December 6 – the closest date to the attack. It was, however, clearly within the humanitarian zone on October 18. Human Rights Watch could find no communication from the Israeli authorities through any medium directing people to evacuate from those areas within the humanitarian zone on October 18 that were excluded on December 6.

On April 20, 2024, the Israeli military attacked tents sheltering displaced people inside the boundaries of al-Mawasi humanitarian zone. Human Rights Watch analyzed and geolocated a video posted to X by Al Jazeera Palestine showing a large smoke plume, and four additional photographs of the aftermath of the attack posted to social media on April 20. By reviewing available satellite imagery and analyzing shadows visible in the video, Human Rights Watch determined that the attack was carried out on April 20 between 5 p.m. and 6 p.m. within the humanitarian zone boundary established by the Israeli military on December 6, the boundaries in effect at that time, according to public communications of the boundaries by the Israeli authorities.²²⁹ A satellite image taken on April 21 shows significant damage to tents, nearby greenhouses, and other structures at the site. There is no visible damage in a satellite image collected on the morning of April 20.

Human Rights Watch interviewees also described further attacks in al-Mawasi which they said were carried out by the Israeli military.

²²⁹ By analyzing the shadows visible in the video showing a large smoke plume, Human Rights Watch determined it was filmed at approximately 5:35 p.m. A man visible in the video has a digital watch showing 4:37, which Human Rights Watch believes was likely incorrectly set to an hour behind because of the time change to Israel Daylight Time three weeks prior on March 29, 2024.



Satellite imagery of the site of the April 20, 2024, Israeli military strike in al-Mawasi shows significant damage and destruction to nearby structures. The site of the attack was within the boundaries of the “humanitarian zone” as defined by the Israeli military on December 6, 2023. These boundaries were in effect on the date of the attack. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

After escaping Khan Younis with his family, Hisham sought refuge in al-Mawasi in a small tent near the beach. He said an Israeli airstrike hit a building near the ICRC office approximately 300 meters from his tent on January 8, 2024.²³⁰

After four rounds of displacements between Khan Younis and rural Rafah, Asma, a 32-year-old woman with four children who was originally living in Beit Lahiya in the north of Gaza, eventually sought refuge in al-Mawasi. Living in a 20 x 20-meter tent with 20 members of her family, she described daily airstrikes. “Yesterday, it was 200 meters from us...We keep hearing the Israeli air forces all the time in the sky above us,” she said.²³¹ Asma finished the interview saying, “We live in a disaster, and we are hopeless, starving, and besieged.”²³²

²³⁰ Human Rights Watch telephone interview with Hisham, January 11, 2024.

²³¹ Human Rights Watch telephone interview with Asma, January 26, 2024.

²³² Ibid.



Palestinians inspect their destroyed tents after an Israeli air strike, which resulted in numerous deaths and injuries, in the al-Mawasi area of Khan Younis, in southern Gaza, on May 27, 2024. © 2024 Abed Rahim Khatib/picture-alliance/dpa/AP Images



Palestinians inspect the site following Israeli strikes on a tent camp sheltering displaced people in the al-Mawasi area of Khan Younis, in southern Gaza, on September 10, 2024. © 2024 Majdi Fathi/NurPhoto via AP

Rafah

Israeli evacuation orders predominantly instructed Palestinians to go to south of Wadi Gaza to seek shelter and safety, at times specifying Rafah, situated on the southern edge of Gaza, or known shelters in the neighborhoods of Rafah.²³³ Most interviewees told Human Rights Watch they eventually sought refuge in Rafah governorate after multiple displacements, including inside Rafah itself. They described the terrifying situation they were experiencing as they were being interviewed: hundreds of thousands of people sheltering in cramped, crowded, and unsanitary conditions, either crammed inside apartment buildings, public facilities or United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools, or in flimsy tented settlements along the beach front, and in farmlands.

The majority of Palestinians in Gaza were sheltering in Rafah until early May, when the Israeli military issued new evacuation orders for Rafah's eastern neighborhoods and told people to seek refuge in the expanded humanitarian zone in al-Mawasi. By May 29, the UN reported that around one million Palestinians had been displaced from Rafah since Israel launched its offensive in the area on May 6.²³⁴

On May 6, the Israeli military ordered all eastern Rafah neighborhoods to evacuate “immediately” and seek shelter in the al-Mawasi area of the governorate – an area that humanitarian organizations stated was not equipped to accommodate more displaced people.²³⁵ The Israeli military started airstrikes on eastern Rafah that same day.²³⁶

²³³ Avichay Adraee (@AvichayAdraee), post to X, October 16, 2023, <https://x.com/AvichayAdraee/status/1713967522985226327> (accessed June 25, 2024); Avichay Adraee (@AvichayAdraee), post to X, December 2, 2023, <https://x.com/AvichayAdraee/status/1730849877263786259> (accessed June 25, 2024); Guillaume Maurice, “‘Khan Yunis is now a combat zone’: Bombardments resume across the Gaza Strip,” France24, December 1, 2023, <https://observers.france24.com/en/middle-east/20231201-khan-yunis-is-now-a-combat-zone-bombardments-resume-across-the-gaza-strip> (accessed June 25, 2024); Avichay Adraee (@AvichayAdraee), post to X, December 13, 2023, <https://twitter.com/AvichayAdraee/status/1734938413508256150> (accessed June 25, 2024); Times of Gaza (@Timesofgaza), post to X, December 25, 2023, <https://x.com/Timesofgaza/status/1739250888689197325> (accessed June 25, 2024).

²³⁴ “UN says 800,000 people have fled Rafah as Israel kills dozens in Gaza,” Al Jazeera, May 18, 2024, <https://www.aljazeera.com/news/2024/5/18/un-says-800000-people-have-fled-rafah-as-israel-kills-dozens-in-gaza> (accessed May 20, 2024); OCHA, “Hostilities in the Gaza Strip and Israel: Flash Update #172,” May 29, 2024, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-172> (accessed August 21, 2024).

²³⁵ Helen Regan, Sophie Jeong, et al., “Gazans start leaving eastern Rafah as Israeli military orders evacuations,” CNN, May 6, 2024, <https://edition.cnn.com/2024/05/06/middleeast/israel-gaza-eastern-rafah-evacuation-notice-hnk-intl/index.html> (accessed May 6, 2024).

²³⁶ Sky News (@skynews), post to X, May 6, 2024, <https://twitter.com/skynews/status/1787564656866836658?s=46> (accessed May 6, 2024).



A view of a makeshift camp for displaced Palestinians in Rafah in southern Gaza on April 18, 2024. © 2024 Sipa via AP Images

Every interviewee Human Rights Watch spoke to said they did not feel safe in Rafah.

After fleeing Jabalia in the north, Ziad described having to move with his family several times inside Rafah governorate because of Israeli airstrikes in the area:

The Israelis say Rafah is safe. The building I'm staying in is on Brazil street. The house in front of my building and behind it have been attacked. My family members were injured because of the shrapnel. I have family members who have lost their life in Rafah – it is a joke that Rafah is safe.²³⁷

Farah, a 38-year-old woman, married with three children, was living in Shaboura, a neighborhood of Rafah, when the war broke out. She said she had not sought refuge elsewhere, explaining that Israeli authorities had generally told people to go to Rafah for

²³⁷ Human Rights Watch telephone interview with Ziad, February 16, 2024.

their safety.²³⁸ At the time of interview, Farah was hosting 70 members of her and her husband's extended family in her two-bedroom house, who had been displaced from other areas in Gaza. She explained there was not enough room to house so many people in such a small space and people had to take turns to sleep. Farah said there had been Israeli bombardments "200 to 250 meters from her home."²³⁹ On February 12, 2024, the Israeli military said it had struck a number of "terror targets" in the Shaboura district of Rafah and the strikes had concluded.²⁴⁰ Various media outlets reported scores of fatalities.

In a predawn operation on February 12, the Israeli military rescued two Israeli hostages from a building in Rafah, during a military operation that reportedly killed about 100 Palestinians.²⁴¹ Hisham spoke to Human Rights Watch about the impact of the hostage rescue operation on him:

They used ground troops and drones, airstrikes, and special forces. The situation was really hard, all the attacks were above our heads: the F16 was hitting, the Apache was hitting, bombs from everywhere surrounding us and we were in our tents. It was the most difficult three hours that we experienced since the war started. It was strong and terrifying...so I decided that night that I need to move my family from the area. The next day, I packed all my stuff and my tent and I went back up to the north to al-Zawayda town, near where I'm from originally, near Gaza City.²⁴²

In late May, Israeli air strikes hit areas west of Rafah, where the military had not ordered civilians to evacuate. Israeli ground troops and tanks had been operating in eastern Rafah, in central parts of the city, and along the Gaza-Egypt border.²⁴³

²³⁸ Human Rights Watch telephone interview with Farah, January 29, 2024.

²³⁹ Ibid.

²⁴⁰ "Israel kills dozens in Rafah strikes, frees two captives," Al Jazeera, February 12, 2024, <https://www.aljazeera.com/news/2024/2/12/israel-strikes-rafah-says-two-captives-freed> (accessed May 6, 2024).

²⁴¹ Abeer Salman, Jessie Yeung, Joshua Berlinger, "Israeli forces rescue 2 hostages as airstrikes kill around 100 Palestinians in Rafah," CNN, February 12, 2024, <https://edition.cnn.com/2024/02/12/middleeast/israel-hostages-rescued-gaza-rafah-intl-hnk/index.html> (accessed August 25, 2024).

²⁴² Human Rights Watch telephone interview with Hisham, January 11, 2024.

²⁴³ Samy Magdy and Wafaa Shurafa, "Israeli strikes kill at least 37 Palestinians, most in tents, near Gaza's Rafah as offensive expands," AP News, May 29, 2024, <https://apnews.com/article/israel-palestinians-hamas-war-news-05-28-2024-21ea44e3b514d3f3f2bd26a33f157e48> (accessed August 21, 2024).



A Palestinian man looks at the destruction of al-Farouq Mosque and other nearby houses caused by Israeli attacks, in the Shaboura camp in Rafah on February 22, 2024. © 2024 Abed Rahim Khatib/picture-alliance/dpa/AP Images

According to a report by Amnesty International:

On May 26 two Israeli airstrikes on the Kuwaiti Peace Camp, a makeshift camp for displaced people in Tal al-Sultan in west Rafah, killed at least 36 people – including six children – and injured more than 100. The attacks were followed by a fire. At least four of those killed were fighters as the airstrike targeted two Hamas commanders staying amid displaced civilians.

In a second incident on May 28, the Israeli military fired at least three tank shells at a location in the al-Mawasi area of Rafah. The attacks killed 23 civilians – including twelve children, seven women, and four men – and injured many more...the apparent targets of the attack were one Hamas and one Islamic Jihad fighter.²⁴⁴

²⁴⁴ “Gaza: Israeli Attacks on Two Displaced Persons’ Camps in Rafah Should Be Investigated as War Crimes,” Amnesty International press release, August 27, 2024, <https://www.amnesty.org.uk/press-releases/gaza-israeli-attacks-two-displaced-persons-camps-rafah-should-be-investigated-war> (accessed August 27, 2024).

The Amnesty report concluded that Israeli forces failed to take all feasible precautions to spare civilians in May attacks on the Kuwaiti Peace Camp and al-Mawasi and that both attacks should be investigated as war crimes.²⁴⁵

At the time of writing, the Rafah border crossing with Egypt remains closed, since Israeli forces seized control of it during military operations on May 6, effectively cauterizing the main route for aid operations and evacuations of those needing immediate and urgent medical attention.²⁴⁶

Allegations of Hamas Preventing People from Fleeing

On October 2023, Hamas Interior Ministry spokesman Eyad Al-Bozom said at a news conference, “We tell the people of northern Gaza and from Gaza City, stay put in your homes, and your places.”²⁴⁷ On the same day, the Hamas authority for refugee affairs reportedly told residents in northern Gaza to “remain steadfast in your homes and to stand firm in the face of this disgusting psychological war waged by the occupation.”²⁴⁸

The Israeli military released audio of a Palestinian man claiming that Hamas was blocking people from leaving northern Gaza, as ongoing Israeli strikes targeted the area.²⁴⁹ Human Rights Watch could not verify the authenticity of the audio recording, nor the circumstances under which the man made the statement.

²⁴⁵ Ibid.

²⁴⁶ Aaron Boxerman, “A Border Crossing Shuttered for Months Traps the Sick and Wounded in Gaza,” the New York Times, July 19, 2024, <https://www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html> (accessed August 23, 2024).

²⁴⁷ “Hamas tells Gaza residents to stay put as Israel ground offensive looms,” Reuters, October 13, 2023, <https://www.reuters.com/world/middle-east/hamas-tells-gaza-residents-stay-home-israel-ground-offensive-looms-2023-10-13/> (accessed June 11, 2024).

²⁴⁸ Nicola Slawson, “Hamas tells Gaza City residents to stay put after Israel orders evacuation,” the Guardian, October 13, 2023, <https://www.theguardian.com/us-news/2023/oct/13/first-thing-hamas-tells-gaza-city-residents-to-stay-put-after-israel-orders-evacuation> (accessed June 11, 2024).

²⁴⁹ “IDF: Gaza resident says Hamas preventing evacuations; thousands return north,” the Times of Israel, October 26, 2023, <https://www.timesofisrael.com/idf-gaza-resident-says-hamas-preventing-evacuations-thousands-return-north/> (accessed May 6, 2024); “Hamas Actively Preventing Palestinians from Leaving Gaza: Israel Defence Forces,” the Economic Times, October 16, 2023, <https://economictimes.indiatimes.com/news/defence/hamas-actively-preventing-palestinians-from-leaving-gaza-israel-defence-forces/articleshow/104444023.cms?from=mdr> (accessed November 5, 2024).

Further, Israeli media reports suggested that Hamas set up roadblocks on Gaza’s main routes, effectively hindering civilians from reaching safer areas in the south of Gaza.²⁵⁰ These reports also allege that blocking people from fleeing was part of broader efforts by Hamas to use civilians as “human shields.”²⁵¹ An Israeli military official also indicated that Hamas had placed obstacles to prevent evacuations and had tried to attribute an explosive incident on an evacuation route to Israel, which Israel denied.²⁵²

In its June 10, 2024 report to the UN Human Rights Council, the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel said that it “documented several reports indicating that evacuation processes were also hindered by Hamas threats, setting up roadblocks to block evacuations and attacks against those that wanted to leave... The Commission therefore concludes on reasonable grounds that Hamas has made attempts to discourage and potentially obstruct the evacuation of civilians.”²⁵³

Human Rights Watch asked each of the 39 people it interviewed in private and confidential interviews if Hamas or other Palestinian armed groups had obstructed them from fleeing and none said that that had happened to them, but it is possible under the circumstances that some interviewees may not have felt comfortable discussing Hamas military operations with Human Rights Watch.

The massive, ongoing scale of Israeli attacks in Gaza might indicate that if Palestinian armed groups or members of Hamas attempted to maintain roadblocks for any length of time, they would likely have been targeted. In this scenario, it may be unlikely that efforts to block Palestinians from following evacuation orders would have stopped many people from fleeing for more than brief periods.

²⁵⁰ “IDF: Gaza resident says Hamas preventing evacuations; thousands return north,” the Times of Israel, October 26, 2023, <https://www.timesofisrael.com/idf-gaza-resident-says-hamas-preventing-evacuations-thousands-return-north/> (accessed May 6, 2024).

²⁵¹ Ibid.

²⁵² “Hamas Acts to Prevent Northern Gazans from Fleeing South,” Foundation for Defense of Democracies (FDD) flash brief, October 15, 2023, <https://www.fdd.org/analysis/2023/10/15/hamas-acts-to-prevent-northern-gazans-from-fleeing-south/> (accessed May 6, 2024).

²⁵³ The Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem and Israel, “Detailed findings on the military operations and attacks carried out in the Occupied Palestinian Territory from 7 October to 31 December 2023,” paras. 116 and 119.

All parties to conflicts must, take all feasible precautions to protect the civilian population under their control from the effects of attacks, including allowing civilians to leave areas. They must, to the extent feasible, remove civilian persons under their control from the vicinity of military objectives.²⁵⁴ Intentionally using the presence or movement of civilians to attempt to make certain areas or military forces immune from military operations would amount to human shielding.²⁵⁵ Therefore, any efforts by Hamas or Palestinian armed groups to prevent civilians from fleeing would amount to the war crime of human shielding if carried out to force civilians to remain in proximity to military targets in order to deter attacks on those targets.

Even if Hamas did obstruct some Palestinians in Gaza from accessing evacuation areas or prevented them from leaving their homes or areas, this would not absolve Israel from its obligation not to engage in forced displacement.

²⁵⁴ ICRC, “Rule 22. Principle of Precautions against the Effects of Attacks,” ICRC Customary IHL Database, undated, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule22> (accessed November 4, 2024); ICRC, “Rule 24. Removal of Civilians and Civilian Objects from the Vicinity of Military Objectives,” ICRC Customary IHL Database, undated, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule24> (accessed November 4, 2024).

²⁵⁵ ICRC, “Rule 97. Human Shields,” ICRC Customary IHL Database, undated, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule97> (accessed November 4, 2024).

Israel's Failure to Provide for the Displaced

Not a single electricity switch will be flipped on, not a single faucet will be turned on and not a single fuel truck will enter until the Israeli hostages are returned home.²⁵⁶

— Israel Katz, then-Minister of Energy, now Minister of Defense, October 12, 2023

Under article 49 of the Geneva Convention, a lawful evacuation of the protected population should adhere to humanitarian standards:

The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated.²⁵⁷

Israel is responsible for ensuring that the humanitarian needs of displaced people are met. The ICRC commentary expands on this section of article 49:

It represents a very strong recommendation to the Occupying Power... If...it is not possible to return the evacuated persons to their homes within a comparatively short period, it will be the duty of the Occupying Power to provide them with suitable accommodation and make proper feeding and sanitary arrangements.²⁵⁸

Israel has made no meaningful efforts to comply with these protections and has in fact taken steps to, and publicly declared its intention to make unavailable and inaccessible

²⁵⁶ Israel Katz (@Israel_katz), post to X, October 11, 2023, https://twitter.com/Israel_katz/status/1712356130377113904 (accessed May 6, 2024).

²⁵⁷ ICRC, *Geneva Convention IV (1949): Article 49*.

²⁵⁸ ICRC, Convention (IV) relative to the Protection of Civilian Persons in Time of War, Commentary of 1958, <https://ihl-databases.icrc.org/pt/ihl-treaties/gciv-1949/article-49/commentary/1958?activeTab=undefined> (accessed November 4, 2024).

goods and services essential to the human rights of Palestinians in Gaza through its attacking of civilian infrastructure and restrictions on aid.²⁵⁹

In response to the October 7 attacks, Israeli authorities have cut off rights-essential public services, including water and electricity, to Gaza’s population – including displaced Palestinians – and blocked the entry of all but a trickle of fuel and critical humanitarian aid.²⁶⁰ Acts of collective punishment that amount to war crimes and are ongoing at the time of writing.

On October 13, 2023, Israel announced that all residents of northern Gaza, including Gaza City, around 1.1 million people, must evacuate south of Wadi Gaza. That same day, Israel Katz, then-Minister of Energy, stated on social media that Israel will not provide “an ounce of water and electricity to those who remain.”²⁶¹ In fact, hardly an ounce was available to the evacuees who did leave.

Prior to the current hostilities, 1.2 million of Gaza’s 2.2 million people were estimated to be facing acute food insecurity, and over 80 percent were reliant on humanitarian aid.²⁶² Israel maintains overarching control over Gaza, including over the movement of people and goods, territorial waters, airspace, the infrastructure upon which Gaza relies, as well as the registry of the population.²⁶³ This leaves Gaza’s population almost entirely dependent on Israel for access to fuel, electricity, medicine, food, the internet, and other goods and services essential for the realization of their human rights.

On November 17, 2023, the World Food Programme (WFP) warned of the “immediate possibility” of starvation, highlighting that supplies of food and water were practically non-

²⁵⁹ See section “Intention to Forcibly Transfer.”

²⁶⁰ A. Kayum Ahmed, “Israeli Authorities’ Cutting of Water Leading to Public Health Crisis in Gaza,” commentary, Human Rights Watch dispatch, November 16, 2023, <https://www.hrw.org/news/2023/11/16/israeli-authorities-cutting-water-leading-public-health-crisis-gaza>; “Israel: Unlawful Gaza Blockade Deadly for Children,” October 18, 2023, <https://www.hrw.org/news/2023/10/18/israel-unlawful-gaza-blockade-deadly-children>; Sari Bashi (Human Rights Watch), “Gaza’s Blocked Relief,” commentary, *the New York Review of Books*, October 30, 2023, <https://www.hrw.org/news/2023/10/30/gazas-blocked-relief>.

²⁶¹ Bethan McKernan, “No Power, Water or Fuel to Gaza Until Hostages Freed, Says Israeli Minister,” *the Guardian*, October 12, 2023, <https://www.theguardian.com/world/2023/oct/12/no-power-water-or-fuel-to-gaza-until-hostages-freed-says-israeli-minister> (accessed May 30, 2024).

²⁶² Bushra Khalidi, “The world cannot stand by as starvation is used as a weapon of war in Gaza,” Oxfam, November 19, 2023, <https://views-voices.oxfam.org.uk/2023/11/world-cannot-stand-by-starvation-gaza/> (accessed June 28, 2024).

²⁶³ Human Rights Watch, *A Threshold Crossed*.

existent.²⁶⁴ On December 3, 2023, it reported a “high risk of famine,” indicating that Gaza’s food system was on the brink of collapse.²⁶⁵ On December 6, 2023, it declared that 48 percent of households in northern Gaza and 38 percent of displaced people in southern Gaza had experienced “severe levels of hunger.”²⁶⁶ On July 9, 2024, UN experts, including the special rapporteur on the right to food, stated that the “recent deaths of more Palestinian children due to hunger and malnutrition leaves no doubt that famine has spread across the entire Gaza strip.”²⁶⁷

Impact on Agricultural Sector, Food Insecurity

Israel’s military actions, whether targeting military objectives or not, have had a devastating impact on Gaza’s agricultural sector and food security. On November 16, 2023, UN experts said that the destruction of half of the Gaza’s civilian infrastructure “threatens to make the continuation of Palestinian life in Gaza impossible.”²⁶⁸ Notably, the Israeli military’s bombing of Gaza’s last operational wheat mill on November 15, 2023 ensured that locally produced flour would be unavailable in Gaza for the foreseeable future.²⁶⁹ On November 28, 2023, the Palestine Food Security Sector, led by the WFP and the Food and Agriculture Organization, reported that over a third of agricultural land in the north had been damaged.²⁷⁰ Additionally, the UN Office for Project Services (UNOPS) said that the decimation of road networks had made it more difficult for humanitarian organizations to deliver food and aid to those who need it.²⁷¹

²⁶⁴ “Gaza Faces Widespread Hunger as Food Systems Collapse, Warns WFP,” World Food Programme (WFP) news release, November 16, 2023, <https://www.wfp.org/news/gaza-faces-widespread-hunger-food-systems-collapse-warns-wfp> (accessed May 6, 2024).

²⁶⁵ “WFP Palestine Emergency Response External Situation Report #10,” ReliefWeb, December 3, 2023, <https://reliefweb.int/report/occupied-palestinian-territory/wfp-palestine-emergency-response-external-situation-report-10-03-december-2023> (accessed May 6, 2024).

²⁶⁶ WFP, “Gaza - Food Security Assessment - 6 December 2023,” December 6, 2023, <https://www.wfp.org/publications/gaza-food-security-assessment-december-2023> (accessed May 6, 2024).

²⁶⁷ “UN Experts Declare Famine Has Spread Throughout Gaza Strip,” UN Office of the High Commissioner for Human Rights (OHCHR) press release, July 9, 2024, <https://www.ohchr.org/en/press-releases/2024/07/un-experts-declare-famine-has-spread-throughout-gaza-strip> (accessed November 5, 2024).

²⁶⁸ “Gaza: UN Experts Call on International Community to Prevent Genocide Against Palestinian People,” OHCHR press release, November 16, 2023, <https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against> (accessed May 6, 2024).

²⁶⁹ OCHA, “Hostilities in Gaza Strip and Israel: Flash Update #40,” November 15, 2023, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-40> (accessed May 6, 2024).

²⁷⁰ “Israel: Starvation 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>.

²⁷¹ “Critical Infrastructure Collapsing in Gaza,” UNOPS press release, November 7, 2023, <https://reliefweb.int/report/occupied-palestinian-territory/critical-infrastructure-collapsing-gaza> (accessed May 7, 2024).

“Bakeries and grain mills have been destroyed, agriculture, water and sanitation facilities,” Scott Paul, a senior humanitarian policy adviser for Oxfam America, told the Associated Press on November 23, 2023.²⁷²

The sustained bombardment, coupled with fuel and water shortages, alongside the displacement of more than 1.6 million people to southern Gaza, has made farming nearly impossible.²⁷³ OCHA reported in late November 2023 that livestock in the north were facing starvation due to the shortage of fodder and water, and that crops were increasingly abandoned and damaged due to lack of fuel to pump irrigation water.²⁷⁴ On November 28, 2023, the Palestinian Central Bureau of Statistics said that Gaza is suffering from at least a US\$1.6 million daily loss in farm production.²⁷⁵

The Integrated Food Security Phase Classification (IPC) has warned:

About 1.84 million people across the Gaza Strip are experiencing high levels of acute food insecurity classified in IPC Phase 3 (Crisis) or above, including nearly 133,000 people facing catastrophic food insecurity (IPC Phase 5) and 664,000, in IPC Phase 4 (Emergency). About 1.95 million people across the Gaza Strip will likely experience high levels of acute food insecurity, classified in IPC Phase 3 or above (Crisis or worse) between November 2024 and April 2025, including nearly 345,000 people who will likely experience catastrophic food insecurity (IPC Phase 5). ...The risk of Famine between November 2024 and April 2025 persists as long as conflict continues, and humanitarian access is restricted.²⁷⁶

²⁷² Isabel Debre, “Gaza has become a moonscape in war. When the battles stop, many fear it will remain uninhabitable,” AP News, November 23, 2023, <https://apnews.com/article/palestinians-gaza-israel-bombing-destruction-amas-reconstruction-f299a28410b70ee05dd764df97d8d3ao> (accessed November 5, 2024).

²⁷³ Bushra Khalidi, “The world cannot stand by as starvation is used as a weapon of war in Gaza,” Oxfam, November 19, 2023, <https://views-voices.oxfam.org.uk/2023/11/world-cannot-stand-by-starvation-gaza/> (accessed June 28, 2024).

²⁷⁴ OCHA, “Hostilities in Gaza Strip and Israel: Flash Update #51,” November 26, 2023, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-51> (accessed May 7, 2024).

²⁷⁵ “Impact of the Israeli Occupation Aggression on the Agricultural Sector in Gaza Strip, 2023,” Palestinian Central Bureau of Statistics (PCBS) press release, November 28, 2023, <https://www.pcbs.gov.ps/site/512/default.aspx?tabID=512&lang=en&ItemID=4643&mid=3171> (accessed May 7, 2024).

²⁷⁶ Integrated Food Security Phase Classification (IPC), “Gaza Strip: IPC Acute Food Insecurity and Acute Malnutrition Special Snapshot,” October 17, 2024, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Malnutrition_Sep2024_Apr2025_Special_Snapshot.pdf (accessed November 4, 2024).

Citing warnings about “catastrophic conditions” in Gaza, on January 26, 2024, the International Court of Justice (ICJ) ordered Israel to “take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian aid.”²⁷⁷

Despite this binding order, Israel continued to restrict or block aid, and in March 2024 the ICJ issued a further order, citing that the “catastrophic living conditions of the Palestinians in the Gaza Strip have deteriorated further,” in particular because of “the prolonged and widespread deprivation of food and other basic necessities.”²⁷⁸

According to OCHA and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the daily average number of trucks entering Gaza with food, aid, and medicine dropped by more than a third in the weeks following the January ICJ order.

On April 10, Samantha Power, head of the US humanitarian and development agency, USAID, became the first US official to confirm publicly that reports of famine in at least some parts of Gaza were “credible.”²⁷⁹

On April 11, 2024, *the Washington Post* spoke with 25 aid groups, UN agencies, and donor countries about the kinds of aid they have tried to get into Gaza.²⁸⁰ It found that “in the six months since the start of the war, Israeli authorities have denied or restricted access to a number of items, ranging from lifesaving medical supplies to toys to chocolate croissants.”²⁸¹

²⁷⁷ ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), “Order of 26 January 2024,” January 26, 2024, <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf> (accessed May 7, 2024).

²⁷⁸ ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Order on South Africa’s Request for the Modification of the Order of 26 January 2024 Indicating Provisional Measures, “Order of 28 March 2024,” March 28, 2024, <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240328-ord-01-00-en.pdf> (accessed November 5, 2024), para. 18.

²⁷⁹ Jennifer Hansler, “USAID administrator says it is ‘credible’ to assess famine is already occurring in parts of Gaza,” CNN, April 11, 2024, <https://www.cnn.com/2024/04/11/politics/samantha-power-famine-gaza/index.html> (accessed May 7, 2024).

²⁸⁰ Niha Masih, “Crutches and chocolate croissants: Gaza aid items Israel has rejected,” *the Washington Post*, April 11, 2024, <https://www.washingtonpost.com/world/2024/04/11/israel-aid-gaza-banned-blocked/> (accessed May 7, 2024).

²⁸¹ Niha Masih, “Crutches and chocolate croissants: Gaza aid items Israel has rejected,” *the Washington Post*, April 11, 2024, <https://www.washingtonpost.com/world/2024/04/11/israel-aid-gaza-banned-blocked/> (accessed May 7, 2024).

Israel justifies the restrictions according to its interpretation of “dual-use” items, items that are predominantly civilian in nature but could also be used militarily, such as construction materials, communications equipment and chemicals.²⁸² Israel argues these restrictions are necessary to choke off Hamas’s military apparatus.²⁸³

Humanitarian agencies have demanded the Israeli military publish a list of dual-use and prohibited items, to provide written notice of its rejections of aid shipments, and to allow for rejections by soldiers on the ground to be appealed, which Israel’s military agency responsible for blocking and arbitrarily rejecting aid, COGAT, has so far refused.²⁸⁴

On May 5, Israeli authorities closed the Kerem Shalom crossing after a Hamas rocket attack,²⁸⁵ and on May 7, Israeli forces seized the Rafah crossing as part of its incursion in the area, thus blocking aid from entering via the primary crossings that had been used before Israel took control of that crossing.

On May 24, the ICJ underlined “the catastrophic humanitarian situation in Gaza” and the need for the “unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance.”²⁸⁶ It ordered Israel to “maintain open the Rafah crossing for unhindered provision at scale of urgently needed basic services and humanitarian assistance.”²⁸⁷

²⁸² Ibid.

²⁸³ Ibid.

²⁸⁴ Tamara Qiblawi, Allegra Goodwin, et al., “Anesthetics, crutches, dates. Inside Israel’s ghost list of items arbitrarily denied entry into Gaza,” CNN, March 2, 2024, <https://edition.cnn.com/2024/03/01/middleeast/gaza-aid-israel-restrictions-investigation-intl-cmd/index.html> (accessed November 5, 2024).

²⁸⁵ “Key aid crossing into Gaza closed after rocket attack kills Israeli soldiers,” the Guardian, May 6, 2024, <https://www.theguardian.com/world/article/2024/may/06/key-aid-crossing-into-gaza-closed-after-rocket-attack-kills-israeli-soldiers> (accessed May 7, 2024).

²⁸⁶ “Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) - Request for the modification of the Order of 28 March 2024 - The Court reaffirms its previous provisional measures and indicates new measures,” ICJ press release, May 24, 2024, <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240524-pre-01-00-en.pdf> (accessed May 30, 2024).

²⁸⁷ Ibid.

Prior to October 7, 2023, 500 lorries of humanitarian aid entered Gaza per day.²⁸⁸ In the first month of the war, only nine lorries a day made it in and in the first ten days of October 2024, only 30 lorries made it in.²⁸⁹

Impact on Electricity, Water, Sanitation

Israeli authorities and forces have cut off the water supply piped into Gaza from Israel, cut off the electricity supply from Israel to Gaza that was needed to operate water pumps, desalinization plants, and sanitation infrastructure within Gaza, and blocked and restricted the fuel needed to run generators in the absence of electricity.²⁹⁰ They have also blocked UN agencies and humanitarian aid organizations from delivering critical water-related materials and other humanitarian aid from entering Gaza; destroyed water infrastructure, including in direct attacks, and have attacked water repair workers.²⁹¹

On December 4, 2023, the UN Humanitarian Coordinator for the Occupied Palestinian Territory, Lynn Hastings, said that the limited amounts of fuel being allowed in were

²⁸⁸ “Humanitarian System for More than 2 Million Civilians in Gaza Facing Total Collapse, Secretary-General Warns, Once Again Urging Ceasefire, Aid Delivery at Scale Needed,” UN press release, October 27, 2023, <https://press.un.org/en/2023/sgsm22010.doc.htm> (accessed November 5, 2024).

²⁸⁹ “How much food is Israel letting into northern Gaza?” BBC News, October 17, 2024, <https://www.bbc.co.uk/news/articles/c77x0515ze40> (accessed November 5, 2024).

²⁹⁰ “A matter of life and death: water runs out for 2 million people in Gaza,” UNRWA official statement, October 14, 2023, <https://www.unrwa.org/newsroom/official-statements/matter-life-and-death-water-runs-out-2-million-people-gaza> (accessed August 26, 2024); Tal Schneider, “Israel cuts electricity supply to Gaza,” the Times of Israel, October 7, 2023, https://www.timesofisrael.com/liveblog_entry/israel-cuts-electricity-supply-to-gaza/ (accessed August 26, 2024); OCHA, “Hostilities in the Gaza Strip and Israel: Flash Update #120,” February 16, 2024, <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-120> (accessed August 26, 2024). See also UNICEF, “Immediate Needs Document in the State of Palestine (October – December 2023),” October 17, 2023, <https://reliefweb.int/report/occupied-palestinian-territory/immediate-needs-document-state-palestine-october-december-2023> (accessed October 17, 2023).

²⁹¹ UN, EU, and World Bank, “Gaza Strip Interim Damage Assessment,” March 29, 2024, <https://palestine.un.org/sites/default/files/2024-04/Gaza-Interim-Damage-Assessment-Final.pdf> (accessed August 27, 2024); OCHA, “Hostilities in the Gaza Strip and Israel: Flash Update #101,” January 24, 2024, <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-101-enarhe> (accessed August 27, 2024); Oxfam, “Water War Crimes: How Israel has weaponized water in its military campaign in Gaza,” July 18, 2024, <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621609/bp-water-war-crimes-180724-en.pdf?sequence=1> (accessed August 27, 2024); Sari Bashi (Human Rights Watch), “Gaza’s Blocked Relief,” commentary, the New York Review of Books, October 30, 2023, <https://www.hrw.org/news/2023/10/30/gazas-blocked-relief>; “Israel Not Complying with World Court Order in Genocide Case,” Human Rights Watch news release, February 26, 2024, <https://www.hrw.org/news/2024/02/26/israel-not-complying-world-court-order-genocide-case>; “Gaza war inflicts catastrophic damage on infrastructure and economy,” Reuters, November 17, 2023, <https://www.reuters.com/world/middle-east/gaza-war-inflicts-catastrophic-damage-infrastructure-economy-2023-11-17/> (accessed August 26, 2024).

“utterly insufficient.”²⁹² On December 6, 2023, Israel’s war cabinet approved a “minimal” increase in fuel supplies to southern Gaza.²⁹³

On October 7, 2023, Israeli authorities cut the electricity it delivers to Gaza, the main source of electricity there.²⁹⁴ Israeli authorities also cut fuel necessary to run Gaza’s only power plant. By October 11, 2023, the only power plant in Gaza ran out of fuel reserves.²⁹⁵ Because of the absence of electricity due to the unavailability of fuel to operate diesel generators, facilities for water and wastewater in Gaza became inoperable. While Israeli authorities later began allowing in some fuel, they have only allowed in a fraction of what is needed to operate Gaza’s critical infrastructure. As of July 2024, the fuel needed to supply Gaza’s energy needs remains woefully inadequate.²⁹⁶

On November 7, 2023, UNOPS reported a “staggering 92 per cent drop in water consumption from pre-conflict levels,” finding “the vast majority of sewage stations now inoperative,” and warned of “a water and sanitation crisis of catastrophic proportions.”²⁹⁷

According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), as of February 16, water production in Gaza stood at just 5.7 percent of what it was before the current hostilities.²⁹⁸ In August 2024, a Water, Sanitation and Hygiene (WASH)

²⁹² “Statement of the Humanitarian Coordinator for the Occupied Palestinian Territory, Lynn Hastings,” OCHA press release, December 4, 2023, <https://www.un.org/unispal/document/statement-of-the-humanitarian-coordinator-for-the-occupied-palestinian-territory-lynn-hastings/> (accessed June 28, 2024).

²⁹³ “Following US pressure, Israel approves increase of fuel deliveries to Gaza,” the Times of Israel, December 7, 2023, <https://www.timesofisrael.com/following-us-pressure-israel-approves-increase-of-fuel-deliveries-to-gaza/> (accessed June 28, 2023).

²⁹⁴ OCHA, “Electricity in the Gaza Strip,” undated, <https://www.ochaopt.org/page/gaza-strip-electricity-supply> (accessed May 30, 2024).

²⁹⁵ Ibrahim Dahman, “Gaza’s sole power station stops working as fuel runs out, after Israel orders ‘complete’ blockade,” CNN, October 11, 2023, <https://edition.cnn.com/2023/10/11/middleeast/gaza-power-plant-shuts-down-intl/index.html> (accessed May 7, 2024).

²⁹⁶ “Fuel Crisis in Gaza: A Barrier to Essential Humanitarian Operations, Highlights of the noon briefing by Spokesperson for the UN Secretary-General (excerpt on the crisis situation in Gaza),” UN Secretary-General, July 25, 2024, <https://www.un.org/unispal/document/highlights-of-the-noon-briefing-25jul24/> (accessed November 5, 2024).

²⁹⁷ “Critical Infrastructure Collapsing in Gaza,” UNOPS press release, November 7, 2023, <https://reliefweb.int/report/occupied-palestinian-territory/critical-infrastructure-collapsing-gaza> (accessed May 7, 2024).

²⁹⁸ OCHA, “Hostilities in Gaza Strip and Israel: Flash Update #120,” February 16, 2024, <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-120> (accessed May 7, 2024).

assessment in Gaza found that 1.4 million people face a shortage of drinking water and also face unsafe conditions when accessing sanitation facilities.²⁹⁹

International humanitarian law requires Israel, as the occupying power in Gaza, to ensure that the basic needs of the civilian population are provided for. This is a positive obligation that requires Israel also to protect Palestinians' right to water and to take "deliberate, concrete, and targeted" measures to ensure the full realization of these rights. Depriving a population of access to water amounts to collective punishment of the civilian population, a war crime. The right to water, which includes the right to safe and clean drinking water and sanitation, is also a human right, and is derived from the right to life and the right to an adequate standard of living.³⁰⁰

Israel is a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and remains bound to its terms at all times, including during armed conflicts and public emergencies.³⁰¹ As such, Israel continues to bear the obligation to respect, protect, and fulfil all economic, social, and cultural rights, including the rights to food, water, housing, and health.³⁰²

In its general comments interpreting the obligations of states parties with respect to these rights, the Committee on Economic, Social and Cultural Rights (ESCR) has repeatedly reiterated that states must comply with certain core obligations that represent the minimum essential levels of these rights, non-compliance with which cannot be justified even in times of conflict, as they are non-derogable. This includes, among other things, several core obligations to the right to health that Israel has clearly failed to comply with according to the evidence included below:

²⁹⁹ OCHA, "Gaza Humanitarian Response Update: 30 September - 13 October 2024," October 15, 2024, <https://www.ochaopt.org/content/gaza-humanitarian-response-update-30-september-13-october-2024> (accessed November 5, 2024).

³⁰⁰ See International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> (accessed May 7, 2024); International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, ratified by Israel on October 3, 1991, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights> (accessed May 7, 2024).

³⁰¹ UN General Assembly, "Report of the United Nations High Commissioner for Human Rights," E/2015/59, May 19, 2015, <https://documents.un.org/doc/undoc/gen/g15/100/88/pdf/g1510088.pdf> (accessed September 16, 2024), para. 16.

³⁰² *Ibid.*, paras. 17-19.

- To ensure equitable distribution and access to health facilities, goods and services on a non-discriminatory basis, especially for vulnerable or marginalized groups;³⁰³
- To ensure that food aid reaches the population...and will ensure freedom from hunger, and respect for the minimum core content of the right to food;³⁰⁴
- To ensure access to safe and potable drinking water, adequate sanitation, housing and food;³⁰⁵ and
- To provide essential drugs, as from time to time defined under the WHO Action Programme on Essential Drugs.³⁰⁶

Displaced Palestinians’ Humanitarian Situation in Their Own Words

All those interviewed by Human Rights Watch for this report stressed the dire nature of their humanitarian situation. Every interviewee said they were hungry and thirsty and had inadequate or no shelter. They all struggled to access basic goods and public services, and those with health conditions could not access the medication or medical services they required.

Omar, whose survival of appalling conditions since October 7 is recounted in an earlier section, sought refuge in a camp in Khan Younis, though it is likely he has had to move since the interview. He described the conditions:

Where we are now, it is where Israel said is safe – in Khan Younis. We are living in a tent. We don’t have anything. We don’t have food or water, we are living under a plastic tent.

This camp is hosting 77,000 people but actually it only has capacity to host 5,000. There are 17,000 to 19,000 kids in the camp; 90 percent of kids are sick. It has been raining and there is no treatment... We don’t know how to

³⁰³ UN General Assembly, “Report of the United Nations High Commissioner for Human Rights,” E/2015/59, May 19, 2015, para. 35(a).

³⁰⁴ *Ibid.*, para. 19.

³⁰⁵ *Ibid.*, para. 38.

³⁰⁶ *Ibid.*, para 36.

treat the sick people. If you wake up [in the night] to go to the toilet you have to wait hours for your turn.³⁰⁷

Youssef, whose wife was heavily pregnant at the time of interview, explained that she had been told by doctors before the outbreak of the hostilities that she would need a cesarean section in order to give birth safely. “I don’t know if labor starts where she should go....We are not receiving any help. I don’t know what to do when the time comes. It is very heavy on me to even think about it,” he said.³⁰⁸

Youssef went on to explain the conditions of his displacement where he was living at the time of interview in a tent in Rafah:

I have to walk three kilometers to get one gallon of water. There is no food. If we were able to find food, it is canned food... My mother has high blood pressure and a sugar problem, but her treatment is unavailable. I am constantly searching for things that are needed to survive.³⁰⁹

Human Rights Watch was not able to follow up with Youssef to find out what happened to him and his family.

Interviewees consistently explained how difficult it was for them to find a place to shelter during their journey. People described overwhelmingly crowded places, usually UNRWA or public schools and hospitals that have become informal displacement shelters.³¹⁰

³⁰⁷ Human Rights Watch telephone interview with Omar, November 21, 2023.

³⁰⁸ Human Rights Watch telephone interview with Youssef, November 27, 2023.

³⁰⁹ Ibid.

³¹⁰ Nour Abu Aisha, “Displaced children in Gaza use schools for shelter, not learning,” Anadolu Agency, November 11, 2023, <https://www.aa.com.tr/en/middle-east/displaced-children-in-gaza-use-schools-for-shelter-not-learning/3050486> (accessed November 5, 2024); “Displaced Gazans seek shelter in UNRWA schools,” Middle East Monitor, October 8, 2023, <https://www.middleeastmonitor.com/20231008-displaced-gazans-seek-shelter-in-unrwa-schools/> (accessed May 8, 2024); Nidal Al-Mughrabi, “Gaza’s main hospital becomes teeming camp for displaced people,” Reuters, November 7, 2023, <https://www.reuters.com/world/middle-east/gazas-main-hospital-becomes-teeming-camp-displaced-people-2023-11-07/> (accessed May 8, 2024); Nada al Taher, “Gaza’s hospitals have become unsafe shelters housing tens of thousands, Red Crescent says,” the National, October 31, 2023, <https://www.thenationalnews.com/mena/palestine-israel/2023/10/31/gazas-hospitals-have-become-unsafe-shelters-housing-tens-of-thousands-red-crescent-says/> (accessed May 8, 2024).

Sami, a 32-year-old single man who is financially responsible for his large, extended family, described how he fled his home in Shuja'iyya in mid-October and found shelter with his family next to al-Quds Hospital:

During our stay in al-Quds Hospital, it was awful. The three buildings were fully packed and so many people were there – maybe 16,000 people. The hospital couldn't hold or help so many people. There were people getting sick and getting diseases. No one was helping us at that time... It was so hard to find water or even buy it. The water we found was not good for drinking, but we didn't have any choice.³¹¹

Al-Quds Hospital was damaged by Israeli airstrikes on October 18.³¹² Calling it the “death night,” Sami suffered what he said were first degree burns during the attacks and eventually fled to an UNRWA school on al-Zeituna Street near the south of Gaza City that was being used as a shelter:

When we reached the school, we found the situation was horrible. It was not a place for humans to stay, there were 20,000 people living there...No one was in charge. We didn't receive mattresses or covers. We couldn't stay inside the school. We stayed outside, only one night.³¹³

All interviewees described the struggle to find food and water to survive – usually a daily routine of walking kilometers to identify people with food or potable water to sell.

Yusra, a 36-year-old woman living with her father, stepmother, and brother who has a mobility disability, fled her home near the fences with Israel on October 11 and sought shelter in Khan Younis, following the Israeli military's instructions that she received on her telephone via text messages.³¹⁴ She explained how difficult it was to find a shelter that could house her father who has several health conditions and needs assistance to walk,

³¹¹ Human Rights Watch telephone interview with Sami, November 29, 2023.

³¹² Robert Inlakesh (@falasteen47), post to X, October 18, 2023, <https://twitter.com/falasteen47/status/1714740424995426434> (accessed May 9, 2024).

³¹³ Human Rights Watch telephone interview with Sami, November 29, 2023.

³¹⁴ Human Rights Watch telephone interview with Yusra, November 29, 2023.

as well as her brother who uses a wheelchair. She eventually found a metal container to rent:

We get water but it is not potable water. It is salty water, but we have to drink it sometimes when we cannot get drinking water. Taking a bath is a dream. We can't heat the water to bathe. We need to find wood for a fire. We burn old clothes to make a fire to cook sometimes. We make bad bread because we don't have all the ingredients and we cannot afford it... We don't have enough of anything.³¹⁵

Nadine, a 29-year-old woman, who was living with her husband and four children in Nuseirat refugee camp in Gaza before the war, explained how she and her family had been displaced three times and was sheltering in Deir al-Balah at the time of interview. She described how since the outset of the hostilities, prices had dramatically increased as goods became increasingly scarce:

The situation with food and water is horrific. It makes me feel like I am living many kinds of war. A war from my enemies and a war with my own people. Because the food prices went up. Before a bunch of parsley was around one shekel [approximately \$0.27] and now it is 5 to 10 shekels. It is the same for a bag flour, it is nearly 100 to 150 shekels. It has been a week that I haven't had flour...

It is so hard to get water to drink. It is almost impossible to find. My kids have had diarrhea, the flu, and runny noses. All of this because of the [bad] water ... Medication is non-existent. We have no rights anymore. The people who live in Gaza are no longer humans. We survive less than the animals in your country -- they at least have water and food ... This morning, I gave my daughters some bread and a bit of cheese. I don't have food to give them, so I sent them back to sleep. I feel ashamed.³¹⁶

³¹⁵ Human Rights Watch telephone interview with Yusra, November 29, 2023.

³¹⁶ Human Rights Watch telephone interview with Nadine, December 5, 2023.

Saeed, a 53-year-old director of an organization focused on programming for children with diabetes in Gaza, explained how difficult it was to access insulin in Gaza and worried for the one week's supply he had left for his son who has type 1 diabetes. Displaced originally from al-Shati camp in northern Gaza, Saeed fled specifically to Rafah to try and find insulin and better access to other rights-essential goods, including menstrual hygiene products, and services for his five children than in other areas such as Deir al-Balah where he had sought refuge previously:

The price of food and water these days – you can multiply it by 30 or 40 times since before the war. We buy all our water. There are more than one million people now in Rafah. The traffic is terrible, moving around is tiring...I moved here to get insulin. I have two rounds of medication left...but there is no solution...I don't know what will happen. It is a huge problem that I will be facing soon. Our kids are not just dying from bombs – but from eating the food and the water, and when they need medication.

My son is one of triplets, the other two are girls. I cannot find feminine hygiene products for my girls at all. In Rafah where I am now, we cannot find any; I got tired just looking. Maybe there is in other places in Gaza, but here in Rafah there is nothing. I tried to get pampers [baby diapers] for my girls for their periods but there are none.³¹⁷

Tarek, a 53-year-old man with 11 children also fled his home in al-Shati refugee camp in the early days of the war and sought refuge with his son who was receiving treatment for leukemia in al-Rantisi Specialist Hospital in Gaza. He said the hospital was eventually damaged in an Israeli airstrike and he fled with his family to Rafah:

I don't think there is worse than the conditions we are living in now, as much as I will try to explain in words it's completely different living it. I've been sick since the day I arrived to Rafah – that means 30 or 40 days ago, I also have diabetes that I'm not monitoring or even taking medication for, my wife also has diabetes...My 7-year-old son has leukemia, his immunity is

³¹⁷ Human Rights Watch telephone interview with Saeed, December 12, 2023.

weak and no one has anything here to help with his condition, I don't even have a way to contact his physician. I also have kids who have other conditions like eye-sight problems, and one has injuries in both legs.

I just sent my son out with five shekels (approximately US\$1.30) because we are out of water. That amount will get us five liters and we are fifteen people so by tonight we will run out of water again and if we can't find drinkable water we will drink the sea water. It happened to me many times when I had to drink sea water. You don't understand how much we are suffering.

Regarding sanitary pads for my girls: we can't find any at the markets and even if we were able to find some, we can't even afford to buy them anymore because they are so expensive; one pack may cost between 25 to 30 shekels (approximately US\$6-\$8) now, so they are using diapers.³¹⁸

Conclusion

The Israeli authorities have continued to force the mass displacement of people to areas where their human rights are violated. Israeli military did not prepare any infrastructure to provide goods and services essential for their human rights, prevented humanitarian actors from carrying out activities adequate to do so, and have actively and intentionally taken steps to make unavailable and inaccessible what few rights-essential resources displaced people could access through the widespread destruction of local food-production capacity, water, electricity, fuel throughout Gaza. While the obligation in article 49 of the Geneva Convention is for the Occupying Power to provide safeguards “to the greatest practicable extent” for the evacuated population, the ICRC commentary notes that if it “is not possible to return the evacuated persons to their homes within a comparatively short period, it will be the duty of the Occupying Power to provide them with suitable accommodation and make proper feeding and sanitary arrangements.”³¹⁹ It is now a over a year since the conflict began and more than 1.8 million Palestinians in Gaza are

³¹⁸ Human Rights Watch telephone interview with Tarek, December 20, 2023.

³¹⁹ ICRC, Convention (IV) relative to the Protection of Civilian Persons in Time of War, Commentary of 1958, <https://ihl-databases.icrc.org/pt/ihl-treaties/gciv-1949/article-49/commentary/1958?activeTab=undefined> (accessed November 4, 2024).

experiencing “extremely critical” levels of hunger.³²⁰ The only way into besieged and occupied Gaza, surrounded by Israel to the north and east and Egypt to the south, is through Israeli-controlled borders. In November 2023, Israel’s Minister of Agriculture and Food Security, Avi Dichter, said that “We are now rolling out the Gaza Nakba.” In pursuit of this goal, the Israeli military bombed civilian infrastructure and residences, and took steps that ensured a catastrophic humanitarian crisis in which displaced people are unable to access food, water, sanitation or health care, and where children are dying of starvation and preventable diseases. Before the war, about 500 trucks entered Gaza daily, carrying commercial goods and humanitarian aid, and the number has since drastically plummeted. In August 2024, only 1,559 trucks entered Gaza through the Kerem Shalom and Rafah border crossings even when a famine alert was declared in parts of Gaza this summer.³²¹

Between September 1 and 15, 2024, of the 94 planned humanitarian missions coordinated with the Israeli authorities for northern Gaza only 37 (or 39 percent) went ahead. A total of 25 (or 27 percent) were denied access.³²²

These policies and practices are evidence of the war crimes and crime against humanity of forced displacement, and evidence of Israel’s violation of displaced persons human rights, including the rights to food, health, water, and sanitation. Israel has at best failed to adhere to the strict obligations of article 49 of the Geneva Convention to evacuate people to areas where their humanitarian needs can be met, and at worst driven them to places where they are intentionally being starved and put in harm’s way.

³²⁰ “Over 1.8 Million in Gaza Face Extreme Hunger,” UN Palestine news release, October 18, 2024, <https://palestine.un.org/en/281476-over-18-million-gaza-face-extreme-hunger> (accessed October 22, 2024).

³²¹ Eileen Travers, “How aid is (and is not) getting into Gaza,” UN News, September 16, 2024, <https://news.un.org/en/story/2024/09/1154401> (accessed November 5, 2024); “New famine alert for Gaza where families go days without food,” UN News, June 25, 2024, <https://news.un.org/en/story/2024/06/1151416> (accessed November 5, 2024).

³²² Eileen Travers, “How aid is (and is not) getting into Gaza,” UN News, September 16, 2024, <https://news.un.org/en/story/2024/09/1154401> (accessed November 5, 2024).

Making Forced Displacement Permanent: Widespread Destruction of Places of Origin

After five months of devastating war and destruction, the actions of the Israeli government in Gaza give the impression that its objectives go beyond destroying Hamas. As Major General Giora Eiland wrote last December in Yedioth Ahronoth there appears to be an effort to “turn Gaza into a place that is temporarily or permanently impossible to live in.” And indeed, almost everything that allows a human society to function has been destroyed: civil register, property register, cultural and health infrastructure, most of the schools built by UNRWA.³²³

— Josep Borrell, High Representative of the European Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, March 5, 2024

International humanitarian law (IHL) prohibits the forced displacement of civilians except temporarily, when required for their security or imperative military reasons.³²⁴ People must be allowed to return once hostilities have ended. In the interim, the Israeli military should not be taking actions that render return impossible. This includes actions which have made Gaza uninhabitable for years to come through the widespread destruction and levelling of large parts of Gaza, particularly at times when Israeli forces are in control of an area, and active fighting has ceased. Analysis of satellite imagery shows that the damage caused by the Israeli military often appears to follow a pattern that includes aerial bombardment of areas, followed by the intervention of ground forces, and in certain instances, once a relative level of control has been achieved, the deliberate bulldozing and razing of territory and the use of controlled demolitions. Some of this destruction appears to clearly go beyond what is militarily necessary and demonstrates an intention to systematically destroy parts of Gaza, frustrating the right to return.

³²³ Josep Borrell, “Gaza: Starvation and Bloodbath,” European External Action Service blog post, March 5, 2024, https://www.eeas.europa.eu/eeas/gaza-starvation-and-bloodbath_en (accessed November 6, 2024).

³²⁴ See Federico Andreu-Guzmán, “Criminal Justice and Forced Displacement: International and National Perspectives,” International Center for Transitional Justice research brief, June 2013, <https://www.ictj.org/sites/default/files/ICTJ-Research-Brief-Displacement-Criminal-Justice-Andreu-Guzman.pdf> (accessed November 6, 2024).

On August 1, 2024, the UN said “the recent conflict in the Gaza Strip has produced a volume of debris that is 14 times greater than the combined total from all conflicts over the past 16 years.”³²⁵ The United Nations Mine Action Service (UNMAS) estimated the amount of debris in Gaza at 37 million tons in mid-April, or 300 kilograms per square meter stating that there was more rubble than in Ukraine, and that the rubble is likely heavily contaminated with unexploded ordnance.³²⁶ On May 2, 2024, the United Nations Development Program (UNDP) estimated that it would take between US\$40 and \$50 billion to rebuild Gaza and require an effort on a scale the world has not seen since World War II.³²⁷

Destruction of Civilian Infrastructure

On February 8, 2024, UN High Commissioner for Human Rights Volker Türk said that his office had recorded “widespread destruction and demolition by the Israeli military of civilian and other infrastructure, including residential buildings, schools and universities in areas in which fighting is not or no longer taking place.”³²⁸ Türk’s observations covered the period since late October 2023, but he noted reports of destroyed residential buildings and blocks taking place in Khan Younis at the time of his statement. Reminding Israeli authorities “that forcible transfer of civilians may constitute a war crime,”³²⁹ he said that the “destruction of homes and other essential civilian infrastructures...appears to be aimed at or has the effect of rendering the return of civilians to these areas impossible.”³³⁰

According to the World Bank, by January 21, 2024, and compared to figures before the conflict, 83.6 percent of all health infrastructure in Gaza was damaged or destroyed; 83.4 percent of education facilities; 75.8 percent of information and communications

³²⁵ United Nations Institute for Training and Research (UNITAR), “Gaza: Debris Generated by The Current Conflict Is 14 Times More Than the Combined Sum of All Debris Generated by Other Conflicts Since 2008,” August 1, 2024, <https://unitar.org/about/news-stories/news/gaza-debris-generated-current-conflict-14-times-more-combined-sum-all-debris-generated-other> (accessed November 5, 2024).

³²⁶ “More war debris in Gaza than Ukraine: UN,” Business Recorder, May 1, 2024, <https://www.brecorder.com/news/40301262> (accessed May 9, 2024).

³²⁷ Edith M. Lederer, “The unprecedented destruction of housing in Gaza hasn’t been seen since World War II, the UN says,” AP News, May 2, 2024, <https://apnews.com/article/un-report-gaza-destruction-housing-economy-recovery-4f61dcca7db3fd5eb3da5c6a25001e12> (accessed November 6, 2024).

³²⁸ Türk especially noted demolitions in Beit Hanoun in northern Gaza, Shuja’iyya in Gaza City, and Nuseirat Camp in Middle Gaza. “Widespread destruction by Israeli Defence Forces of civilian infrastructure in Gaza,” OHCHR press release, February 8, 2024, <https://www.ohchr.org/en/press-releases/2024/02/widespread-destruction-israeli-defence-forces-civilian-infrastructure-gaza> (accessed November 6, 2024).

³²⁹ Ibid.

³³⁰ Ibid.

technology; 61.6 percent of housing; and 62 percent of electricity lines.³³¹ On January 5, Martin Griffiths, the under-secretary-general for humanitarian affairs and emergency relief coordinator, stated “Gaza has simply become uninhabitable.”³³² As of July 2024, the World Health Organization (WHO) had registered more than 1,000 attacks on healthcare facilities in the Occupied Palestinian Territory (OPT) since the October 7 and declared that there were no functional hospitals in the enclave’s southernmost city of Rafah, following Israel’s recent offensive there.³³³

UNOSAT reported on September 27 based on images from September 3 and 6 that approximately 130,000 buildings had been damaged or destroyed.³³⁴ This amounts to around 52 percent of the total structures in Gaza and 178,132 estimated damaged housing units. The most affected governorates are Gaza, Khan Younis, with approximately 35,000 damaged or destroyed buildings.

In a briefing to the UN Security Council on February 22, Christopher Lockyear, the Secretary General of Médecins Sans Frontières (MSF) stated that “there is no health system to speak of left in Gaza. Israel’s military has dismantled hospital after hospital.”³³⁵ As of May 8, only 12 out of 36 hospitals are partially functioning across Gaza, according to the WHO.³³⁶

As of July 15, nearly 90,000 people had been wounded in hostilities since October 7, but there were only 1,532 inpatient hospital beds in Gaza.³³⁷

³³¹ World Bank Economic Monitoring Report, Note on the Impacts of the Conflict in the Middle East on the Palestinian Economy, February 2024, <https://thedocs.worldbank.org/en/doc/db98500ofa4b7237616dbca501d674dc-0280012024/original/PalestinianEconomicNote-Feb2024-Final.pdf> (accessed May 10, 2024).

³³² “UN Relief Chief: War in Gaza Must End,” OCHA news, January 5, 2024, <https://www.unocha.org/news/un-relief-chief-war-gaza-must-end> (accessed May 30, 2024).

³³³ “‘Listening to the agony’ in Gaza: Humanitarians struggle to meet needs of displaced,” UN News, July 17, 2024, <https://news.un.org/en/story/2024/07/1152201> (accessed August 27, 2024).

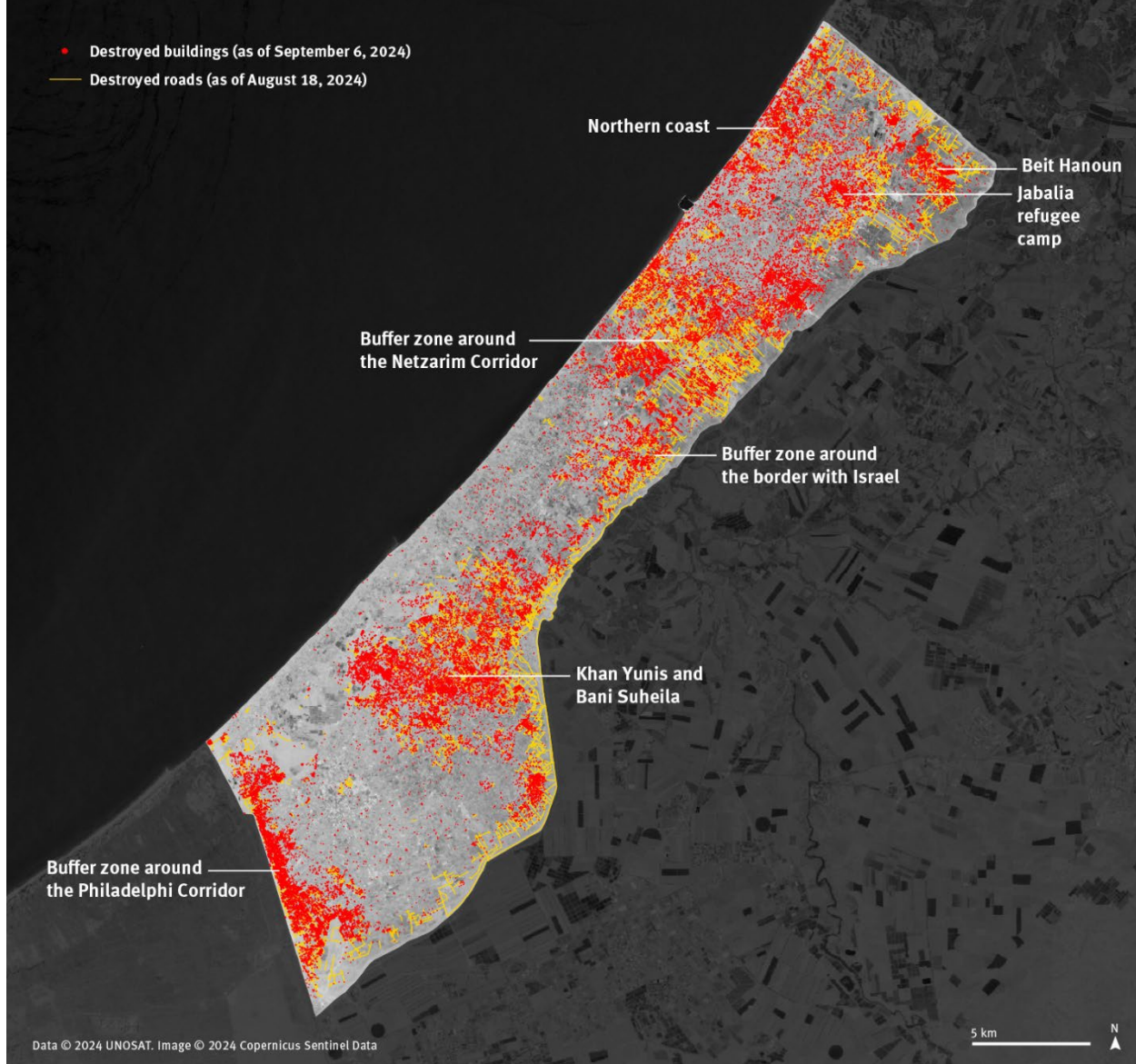
³³⁴ UNOSAT, “Gaza Strip Comprehensive Damage Assessment – September 2024,” September 29, 2024, <https://unosat.org/products/3984> (accessed October 1, 2024). Human Rights Watch excluded from damaged buildings the ones categorized as “possibly damaged” from UNOSAT assessment.

³³⁵ “MSF briefing on Gaza to UN Security Council,” Médecins Sans Frontières news release, February 22, 2024, <https://www.msf.org/msf-briefing-gaza-un-security-council> (accessed November 6, 2024).

³³⁶ ReliefWeb, “Medical Aid for Palestinians (MAP) Update on the hospital situation in Gaza,” May 13, 2024, <https://reliefweb.int/report/occupied-palestinian-territory/medical-aid-palestinians-map-update-hospital-situation-gaza-13-may-2024-1240> (accessed May 30, 2024).

³³⁷ WHO Occupied Palestinian Territory, “oPt Emergency Situation Update, Issue 36,” overview as of July 15, 2024, https://www.emro.who.int/images/stories/Sitrep_-_issue_36c.pdf?ua=1 (accessed November 6, 2024).

Areas of Mass Destruction in Gaza



Data produced by UNOSAT as of August 18, 2024 showing destroyed roads and as of September 6, 2024 showing destroyed buildings. Displayed together, they highlight areas of mass destruction notably in the buffer zone and around the corridors created by the Israeli military. Data © 2024 UNOSAT. Graphics © 2024 Human Rights Watch.

Residential Buildings

People's homes have not been spared, as residential areas in Gaza have faced exceptional levels of destruction, with relentless airstrikes and shelling turning vast swathes of neighborhoods turned into rubble. According to a report by UNDP, as of April 15, 2024,

approximately 370,000 housing units in Gaza have been damaged, 79,000 of which were completely destroyed.³³⁸ The destruction of residential homes in Gaza equates to roughly 70 percent of total housing stock.³³⁹

On January 30, 2024, an investigation by *the Guardian* detailed the mass destruction of buildings and land in three neighborhoods in Gaza: Beit Hanoun, al-Zahra, and Khan Younis.³⁴⁰ Using satellite imagery and open-source information, the investigation found damage to more than 250 residential buildings, 17 schools and universities, 16 mosques, three hospitals, three cemeteries, and 150 agricultural greenhouses. Entire buildings were leveled, fields flattened, and places of worship wiped off the map.³⁴¹

The investigation covered the complete destruction of the al-Zahra tower block complex on October 19, 2023 by Israeli airstrikes. The complex was reportedly home to 3,000 people. The BBC investigated the incident and described how one man received a telephone call from the Israeli authorities warning him to evacuate the complex immediately “because they will bomb the towers.”³⁴² He was also instructed to tell other people to evacuate the buildings.

Human Rights Watch spoke to a family who had been living in one of the al-Zahra towers at the time of the attacks. Lina, a 49-year-old woman, was living with her parents and siblings in al-Jalaa Street near the Rimal area of north Gaza when the war broke out. She said that in the early days of the war there were airstrikes in her area and her house was damaged when a building 400 to 500 meters away was hit.³⁴³ She said she did not receive any warning from the Israeli military, but her family fled to Tower 27 of the al-Zahra complex to

³³⁸ UNDP, “Gaza war: expected socioeconomic impacts on the State of Palestine,” May 2024, https://www.undp.org/sites/g/files/zskgke326/files/2024-05/2400257e-gaza_war_expected_socioeconomic_impacts_pb.pdf (accessed May 30, 2024).

³³⁹ Fadwa Hodali, Fares Akram, et al., “Gaza Reduced to 42 Million Tonnes of Rubble. What Will It Take to Rebuild?,” Bloomberg, August 15, 2024, <https://www.bloomberg.com/graphics/2024-gaza-who-will-pay-to-rebuild/> (accessed August 27, 2024).

³⁴⁰ Niels de Hoog, Antonio Voce, et al., “How war destroyed Gaza's neighbourhoods: visual investigation,” *the Guardian*, January 30, 2024, <https://www.theguardian.com/world/ng-interactive/2024/jan/30/how-war-destroyed-gazas-neighbourhoods-visual-investigation> (accessed May 10, 2024).

³⁴¹ *Ibid.*

³⁴² Alice Cuddy, “I’m calling from Israeli intelligence. We have the order to bomb. You have two hours,” BBC News, November 8, 2023, <https://www.bbc.com/news/world-middle-east-67327079> (accessed November 6, 2024). See also Alice Cuddy, “The end of Gaza’s most beautiful neighbourhood,” BBC News, October 2024, https://www.bbc.co.uk/news/extra/85JPWipoYZ/gaza_al_zahra (accessed May 10, 2024).

³⁴³ Human Rights Watch telephone interview with Lina, December 1, 2023. Lina is a relative of an HRW staff member.

stay with her sister's family.³⁴⁴ She had been there for five days before the Israelis attacked the towers:

At 8 p.m. we started hearing people screaming: some people were saying, "You have to leave in 20 minutes." My father is old and cannot move fast. The first thing we needed to do was make sure my mum and dad were safe. Thank God my sister lives on the first floor of the tower. We left with nothing. I took my laptop only because my wallet was in my laptop. I didn't take anything else. Thirty minutes earlier, someone had received a call from the Israelis saying to leave because they would target the area. At around midnight of that night, we witnessed horrifying things. Around 12 hours of attacks. The area was hit for 12 hours. Most of the buildings were completely destroyed. As much as I try to explain the horror, I cannot find the words.

The whole area was red in the night because of the heaviness of the targeting and even though there was no electricity we could see everything.³⁴⁵

Today the towers have been reduced to dust and rubble and lie amid an area that appears to have experienced near-total destruction, within the Netzarim Corridor, without any reconstruction. The Israeli military told the BBC it was "unable to answer specific operative questions" when asked about its decision to strike al-Zahra's residential blocks.³⁴⁶

In late January 2024, the Israeli newspaper Haaretz published information about a new practice whereby members of the Israeli military set fire to housing units in Gaza following direct orders from their commanders after they established control over the area and without the necessary legal authority:

³⁴⁴ Ibid.

³⁴⁵ Ibid.

³⁴⁶ Alice Cuddy, "The end of Gaza's most beautiful neighbourhood," BBC News, October 2024, https://www.bbc.co.uk/news/extra/85JPWipoYZ/gaza_al_zahra (accessed May 10, 2024).

Recently, Israeli soldiers deployed in Gaza have taken to social media to show themselves taking part in the burning of homes in Gaza – in some cases as revenge for fellow soldiers’ deaths, or even for the October 7 attack itself. “Every day, a different platoon goes out to raid homes in the area,” wrote one soldier. “The houses are destroyed, occupied. Now what is left is to thoroughly search them. Inside the couches. Behind the closets. Weapons, intel, [tunnel] shafts and rocket launchers. We found all of these. In the end, the house is burned, with everything in it.”³⁴⁷

On February 7, 2024, the Gaza government media office in Gaza said that Israeli forces had torched 3,000 residences.³⁴⁸

Netzarim Corridor, Gaza City



Before and after satellite imagery shows the progressive destruction of al-Zahra neighborhood in Gaza City. The image from October 22, 2023 shows the complete destruction of the al-Zahra Towers complex after the Israeli military bombed at least 25 towers on October 19. Imagery from August 26, 2024, shows the area reduced to dust and rubble. Al-Zahra is one of the neighborhoods, in Gaza City, within the Netzarim Corridor and surrounding area that has been virtually destroyed. Left image: October 22, 2023. © 2024 Planet Labs PBC. Right image: August 26, 2024. © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch.

³⁴⁷ Yaniv Kubovich, “Israeli Army Occupies Gaza Homes – Then Burns Them Down,” Haaretz, January 31, 2024, <https://www.haaretz.com/israel-news/2024-01-31/ty-article/.premium/israeli-army-occupies-gaza-homes-then-burns-them-down/0000018d-6021-d16e-a39f-7f3f01e30000> (accessed May 10, 2024).

³⁴⁸ Rania Abushamala, “Nearly 3,000 houses burnt out by Israel in Gaza, media office says,” Anadolu Agency, February 7, 2024, <https://www.aa.com.tr/en/middle-east/nearly-3-000-houses-burnt-out-by-israel-in-gaza-media-office-says/3130829> (accessed May 10, 2024).

On March 22, 2024, Euro-Med Human Rights Monitor published a report on the Israeli military’s targeting and evacuation of homes next to the al-Shifa Medical Complex area, and documented the burning of buildings once the Israeli authorities cleared people’s homes.³⁴⁹ Asked about the reports, the Israeli military said there were no specific procedures for evacuations, only that it “depends on the situation” and if there is an “operational threat.”³⁵⁰ The Israeli military did not respond to questions about burning homes, instead saying its troops carry out “demolitions of Hamas infrastructure and other military targets using approved and appropriate means.”³⁵¹

Agricultural Lands

Israeli forces have destroyed bakeries, agricultural products, and once-arable land, including by razing orchards, fields, and greenhouses. The destruction of agricultural lands not only exacerbates current food shortages, but will have devastating, perhaps irreversible, long-term consequences for food production and livelihoods in Gaza. In June 2024, the United Nations Environment Programme (UNEP) found that “environmental impacts of the war in Gaza are unprecedented...exposing the community to rapidly growing soil, water and air pollution and risks of irreversible damage to its natural ecosystems.”³⁵²

Satellite imagery captured on different dates from November 2023 to August 2024 that Human Rights Watch reviewed shows that orchards, fields, and greenhouses have been systematically razed. High resolution satellite imagery confirms that bulldozers were used to destroy fields and orchards.

³⁴⁹ “Israeli forces are brutally targeting civilians in Gaza City, burning homes near Shifa Medical Complex,” Euro-Med Human Rights Monitor, March 22, 2024, <https://euromedmonitor.org/en/article/6236/Israeli-forces-are-brutally-targeting-civilians-in-Gaza-City,-burning-homes-near-Shifa-Medical-Complex> (accessed May 10, 2024).

³⁵⁰ Sarah el-Deeb, “Forced from their Gaza home by Israeli troops, a family makes a frightening walk through a war zone,” AP News, April 2, 2024, <https://apnews.com/article/gaza-family-home-evacuation-israel-troops-f1d9838c60225a8c454e372df72ca245> (accessed November 6, 2024).

³⁵¹ Ibid.

³⁵² “Damage to Gaza causing new risks to human health and long-term recovery - new UNEP assessment,” UNEP press release, June 18, 2024, <https://www.unep.org/news-and-stories/press-release/damage-gaza-causing-new-risks-human-health-and-long-term-recovery> (accessed November 6, 2024). See also UNEP, *Environmental Impact of the Conflict in Gaza: A Preliminary Assessment of Environmental Impacts*, June 18, 2024, <https://www.unep.org/resources/report/environmental-impact-conflict-gaza-preliminary-assessment-environmental-impacts> (accessed August 27, 2024).

The UN Food and Agriculture Organization stated that 42.6 percent of all croplands and 26.6 percent of all greenhouses in Gaza had been damaged as of February 15, 2024.³⁵³

On August 29, UNOSAT-FAO released its agricultural damage assessment in Gaza, finding that “compared to the average of the previous seven seasons years, approximately 68 percent of the permanent crop fields and arable land in Gaza exhibited a significant decline in health and density in August 2024.”³⁵⁴ It also found that there has been a five percent increase in the proportion of agricultural land that has been damaged since the previous analysis conducted in July 2024. Whether by deliberate razing, damage due to hostilities or the inability to irrigate or work the land, farmland across Gaza has been drastically reduced since the beginning of the Israeli ground operations.

Cultural Heritage

Because cultural heritage makes individuals part of a community, damaging it has psychosocial effects that can interfere with post-conflict recovery.³⁵⁵ Cultural heritage is passed from one generation to another, and its destruction breaks the generational chain. The widespread destruction, whether as part of hostilities or not, in Gaza includes most of its cultural heritage sites.

On December 8, 2023, an Israeli airstrike largely destroyed Gaza’s oldest mosque, the Omari Mosque.³⁵⁶ The Omari Mosque was originally a fifth century Byzantine church and was an iconic landmark of Gaza: over 4,000 square meters of history, architecture, and

³⁵³ Food and Agriculture Organization, “Overview of the Damage to Agricultural Land and Infrastructure Due to the Conflict in the Gaza Strip as of 15 February 2024,” February 28, 2024, <https://www.fao.org/geospatial/resources/detail/fr/c/1678061> (accessed May 30, 2024).

³⁵⁴ UNOSAT, “UNOSAT-FAO Gaza Strip Cropland Damage Assessment - August 2024,” August 30, 2024, <https://unosat.org/products/3939> (accessed September 4, 2024).

³⁵⁵ Emma Cunliffe, Nibal Muhesen, Marina Lostal, “The Destruction of Cultural Property in the Syrian Conflict: Legal Implications and Obligations,” *International Journal of Cultural Property*, vol. 23 (2016), <https://www.cambridge.org/core/services/aop-cambridge-core/content/view/5B81E9C84C7F9B24FA0C4F1E9FA50CAF/S0940739116000011a.pdf/the-destruction-of-cultural-property-in-the-syrian-conflict-legal-implications-and-obligations.pdf> (accessed February 26, 2024).

³⁵⁶ “Images show major damage to Gaza's oldest mosque,” BBC News, December 8, 2023, <https://www.bbc.co.uk/news/world-middle-east-67664853> (accessed November 6, 2024); بلدية غزة - Municipality of Gaza, post to Facebook, December 8, 2024, https://www.facebook.com/munigaza/posts/694974936071126?ref=embed_post (accessed November 6, 2024).

cultural heritage.³⁵⁷ On October 20, 2023, an Israeli airstrike damaged the Orthodox Church of St. Porphyrius, the oldest active church in Gaza. At least 500 Palestinians were sheltering in the church when it was hit and at least eighteen people were killed.³⁵⁸

On October 17, 2024, UNESCO and UNOSAT released a preliminary satellite imagery-based damage assessment of cultural properties. Between October 7, 2023 and September 17, 2024, 69 sites have been damaged, comprising of 10 religious sites, 43 buildings of historical or artistic interest, two depositories of movable cultural property, six monuments, one museum, and seven archeological sites.³⁵⁹

Gaza's Ministry of Endowments and Religious Affairs announced in January that 1,000 of 1,200 mosques in Gaza had been damaged or destroyed.³⁶⁰ A BBC investigation also verified damage and destruction to 74 religious sites between October 7, 2023 and December 31, 2023, including the Omari Mosque, dating back to the 14th century, as well as the Church of Saint Porphyrius.³⁶¹

³⁵⁷ Nesrine Malik, "What does it mean to erase a people – a nation, culture, identity? In Gaza, we are beginning to find out," the Guardian, <https://www.theguardian.com/commentisfree/2023/dec/18/gaza-israel-destroying-culture-and-identity> (accessed November 6, 2024); " Hamas says Gaza mosque destroyed, urges UNESCO to save heritage," Al Jazeera, December 8, 2023, <https://www.aljazeera.com/news/2023/12/8/hamas-says-gaza-mosque-destroyed-urges-unesco-to-save-heritage> (accessed February 21, 2024).

³⁵⁸ Karen Zraick and Ameera Harouda, "Israeli Airstrike Hits Greek Orthodox Church Compound in Gaza City," the New York Times, October 20, 2024, <https://www.nytimes.com/2023/10/20/world/middleeast/israel-airstrike-gaza-city.html> (accessed November 6, 2024); Nidal Al-Mughrabi, "Orthodox Church Says It Was Hit by Israeli Air Strike in Gaza," Reuters, October 20, 2023, <https://www.reuters.com/world/orthodox-church-says-it-was-hit-by-israeli-air-strike-gaza-2023-10-20/> (accessed February 21, 2024); Ylenia Gostoli and Abdelhakim Abu Riash, "'We were Baptised Here and We Will Die Here': Gaza's Oldest Church Bombed," Al Jazeera, October 20, 2023, <https://www.aljazeera.com/features/2023/10/20/we-were-baptised-here-and-we-will-die-here-gazas-oldest-church-bombed> (accessed February 21, 2024); Tessa Solomon, "Historic Greek Orthodox Church in Gaza Damaged in Deadly Air Strike," ARTNews, October 20, 2023, <https://www.artnews.com/art-news/news/historic-greek-orthodox-church-gaza-damaged-air-strike-1234683834/> (accessed February 21, 2024). The church has long served as a shelter for Palestinian Christians and Muslims. In 2014, the church sheltered around 1,000 Palestinian Muslims seeking refuge from Israeli shelling.

³⁵⁹ "Gaza Strip: Damage assessment," UNESCO, October 11, 2024, <https://www.unesco.org/en/gaza/assessment> (accessed October 30, 2024).

³⁶⁰ "Gaza Endowments: 1,000 mosques out of 1,200 in the Strip were destroyed" ("أوقاف غزة: 1000 مسجد من أصل 1200 في القطاع"), Quds Press, January 21, 2024, <https://qudspress.com/110966/> (accessed May 10, 2024).

³⁶¹ Reha Kansara and Ahmed Nour, "Israel-Gaza war: Counting the destruction of religious sites," BBC News, January 29, 2024, <https://www.bbc.co.uk/news/world-middle-east-67983018> (accessed May 10, 2024).

UN experts decried the destruction of 195 heritage sites, 227 mosques and three churches have also been damaged or destroyed, including the Central Archives of Gaza, which preserved 150 years of history.³⁶²

Human Rights Watch does not assess here if individual attacks on religious and cultural buildings were unlawful under IHL, but the total level of destruction makes it much more difficult for people to return to live in their homes.

Education Infrastructure

Israel has destroyed Gaza’s education buildings and infrastructure, leading to permanent education loss for Palestinian children and adults in Gaza. In July 2024, the Occupied Palestinian Territory Education Cluster, in collaboration with UNOSAT, reported that nearly 93 percent of schools have been affected through strikes. Since October 7, 2023, at least 65 schools were completely destroyed, while 344 schools – representing 61 percent of total school buildings in Gaza – were directly hit.³⁶³ Widespread damage includes 156 out of the 187 UNRWA school buildings in Gaza, which have been either directly hit or damaged through strikes.³⁶⁴

In North Gaza governorate, the Education Cluster classified 98 percent of school buildings in this governorate as having been either directly hit or damaged, which includes severe damage to school infrastructure according to the Cluster and UNOSAT’s classification.³⁶⁵ The Education Cluster’s assessment also found that at least 85 percent of schools in Gaza will either need “full reconstruction” or “major rehabilitation work” to be functional again.³⁶⁶

According to the Scholars at Risk Network, Israeli forces have also significantly damaged, demolished or destroyed all of Gaza’s universities, including the Islamic University of

³⁶² “UN Experts Deeply Concerned Over ‘Scholasticide’ in Gaza,” OHCHR Press Release, April 18, 2024, <https://www.un.org/unispal/document/un-experts-deeply-concerned-over-scholasticide-in-gaza-ohchr-press-release/> (accessed September 12, 2024).

³⁶³ Occupied Palestinian Territory Education Cluster, *Verification of damages to schools based on proximity to damaged sites in Gaza, occupied Palestinian territory: Update 5*, July 2024, <https://educationcluster.app.box.com/s/231cnzxfyeqz4ftipms3wbf900072uts> (accessed September 9, 2024), p. 7.

³⁶⁴ *Ibid.*, p. 10.

³⁶⁵ *Ibid.*, p. 8.

³⁶⁶ Occupied Palestinian Territory Education Cluster, *Verification of damages to schools based on proximity to damaged sites in Gaza, occupied Palestinian territory: Update 5*, p. 11.

Gaza;³⁶⁷ al-Aqsa University,³⁶⁸ which was functioning as a shelter at the time of the attack; al-Israa University, reportedly used by Israeli forces as a military base and a detention and interrogation center, according to Scholars at Risk;³⁶⁹ University College of Science and Technology, Palestine;³⁷⁰ al-Azhar University;³⁷¹ and the Gaza branch of al-Quds Open University.³⁷²

On April 18, 2024, UN experts expressed grave concern over the education loss of over 625,000 children, the pattern of attacks on schools and universities, and the killing of students, teachers and university professors in Gaza, as well as the destruction of its public libraries. Raising serious alarm over the systemic destruction of the Palestinian education system, they highlighted:

The persistent, callous attacks on educational infrastructure in Gaza have a devastating long-term impact on the fundamental rights of people to learn and freely express themselves, depriving yet another generation of Palestinians of their future.³⁷³

The experts added, “These attacks are not isolated incidents. They present a systematic pattern of violence aimed at dismantling the very foundation of Palestinian society.”³⁷⁴ Again, while Human Rights Watch cannot assess the intentionality of the destruction of educational infrastructure, what is clear is that Palestinian children and students in Gaza

³⁶⁷ Scholars at Risk Network, Academic Freedom Monitoring Project, “Islamic University of Gaza,” October 10, 2023, <https://www.scholarsatrisk.org/report/2023-10-10-islamic-university-of-gaza/> (accessed September 12, 2024).

³⁶⁸ Schools at Risk Network, Academic Freedom Monitoring Network, “al-Aqsa University,” January 22, 2024, <https://www.scholarsatrisk.org/report/2023-01-22-al-aqsa-university/> (accessed September 12, 2024).

³⁶⁹ Scholars at Risk Network, Academic Freedom Monitoring Project, “al-Israa University,” January 17, 2024, <https://www.scholarsatrisk.org/report/2024-01-17-al-israa-university/> (accessed September 12, 2024).

³⁷⁰ Scholars at Risk Network, Academic Freedom Monitoring Project, “University College of Science and Technology, Palestine,” January 7, 2024, <https://www.scholarsatrisk.org/report/2024-01-07-university-college-of-science-and-technology-palestine/> (accessed September 12, 2024).

³⁷¹ Scholars at Risk Network, Academic Freedom Monitoring Project, “al-Azhar University,” November 6, 2023, <https://www.scholarsatrisk.org/report/2023-11-06-al-azhar-university/> (accessed September 12, 2024).

³⁷² Scholars at Risk Network, Academic Freedom Monitoring Project, “al-Quds Open University,” November 15, 2023, <https://www.scholarsatrisk.org/report/2023-11-15-al-quds-open-university/> (accessed September 12, 2024).

³⁷³ “UN Experts Deeply Concerned Over ‘Scholasticide’ in Gaza,” OHCHR Press Release, April 18, 2024, <https://www.un.org/unispal/document/un-experts-deeply-concerned-over-scholasticide-in-gaza-ohchr-press-release/> (accessed September 12, 2024).

³⁷⁴ “UN Experts Deeply Concerned Over ‘Scholasticide’ in Gaza,” OHCHR Press Release, April 18, 2024, <https://www.un.org/unispal/document/un-experts-deeply-concerned-over-scholasticide-in-gaza-ohchr-press-release/> (accessed September 12, 2024).

will not be able to return immediately, nor potentially in the foreseeable future, to full time education.

Demolitions

On February 1, 2024, *the New York Times* reported that “at least 33 controlled demolitions have destroyed hundreds of buildings – including mosques, schools and entire sections of residential neighborhoods – since November,” analyzing Israeli military footage, videos posted on social media, and satellite imagery.³⁷⁵ While the investigation quoted Israeli officials who spoke anonymously about wanting to demolish Palestinian buildings close to the border as part of an effort to create a “buffer zone,” the newspaper found that most of the demolitions occurred well outside that zone and indicated that the “number of confirmed demolitions may represent only a portion of the actual number carried out by Israel since the war began.”³⁷⁶

On April 29, 2024, an investigative reporting organization, Bellingcat, published an interactive report and film entitled, “‘We’ve Become Addicted to Explosions’: The IDF [Israeli military] Unit Responsible for Demolishing Homes Across Gaza,” which followed the movements of a particular Israeli military unit and mapped their demolitions in Gaza.³⁷⁷ The report’s methodology “...used social media to track a single IDF [Israeli military] combat engineering battalion, 8219 Commando, as they moved across Gaza, demolishing tunnels, houses, and mosques.”³⁷⁸ Bellingcat quoted the captain of the unit saying they had destroyed “thousands” of buildings, noting in a post on January 13, 2024 that his Commanding Officer told him there is “no precedent” for this in the Israeli military and that they had stopped counting the buildings they had destroyed.³⁷⁹ “Sometimes soldiers did not give an explanation about why they carried out demolitions,” the web

³⁷⁵ Leanne Abraham, Bora Erden, et al., “Israel’s Controlled Demolitions Are Razing Neighborhoods in Gaza,” *the New York Times*, February 1, 2024, <https://www.nytimes.com/interactive/2024/02/01/world/middleeast/Israel-gaza-war-demolish.html> (accessed May 7, 2024).

³⁷⁶ *Ibid.*

³⁷⁷ Bellingcat, “*We’ve Become Addicted to Explosions’: The IDF Unit Responsible for Demolishing Homes Across Gaza*,” April 29, 2024, <https://www.bellingcat.com/news/2024/04/29/weve-become-addicted-to-explosions-the-idf-unit-responsible-for-demolishing-homes-across-gaza/> (accessed May 30, 2024).

³⁷⁸ *Ibid.*

³⁷⁹ *Ibid.*

feature reported.³⁸⁰ “Other times they listed a number of objectives or reasons for the demolitions. One of these appears to be seeking revenge.”³⁸¹

IHL prohibits the destruction of civilian objects and of property seized from the adversary in the absence of military necessity.³⁸² Wanton destruction of such property constitutes a war crime.³⁸³

Extended Buffer and Security Zones

On April 11, 2024, UNOSAT published satellite imagery analysis from February 29 showing that 90 percent of the buildings located within one kilometer of the border fence separating Gaza from Israel had been damaged or destroyed.³⁸⁴ A second UNOSAT analysis published the same day of satellite imagery from February 21 showed that 33 percent of the agricultural land in that area had been damaged.³⁸⁵

Israeli officials have claimed that a buffer zone is necessary to allow residents of communities in the south of Israel to return to their homes without fear of another attack. “[All along] the Gaza Strip...we will have a margin. And they will not be able to get in,” Avi Dichter, Israel’s Minister of Agriculture and Food Security, told reporters on October 19, 2023.³⁸⁶ “It will be a fire zone. And no matter who you are, you will never be able to come close to the Israeli border.”³⁸⁷

³⁸⁰ Ibid.

³⁸¹ Ibid.

³⁸² See ICRC, “Military necessity,” Glossary, undated, <https://casebook.icrc.org/node/20549> (accessed November 6, 2024); ICRC, “Wanton destruction,” Glossary, undated, https://casebook.icrc.org/a_to_z/glossary/wanton-destruction (accessed November 6, 2024).

³⁸³ See ICRC, “Wanton destruction,” Glossary, undated, https://casebook.icrc.org/a_to_z/glossary/wanton-destruction (accessed November 6, 2024); ICRC, “War Crimes,” Glossary, undated, https://casebook.icrc.org/a_to_z/glossary/war-crimes (accessed November 6, 2024).

³⁸⁴ UN Institute for Training and Research (UNITAR), “UNOSAT Gaza Strip Comprehensive Damage Assessment 1km Stretch of Land from the Armistice Demarcation Line,” April 11, 2024, <https://unosat.org/products/3820> (accessed May 7, 2024).

³⁸⁵ UNITAR, “UNOSAT Gaza Strip Agricultural Damage Analysis 1km Stretch of Land from the Armistice Demarcation Line,” April 11, 2024, <https://unosat.org/products/3821> (accessed May 7, 2024);

³⁸⁶ James Shotter and Neri Zilber, “Israel plans buffer zone in Gaza after Hamas war,” *Financial Times*, October 19, 2023, <https://www.ft.com/content/2139346d-1605-4a6f-bb58-340045c3cf44> (accessed November 6, 2024).

³⁸⁷ Alex Kane, “An Israeli ‘Buffer Zone’ Could Shape Gaza’s Post-War Reality,” *Jewish Currents*, February 6, 2024, <https://jewishcurrents.org/an-israeli-buffer-zone-could-shape-gazas-post-war-reality> (accessed May 7, 2024).

The plan reportedly involves establishing a security belt along Gaza's borders by demolishing residential blocks, bulldozing farms, and destroying civilian infrastructure.³⁸⁸ Asked about the clearance of areas along the border in January 2024, Israel's military said in a statement that it was removing "terror infrastructure," calling the work "imperative...in order to implement a defense plan that will provide improved security in Southern Israel."³⁸⁹

A map published on January 18 on the X account of the then-minister for Social Equality, Amichai Chikli, depicts a buffer zone wider than one kilometer in some parts that will include "a new line of military outposts, along the entire length of the border of the Strip."³⁹⁰

Human Rights Watch analyzed satellite imagery from February and early March 2024 showing a new road constructed by the Israeli military that bisects the northern and southern halves of Gaza and runs east to west. In interviews with the BBC, the Israeli military said the road was constructed to gain an "operational foothold," and "facilitate the movement of troops and equipment."³⁹¹ Two apparent new checkpoints have been set up on the road: one on the side nearest the coast, and one at the crossing with the Salah al-Din Road with systems which will identify and regulate who and what is allowed to cross.³⁹² In a report in Haaretz, the Israeli newspaper, the Israeli military denied that the structures are checkpoints, calling them "outposts," and claimed they were temporary.³⁹³

³⁸⁸ "Satellite photos show new demolition within Israeli buffer zone in Gaza," the Times of Israel, February 2, 2024, <https://www.timesofisrael.com/satellite-photos-show-new-demolition-within-israeli-buffer-zone-in-gaza/> (accessed June 14, 2024);

³⁸⁹ Camille Bressange, Dion Nissenbaum, et al., "How Israel's Proposed Buffer Zone Reshapes the Gaza Strip," the Wall Street Journal, March 16, 2024, <https://www.wsj.com/world/middle-east/israel-gaza-amas-war-buffer-zone-explained-2a7347af> (accessed October 21, 2024)

³⁹⁰ שיקל עמיחי - Amichai Chikli (@AmichaiChikli), post to X, January 18, 2024, <https://twitter.com/AmichaiChikli/status/1747886114713571431> (accessed May 16, 2024).

³⁹¹ Abdirahim Saeed, Tom Spencer, et al., "IDF completes road across width of Gaza, satellite images show," BBC News, March 9, 2024, <https://www.bbc.com/news/world-middle-east-68514821> (accessed May 7, 2024).

³⁹² Aric Toler (@AricToler), post to X, March 28, 2024, <https://twitter.com/AricToler/status/1773394096125612340/photo/3> (accessed May 7, 2024).

³⁹³ Yarden Michaeli, Bar Peleg, Avi Sharf, "Housing, showers, electrical infrastructure: This is what the outposts that the IDF is establishing in the heart of the Gaza Strip look like" ("מגורים, מקלחות, תשתיות חשמל: כך נראים המוצבים שצה"ל מקים בלב"), Haaretz, April 18, 2024, <https://www.haaretz.co.il/news/security/2024-04-18/ty-article-magazine/.premium/0000018e-f03c-d240-a19f-f43f6da50000> (accessed May 7, 2024).

On satellite imagery from August 25, 2024, systematic destruction can be seen on both sides of the new road, all the way south until Wadi Gaza and north roughly until the 10th street. The Netzarim Corridor is more than four kilometers wide, and at the time of the publication, keeps expanding towards northern Gaza.



Satellite imagery from August 28, 2024 shows the extent of the area razed and destroyed around the Netzarim Corridor created by the Israeli military in Gaza. In this area, the vast majority of buildings, including individual houses, high-rise residential buildings and universities have been destroyed, often by controlled demolitions or bulldozing. As of end of August 2024, the destruction continued north towards Gaza City and south towards Wadi Gaza and beyond. Image © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

Buffer Zone along the Philadelphi Corridor



A comparison of satellite imagery captured on February 28 and August 31, 2024 shows the extent of the area razed and destroyed around the Philadelphi Corridor created by the Israeli military at the border between Egypt and Gaza. Image © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

Similar destruction can be seen along the border between Gaza and Egypt in the so called Philadelphi Corridor. Starting in early May 2024, with the ground incursion in Rafah, the Israeli military progressively razed and destroyed buildings all along this border once they took control of the area. Satellite imagery from August 23 shows that the majority of buildings located in the first few hundred meters from the border have been razed.

In addition to the creation of buffer zones around both corridors and along the border with Israel, the Israeli military has also systematically razed land and buildings along the other roads they have built to enter Gaza. This can be seen, for instance, along the access road to Khan Younis or Jabaliya refugee camp.

In September 2024, a report from Amnesty International found that the “expanded buffer zone” along the perimeter with Israel covers approximately 58 square kilometers, which amounts to roughly 16 percent of the entirety of occupied Gaza.³⁹⁴ As of May 2024, more

³⁹⁴ “Israel/OPT: Israeli military must be investigated for war crime of wanton destruction in Gaza,” Amnesty International news release, September 5, 2024, <https://www.amnesty.org/en/latest/news/2024/09/israel-opt-israeli-military-must-be-investigated-for-war-crime-of-wanton-destruction-in-gaza-new-investigation/> (accessed November 6, 2024).

than 90 percent of the buildings within this area (more than 3,500 structures) appear destroyed or severely damaged; and more than 20 square kilometers or 59 percent of agricultural land within the area shows a decline in health and density of crops due to the ongoing conflict.”³⁹⁵ Amnesty went on to conclude that in its creation of an extended buffer zone, “the Israeli military deliberately razed the land after they had taken control of the area” and in some areas, “structures were deliberately and systematically demolished [by the Israeli military]... because of their proximity to the fence built by Israel to separate it from the Gaza Strip.”³⁹⁶



Satellite imagery from August 28, 2024 shows the extent of the area razed around a new access road constructed by the Israeli military in northern Gaza, close to the Jabalia refugee camp. In the first 200 to 400 meters around the road, all buildings and orchards have been systematically razed. Image © 2024 Planet Labs PBC. Analysis and Graphics © 2024 Human Rights Watch

³⁹⁵ Ibid.

³⁹⁶ Ibid.

The creation of security or buffer zones, which permanently change the land on which they are constructed, involves the razing and destruction of the vast majority of homes, roads, fields, orchards, wooded areas, and other civilian infrastructure. This inevitably leads to permanent and forced displacement of those people who live or lived in the area. It is one of the clearest examples of forcible transfer in Gaza.

Conclusion

A fundamental principle of lawful evacuation is the guaranteed right of individuals to return once hostilities in the area have concluded. The extensive and often permanent damage across Gaza is a deliberate attempt by the Israeli authorities to create conditions that will make returning not just difficult, but impossible for many Palestinians. The long-term implications of this destruction are profound.

Even if the Israeli authorities permitted, or were no longer able to block rebuilding, the process will be immense, requiring substantial international financial and technical support and years, if not decades, of effort. As of September 2024, it is estimated that there are 42 million tons of rubble to clear, in an area that is 87 percent urbanized.³⁹⁷ The physical damage also carries deep psychological scars for the inhabitants, who have lost not just their homes, their access to education, and their religious and cultural institutions, but also their sense of security and community. The physical landscape of Gaza has been profoundly altered, with once bustling residential areas now serving as stark reminders of the conflict's toll on human life and habitation.

The widespread and intentional destruction of agricultural lands throughout Gaza demonstrates how the Israeli authorities intend to permanently alter conditions for life and ensure that people cannot return.

³⁹⁷ United Nations Mine Action Service (UNMAS), "Occupied Palestinian Territory," updated as of September 2024, <https://www.unmas.org/en/programmes/state-palestine> (accessed November 6, 2024).

Intention to Forcibly Transfer

Obviously Gaza tomorrow will not look anything like it did before October 7... How it looks territorially...we don't have the details, but that is our objective: There won't be any terrorists on our border like there were before.³⁹⁸

— Avi Dichter, Israel's Minister of Agriculture and Food Security, October 2023

To qualify as a war crime, the act of forcible transfer must be carried out intentionally, meaning that the perpetrator must have the intent to displace individuals without their genuine consent, by means of force or coercion, from the area in which they are lawfully present.³⁹⁹

The forcible transfer does not necessarily require physical force; it includes threats, coercion, or other forms of duress that leave the victims with no real choice but to leave.⁴⁰⁰ The element of intent here involves the deliberate creation of circumstances that compel the victims to move, understanding that such movement infringes their right to live in their homes and communities free from unlawful interference.⁴⁰¹ The *mens rea* does not require the intent to transfer permanently.⁴⁰²

Israel's evacuation orders reveal a clear intent to displace Palestinians in Gaza and, combined with the intense bombardments prior to and following its first mass evacuation order issued on October 13, 2023, no one could be said to be leaving without coercion.

Israel has sought to justify its displacement of Palestinians as lawful evacuations on both the grounds of military imperative and safety of civilians. On January 10, 2024, Prime Minister Netanyahu said, "Israel has no intention of permanently occupying Gaza or

³⁹⁸ James Shotter and Neri Zilber, "Israel plans buffer zone in Gaza after Hamas war," Financial Times, October 19, 2023, <https://www.ft.com/content/2139346d-1605-4a6f-bb58-340045c3cf44> (accessed November 6, 2024).

³⁹⁹ *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18-T, Trial Chamber, March 24, 2016, http://www.icty.org/x/cases/karadzic/tjug/en/160324_judgement.pdf (accessed May 30, 2024).

⁴⁰⁰ *Ibid.*

⁴⁰¹ International Residual Mechanism for Criminal Tribunals (IRMCT), "Forcible Transfer," undated, <https://cld.irmct.org/notions/show/370/forcible-transfer#> (accessed May 7, 2024).

⁴⁰² *Ibid.*

displacing its civilian population.”⁴⁰³ He added that “Israel is fighting Hamas terrorists, not the Palestinian population, and we are doing so in full compliance with international law.”⁴⁰⁴

Israel has not, however, secured the safety of displaced Palestinians in Gaza in any meaningful way. It has instead created an evacuation system that has caused widespread terror and confusion, misery, and anxiety. Senior Israeli officials have explicitly stated an intention to prevent civilians from meeting their humanitarian needs.

Israeli officials have made return to large areas of Gaza effectively impossible for the foreseeable future through both widespread, systematic destruction of homes, agricultural land and other buildings and property essential for life. Israeli officials have also appeared to create at least three buffer zones with the apparent intention of making these permanent.

This is demonstrated by public statements of officials in the chain of command of those involved in military operations. The following statements by senior Israeli officials, who could be expected to play a significant role in determining policy with respect to the forcible transfer of the population, demonstrate the intent to forcibly displace people without safeguards, deny humanitarian aid and services, and to collectively punish them:

- October 7, 2023: “All the places where Hamas is organized, of this evil city, all the places where Hamas hides, operates from them – we will turn them into cities of ruins. I say to the residents of Gaza: get out of there now, because we will act everywhere and with all the strength.”⁴⁰⁵ Prime Minister Benjamin Netanyahu
- October 9, 2023: “I ordered a ‘complete siege’ of Gaza. No power, no food, no gas (...) We are fighting human animals, and we act accordingly.”⁴⁰⁶ Minister of Defense Yoav Gallant

⁴⁰³ Prime Minister of Israel (@IsraeliPM), post to X, January 10, 2024, <https://x.com/IsraeliPM/status/1745186120109846710> (accessed May 31, 2024).

⁴⁰⁴ Ibid.

⁴⁰⁵ Prime Minister of Israel (ראש ממשלת ישראל) (@IsraeliPM_heb), post to X, October 7, 2023, https://twitter.com/IsraeliPM_heb/status/1710743179165647022?s=20 (accessed May 10, 2024).

⁴⁰⁶ Emanuel Fabian, “Defense minister announces ‘complete siege’ of Gaza: No power, food or fuel,” the Times of Israel, October 9, 2023, https://www.timesofisrael.com/liveblog_entry/defense-minister-announces-complete-siege-of-gaza-no-power-food-or-fuel/ (accessed May 30, 2024).

- October 10, 2023: “Gaza won’t return to what it was before. We will eliminate everything [even if] it will take...weeks, or even months, we will reach all places.”⁴⁰⁷ Minister of Defense Yoav Gallant
- October 10, 2023: “While balancing accuracy with the scope of damage, right now we’re focused on what causes maximum damage.”⁴⁰⁸ Israeli military Spokesperson R. Adm. Daniel Hagari
- October 13, 2023: “All the civilian population in Gaza is ordered to leave immediately. We will win. They will not receive a drop of water or a single battery until they [Hamas] leave the world.”⁴⁰⁹ then-Minister of Energy and now Minister of Defense Israel Katz
- October 14, 2023: “The Gaza Strip must be smaller at the end of the war. First, ...there should be an area that is classified as a security zone where whoever enters is intercepted... Second, losing land is the price Arabs understand... Settlement in Gaza should not be renewed...but they do have to pay the price of loss.”⁴¹⁰ Gideon Sa’ar, New Hope chair and member of National Unity, part of Israel’s governing coalition
- October 18, 2023: “At the end of this war, not only will Hamas no longer be in Gaza, the territory of Gaza will also decrease.”⁴¹¹ then-Foreign Minister Eli Cohen
- November 2, 2023: “North Gaza is more beautiful than ever. Blowing up and flattening everything is beautiful. Once we are finished, we will hand over the lands of Gaza to the fighting soldiers and settlers who lived in Gush Katif.”⁴¹² Minister of Heritage Amichai Eliyahu
- November 11, 2023: “We are now rolling out the Gaza Nakba. From an operational point of view, there is no way to wage a war—as the IDF [Israeli military] seeks to do

⁴⁰⁷ No Comment TV, “We are Fighting Human Animals,” YouTube, October 9, 2024, <https://www.youtube.com/watch?v=ZbPdR3E4hCk> (accessed May 10, 2024).

⁴⁰⁸ Bethan McKernan and Quique Kierszenbaum, “We’re focused on maximum damage: Gaza ground incursion seems imminent,” the Guardian, October 10, 2023, <https://www.theguardian.com/world/2023/oct/10/right-now-it-is-one-day-at-a-time-life-on-israels-frontline-with-gaza> (accessed November 4, 2024).

⁴⁰⁹ Israel Katz (@Israel_katz), post to X, October 13, 2023, https://twitter.com/Israel_katz/status/1712876230762967222 (accessed May 10, 2024).

⁴¹⁰ “Israeli minister on Gaza: ‘Losing land is price Arabs understand,’” Al Jazeera, October 17, 2023, <https://www.aljazeera.com/program/newsfeed/2023/10/17/israeli-minister-losing-land-is-price-arabs> (accessed May 10, 2024).

⁴¹¹ Samer Badawi, “Is Israel preparing another Nakba for Gaza?,” +972 Magazine, October 19, 2023, <https://www.972mag.com/gaza-nakba-sinai-egypt-israel/> (accessed May 10, 2024).

⁴¹² Amichai Eliyahu עליהו אלו, post to Facebook, November 1, 2023, <https://www.facebook.com/eliyau.a/videos/148918588283326/> (accessed May 10, 2024).

- in Gaza – with masses between the tanks and the soldiers. Gaza Nakba 2023. That’s how it’ll end.”⁴¹³ Minister of Agriculture and Food Security Avi Dichter
- November 12, 2023: “We need to be in full control. If we have full control, that will deter our enemies, convey a message of victory, and most of all allow the residents [of Israeli towns near Gaza] to return home. I’m not afraid of renewing the settlements in Gush Katif [inside Gaza].”⁴¹⁴ National Security Minister Itamar Ben Gvir
 - November 14, 2023: “I welcome the initiative of the voluntary emigration of Gaza Arabs to countries around the world. This is the right humanitarian solution for the residents of Gaza and the entire region after 75 years of refugees, poverty and danger...the absorption of refugees by countries of the world...is the only solution that will bring an end to the suffering and pain of both Jews and Arabs alike.”⁴¹⁵ Finance Minister Bezalel Smotrich
 - December 25, 2023: “Our problem is [finding] countries that are willing to absorb Gazans, and we are working on it.”⁴¹⁶ Prime Minister Benjamin Netanyahu
 - December 30, 2023: “We will rule there security-wise and in order to rule there security-wise for a long time we will have to be a civilian there.”⁴¹⁷ Finance Minister Bezalel Smotrich
 - December 31, 2023: “What needs to be done in the Gaza Strip is to encourage emigration... If there are 100,000 or 200,000 Arabs in Gaza and not 2 million Arabs, the entire discussion on the day after will be totally different.”⁴¹⁸ Finance Minister Bezalel Smotrich

⁴¹³ Michael Hauser Tov, “‘We’re Rolling Out Nakba 2023,’ Israeli Minister Says on Northern Gaza Strip Evacuation,” November 12, 2023, <https://www.haaretz.com/israel-news/2023-11-12/ty-article/israeli-security-cabinet-member-calls-north-gaza-evacuation-nakba-2023/0000018b-c2be-dea2-a9bf-d2be7b670000> (accessed May 10, 2024); Middle East Eye, “Israeli minister admits of ‘a Nakba of Gaza,’” YouTube, November 11, 2023, <https://www.youtube.com/watch?v=Uz2DOHU6drk> (accessed May 10, 2024).

⁴¹⁴ Yehuda Shaul (@YehudaShaul), post to X, December 26, 2023, <https://twitter.com/YehudaShaul/status/1739641272350962084/photo> (accessed May 10, 2024).

⁴¹⁵ Bezalel Smotrich, post to Facebook, November 14, 2023, https://www.facebook.com/story.php?story_fbid=pfbido36UqRhjTnem4PTjwWbfen66cwCGAP4zDQsMhcwuWE7PQ5fMJAeEwpaSYyhnR95Cbl&id=100050298347371&_rdr (accessed May 10, 2024).

⁴¹⁶ “Israeli Lawmakers Keep Pushing for Transfer Under the Guise of Humanitarian Aid,” Haaretz, December 27, 2023, <https://www.haaretz.com/opinion/editorial/2023-12-27/ty-article-opinion/israeli-lawmakers-keep-pushing-for-transfer-under-the-guise-of-humanitarian-aid/0000018c-a7d6-df5f-a79c-e7ff4d150000> (accessed May 10, 2024).

⁴¹⁷ Gil Feldman (@feldman_gil), post to X, December 30, 2023, https://twitter.com/feldman_gil/status/1741155910452494364 (accessed May 10, 2024).

⁴¹⁸ “Israeli minister repeats call for Palestinians to leave Gaza,” Reuters, December 31, 2023, <https://www.reuters.com/world/middle-east/israeli-minister-repeats-call-palestinians-leave-gaza-2023-12-31/> (accessed May 10, 2024).

- January 1, 2024: “The correct solution is to encourage the voluntary migration of Gaza’s residents to countries that will agree to take in the refugees.”⁴¹⁹ National Security Minister Itamar Ben Gvir
- January 28, 2024: “Without settlement, there is no security. And without security on Israel’s borders, there is no security in any part of Israel.”⁴²⁰ Finance Minister Bezalel Smotrich
- January 28, 2024: “It’s time to return home, to Gush Katif and Northern Samaria, it’s time to encourage immigration and it’s time to win!”⁴²¹ National Security Minister Itamar Ben Gvir
- February 6, 2024: “123 days I oppose the introduction of any humanitarian aid to the killers from Gaza.”⁴²² National Security Minister Itamar Ben Gvir
- March 19, 2024: “As far as the State of Israel is concerned, there is no obstacle for the Gazans to leave, perhaps even the port they are building could be used for this, but there are no countries in the world that are ready to receive them.”⁴²³ Prime Minister Benjamin Netanyahu
- April 29, 2024: “There are no half measures. [The Gazan cities of] Rafah, Deir al-Balah, Nuseirat—total annihilation.”⁴²⁴ Finance Minister Bezalel Smotrich
- May 14, 2024: “To end the problem, in order that the problem won’t come back, we need to do two things: one return to Gaza now! Return home! Return to our holy land!...And second, encourage emigration. Encourage the voluntary departure of Gaza’s residents..”⁴²⁵ National Security Minister Itamar Ben Gvir

⁴¹⁹ Sam Sokol, “Far-right ministers call to ‘resettle’ Gaza’s Palestinians, build settlements in Strip,” the Times of Israel, January 1, 2024, <https://www.timesofisrael.com/ministers-call-for-resettling-gazas-palestinians-building-settlements-in-strip> (accessed May 10, 2024).

⁴²⁰ Jeremy Sharon, “Cabinet members call to resettle Gaza, encourage Gazans to leave, at jubilant conference,” the Times of Israel, January 29, 2024, <https://www.timesofisrael.com/12-ministers-call-to-resettle-gaza-encourage-gazans-to-leave-at-jubilant-conference> (accessed May 10, 2024).

⁴²¹ איתמר בן גביר Itamar Ben-Gvir (@itamarbengvir), post to X, January 28, 2024, <https://twitter.com/itamarbengvir/status/1751678765904601363> (accessed May 10, 2024).

⁴²² איתמר בן גביר Itamar Ben-Gvir (@itamarbengvir), post to X, February 6, 2024, <https://twitter.com/itamarbengvir/status/1754923436881674506> (accessed May 14, 2024).

⁴²³ יערה שפירא Yaara Shapira (@yaara_shapira), post to X, March 19, 2024, https://twitter.com/yaara_shapira/status/1770058283132293354 (accessed May 14, 2024).

⁴²⁴ Noa Shpigel, “Israel’s Far-right Minister Smotrich Calls for ‘No Half Measures’ in the ‘Total Annihilation’ of Gaza,” Haaretz, April 30, 2024, <https://www.haaretz.com/israel-news/2024-04-30/ty-article/.premium/smotrich-calls-for-no-half-measures-in-the-total-annihilation-of-gaza/0000018f-2f4c-d9c3-abc7-f7d25460000> (accessed May 16, 2024).

⁴²⁵ Jeremy Sharon, “Ben Gvir calls to ‘encourage emigration,’ resettle Gaza at ultra-nationalist rally,” the Times of Israel, May 14, 2024, <https://www.timesofisrael.com/ben-gvir-calls-to-encourage-emigration-resettle-gaza-at-ultra-nationalist-rally/> (accessed October 17, 2024).

- October 21, 2024: “We will hit them where it hurts – their land. Anyone who uses his land to plan another holocaust will receive another Nakba from us.”⁴²⁶ Minister for Social Equality and the Advancement of the Status of Women of Israel May Golan

Prime Minister Netanyahu has at times indicated an intention not to forcibly displace Palestinians in Gaza and promised not to resettle Gaza.⁴²⁷ These statements have been infrequent and overwhelmed by the more frequent statements from ministers in government to do the opposite, and the actions of the Israeli military which demonstrate an intent to transfer the civilian population.

As this report has demonstrated clearly throughout, Israel has matched these statements with action. While some of the Israeli government’s actions in Gaza since the devastating attacks of October 7 might plausibly be presented as having military justification aligned with Israel’s stated objectives of destroying Hamas and freeing hostages, when considered together and in combination with the circumstances and implementation of Israel’s evacuation orders, the denial of basic necessities to the displaced, such as food, water, and safe spaces, the near total decimation of Gaza making it nearly impossible for many Palestinians to return to their homes, it is impossible to escape the conclusion that Israel intended to displace Palestinians in Gaza without their consent, i.e. coercively.

⁴²⁶ Jeremy Sharon, “Senior ministers call for new settlements in Gaza at ultranationalist conference,” the Times of Israel, October 21, 2024, <https://www.timesofisrael.com/government-ministers-call-for-new-settlements-in-gaza-at-ultranationalist-conference/> (accessed October 23, 2024).

⁴²⁷ “Netanyahu: Israel has no intention of permanently occupying Gaza,” Middle East Eye, January 10, 2024, <https://www.middleeasteye.net/live-blog/live-blog-update/netanyahu-israel-has-no-intention-permanently-occupying-gaza> (accessed October 23, 2024); “We’re protecting you: Full text of Netanyahu’s address to Congress,” the Times of Israel, July 25, 2024, <https://www.timesofisrael.com/were-protecting-you-full-text-of-netanyahus-address-to-congress/> (accessed October 23, 2024).

Legal Obligations

Israel’s evacuation orders have not made the people of Gaza safer; on the contrary, they have been used to forcibly transfer and confine the civilian population in unlivable conditions.⁴²⁸

— Paula Gaviria Betancur, UN special rapporteur on the human rights of internally displaced persons

Forced Displacement

Parties to an international conflict are prohibited under international law from forcibly transferring or deporting the civilian population of an occupied territory, in whole or in part. Violation of this prohibition when committed with criminal intent is prosecutable as a war crime. If committed as part of an “attack against a civilian population,” pursuant to a state policy to commit the crime, it can amount to a crime against humanity.

The laws of war applicable to the international armed conflict in Israel/Palestine include the Geneva Conventions of 1949, the First Additional Protocol to the Geneva Conventions (Protocol I), and customary international law.⁴²⁹ Furthermore, international criminal law, notably the Rome Statute of the International Criminal Court (ICC), which prohibits forced displacement as a war crime and crime against humanity, applies within Gaza.

Provisions in the Fourth Geneva Convention and Protocol I, prohibiting individual or mass forcible transfers of civilians from occupied territory to the territory of the occupying power or any other country, make clear that the prohibition is regardless of motive.⁴³⁰

⁴²⁸ “Gaza: Israel’s dehumanisation of displaced persons must end, says UN expert,” Office of the United Nations High Commissioner for Human Rights (OHCHR) press release, March 6, 2024, <https://www.ohchr.org/en/press-releases/2024/03/gaza-israels-dehumanisation-displaced-persons-must-end-says-un-expert> (accessed May 14, 2024). See also “Israel working to expel civilian population of Gaza, UN expert warns,” OHCHR press release, December 22, 2023, <https://www.ohchr.org/en/press-releases/2023/12/israel-working-expel-civilian-population-gaza-un-expert-warns> (accessed November 6, 2024).

⁴²⁹ Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, adopted August 12, 1949, 75 U.N.T.S. 85, entered into force October 21, 1950; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), adopted June 8, 1977, 1125 U.N.T.S. 3, entered into force December 7, 1978.

⁴³⁰ ICRC, *Geneva Convention IV (1949): Articles 49 and 147*; Article 85(4)(a) of Additional Protocol I prohibit forcible transfer and Article 18 of the 1996 ILC Draft Code also contains a similar prohibition.

To constitute the crime of transfer, the transfer needs to be “forcible.” Consent to be moved has to be voluntary and genuine, and not given under coercive conditions. As the International Criminal Tribunal for the Former Yugoslavia (ICTY) has made clear, the absence of genuine choice making displacement unlawful and forcible can include psychological force caused by “fear of violence, duress, detention, psychological oppression or abuse of power or by taking advantage of a coercive environment.”⁴³¹ Therefore, a transfer is not voluntary if civilians agree or seek to be transferred as the only means to escape risk of abuse if they remain. Moreover, transferring or displacing civilians is not justified or lawful as being on humanitarian grounds if the humanitarian crisis triggering the displacement is itself the result of unlawful activity by those in charge of the transfers.⁴³²

It is permitted to temporarily displace or evacuate civilians to protect them from the effects of an attack, or if civilian security or imperative military reasons demand such displacement.⁴³³

States’ interpretation of forcible transfer indicates that the war crime of forced displacement can be committed without a direct order to do so.⁴³⁴

Imperative military reason: The burden of proof is on the occupying power to establish that overriding military reasons made the evacuation imperative. The Commentary to the Additional Protocols illustrates that the adjective *imperative* “reduces to a minimum cases in which displacement may be ordered.”⁴³⁵ The term imperative sets a very high threshold—higher than an ordinary assessment of military necessity. Displacement can only be justified if it is a measure of last resort for imperative military operations where

⁴³¹ International Criminal Court (ICC), *Elements of Crimes*, 2013, <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf> (accessed November 6, 2024).

⁴³² United Nations International Residual Mechanism for Criminal Tribunals (IRMCT), “Forcible Transfer,” undated, <https://cld.irmct.org/notions/show/370/forcible-transfer> (accessed October 17, 2024); IRMCT, “Forcible Displacement,” undated, <https://cld.irmct.org/notions/show/369/forcible-displacement> (accessed November 6, 2024).

⁴³³ Article 58 of Additional Protocol I requires that parties to the conflict, “to the maximum extent feasible,” take the necessary precautions to protect civilians and civilian objects under their control from the dangers resulting from military operations, including seeking to remove civilians and civilian objects under their control from the vicinity of military targets.

⁴³⁴ International Crimes Database, *The Evacuation of Eastern Aleppo: Forced Displacement Under International Law?*, January 2019, https://www.internationalcrimesdatabase.org/upload/documents/20190109T160612-ICD%20Brief_Dec2018Forced%20Displacement%20in%20Syria%20as%20a%20Crime%20Under%20International%20Law.pdf (accessed November 6, 2024), p. 12.

⁴³⁵ Y Sandoz, C Swinarski, B Zimmermann (Eds), *Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949*, 1987, <https://www.icrc.org/en/publication/0421-commentary-additional-protocols-8-june-1977-geneva-conventions-12-august-1949> (accessed May 14, 2024).

there are no feasible alternatives.⁴³⁶ It does not suffice for civilians to be at risk from an active or reasonably expected threat from an act that would deprive the enemy of a military advantage or secure such an advantage for the occupier.

While it is impossible for Human Rights Watch to fully interrogate the military strategy of the Israeli military, Israel cannot simply rely on the presence of a legitimate military target in Gaza, namely Hamas, to justify forcibly displacing civilians when it attacked Hamas. It would need to establish that it had no other option but to evacuate the civilian population in order to achieve its necessary military objective or protect the population itself.

However, even where there is a military imperative that puts civilians at risk, what would otherwise be forcible transfer, will only be permitted as a lawful evacuation if Israel as the occupying power takes sufficient steps to safeguard civilians during their displacement and return them to their homes as soon as it is safe to do so. Article 49 specifies that the occupying power:

- Must ensure that evacuations, to the greatest practicable extent, comply with displacement protections, specifically that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated;
- Must ensure that evacuated persons are transferred back to their homes as soon as hostilities in the area in question have ceased; and
- Must not displace protected persons outside the bounds of the occupied territory except when material reasons make it impossible to avoid such displacement.⁴³⁷

While the extent and application of these exceptions is subject to a degree of uncertainty as their application depends on the facts of each case, certain principles have been clearly established by courts and tribunals. These include that the displacement occurs in a manner consistent with returning the population after hostilities have ended and

⁴³⁶ The ICRC's Customary IHL database and emphasize that the displacement of civilians is a measure of last resort and subject to stringent conditions to prevent abuse of this provision and provides that any evacuation must be in the interest of the civilian population themselves. ICRC, "Commentary on Article 49 of the Fourth Geneva Convention, 1949," 1958, <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-49/commentary/1958?activeTab=undefined> (accessed May 14, 2024).

⁴³⁷ ICRC, *Geneva Convention IV (1949): Article 49*.

consistent with the protection of the civilians' human rights.⁴³⁸ In addition, where displacement is conducted in an “atmosphere of terror,” this may negate any claim that it was an evacuation for imperative military reasons.⁴³⁹

Israel has not met these requirements and cannot plausibly claim that the forcible transfer of Palestinians in Gaza falls within the exemptions that allows lawful evacuation.

Israel issued evacuation orders that were unclear, inconsistent, and contradictory and impossible to comply with in the allotted time. It attacked areas not subject to evacuation orders, areas designated as safe and evacuation routes. The combination of these acts, the timescale for which was entirely in Israel's control, resulted in the deaths of many Palestinians and incited terror in those that were not killed.

Israel did not make any meaningful efforts to ensure that the humanitarian needs of displaced people were met. Instead, Israel has taken steps to ensure that displaced civilians cannot avail themselves of such protections through its attacking of civilian infrastructure and restrictions on water, electricity, and aid leading to starvation and threatening famine.⁴⁴⁰

The widespread destruction of residential properties, civilian infrastructure, and cultural heritage is also inconsistent with Israel's obligation to ensure that displaced civilians can return to their homes. The most serious breach of this obligation is Israel's acts of destruction in areas where it has troops on the ground and fighting is not or is no longer taking place and in areas where it appears to be creating permanent “buffer zones.”

While the destruction levied by Israel already means it cannot assert that it has conducted a lawful evacuation, its actions after hostilities have ceased in various areas of Gaza as

⁴³⁸ *Prosecutor v Krstić (Radislav)*, Case No IT-98-33-A, Appeal Judgment, ICL 306 (ICTY 2004), April 19, 2004, <https://www.icty.org/x/cases/krstic/acjug/en/> (accessed May 7, 2024).

⁴³⁹ *Prosecutor v. Radislav Krstić*, Case No. IT-98-33-T, Judgement, August 2, 2001, <https://www.icty.org/x/cases/krstic/tjug/en/krs-tj010802e.pdf> (accessed November 4, 2024), p. 185.

⁴⁴⁰ See Integrated Food Security Phase Classification (IPC), “Gaza Strip: IPC Acute Food Insecurity and Acute Malnutrition Special Snapshot,” October 17, 2024, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Malnutrition_Sep2024_Apr2025_Special_Snapshot.pdf (accessed November 4, 2024).

well as after a potential ceasefire throughout the territory, are also relevant to assess the full extent of its responsibility for forced displacement. Notably, courts have stated that:

The fact that no step is taken by the perpetrator to secure the return of those displaced, when the circumstances that necessitated the evacuation have ceased, is among the factors that may prove an intent to permanently displace the victims rather than the intent to secure the population through a lawful—and therefore temporary—evacuation.⁴⁴¹

In the *Naletilić & Martinović* case at the ICTY, the tribunal considered whether the defendants had committed the war crime of forcible transfer. In its judgment the Trial Chamber noted that:

When a genuine evacuation takes place, there is an obligation to bring the population back when the hostilities have ended. No attempts to return [the protected population] were made. In fact most of their houses were torched after 18 April 1993.⁴⁴²

Israel has sometimes stated, notably before the International Court of Justice, that the evacuation system was designed to safeguard civilians. However, Israel's failure to safeguard civilians or to preserve their ability to return demonstrates the opposite intent. Such intent has been publicly articulated by government officials who have specifically stated that maximum damage was the purpose of strikes,⁴⁴³ that Palestinians in Gaza would be cut off from humanitarian necessities, and that “voluntary emigration” was “the right humanitarian solution for the residents of Gaza.”⁴⁴⁴

⁴⁴¹ *Prosecutor v. Blagojević & Jokić*, International Criminal Tribunal for the Former Yugoslavia, Case No. IT-02-60, Judgment (Trial Chamber), January 17, 2005, <https://www.refworld.org/jurisprudence/caselaw/icty/2005/en/91971> (accessed May 15, 2024).

⁴⁴² *Prosecutor v. Naletilić & Martinović* (Trial Chamber Judgment), ICTY-98-34-T, March 31, 2003, <https://www.refworld.org/jurisprudence/caselaw/icty/2003/en/40183> (accessed May 15, 2024), paras. 512–571.

⁴⁴³ See Bethan McKernan and Quique Kierszenbaum, “We’re focused on maximum damage: Gaza ground incursion seems imminent,” the Guardian, October 10, 2023, <https://www.theguardian.com/world/2023/oct/10/right-now-it-is-one-day-at-a-time-life-on-israels-frontline-with-gaza> (accessed November 4, 2024).

⁴⁴⁴ See Bezalel Smotrich, post to Facebook, November 14, 2023, https://www.facebook.com/story.php?story_fbid=pfbid036UqRhjTnem4PTjwWbfen66cwCGAP4zDQsMhcwuWE7PQ5fMJAeEwpaSYyhnR95Cbl&id=100050298347371&_rdr (accessed May 10, 2024).

Palestinians in Gaza were fleeing as a direct result of the overwhelming force used by the Israeli military, the blockade which led to chronic food and water shortages, and numerous civilian casualties, leaving them with no genuine choice but to leave the territory.

Forcible Transfer as a Crime Against Humanity

Crimes against humanity are part of customary international law and were first codified in the charter of the Nuremberg International Military Tribunal of 1945. The purpose was to prohibit crimes that “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.”⁴⁴⁵ 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 ICC. The Rome Statute is directly applicable for war crimes and crimes against humanity committed in Gaza since June 2014, due to the State of Palestine’s ratification of the treaty.⁴⁴⁶ Its jurisdiction includes all persons alleged to be responsible for such crimes in Gaza, including Israeli nationals.

The definition of crimes against humanity varies slightly by treaty, but the definition found in the Rome Statute, which largely reflects customary international law, 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.⁴⁴⁷ Such an “attack” is defined as a course of conduct involving the multiple commission of such criminal acts pursuant to a state or organizational policy to commit the crimes.⁴⁴⁸

The 1998 Rome Statute of the ICC, which came into force in 2002, sets out 15 crimes that can amount to a crime against humanity. Deportation or forcible transfer of population are

⁴⁴⁵ 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.

⁴⁴⁶ “Decision on the Prosecutor’s Request Related to Territorial Jurisdiction over Palestine,” ICC Pre-Trial Chamber press release, February 5, 2021, <https://www.un.org/unispal/document/icc-pre-trial-chamber-i-issues-its-decision-on-the-prosecutors-request-related-to-territorial-jurisdiction-over-palestine-press-release/> (accessed November 6, 2024). Palestine lodged a declaration under article 12(3) of the Rome Statute accepting the jurisdiction of the ICC for crimes committed in its territory since June 2014, see ICC, “State of Palestine,” ICC-01/18, <https://www.icc-cpi.int/palestine> (accessed November 6, 2024).

⁴⁴⁷ 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> (accessed November 6, 2024), art. 7.

⁴⁴⁸ Rome Statute, art 7(2)(a).

listed as distinct crimes against humanity, defined as the “forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law.”⁴⁴⁹

The ICC Pre-Trial Chamber, in a 2018 ruling concerning ethnic Rohingya in Myanmar, held that deportation and forcible transfer are two distinct crimes against humanity, the difference being that:

[t]he displacement of persons lawfully residing in an area to another State amounts to deportation, whereas such displacement to a location within the borders of a State must be characterised as forcible transfer.⁴⁵⁰

The State of Palestine acceded to the Rome Statute in 2015.⁴⁵¹ It filed a declaration that gives the ICC jurisdiction over crimes in the Rome Statute, since June 13, 2014 including the crime against humanity of forcible transfer that is alleged to have been committed in the Occupied Palestinian Territory (OPT).⁴⁵²

The attack against a civilian population underlying the commission of crimes against humanity must be widespread or systematic; it need not be both. “Widespread” refers to the scale of the acts or number of victims.⁴⁵³ The attack must be pursuant to or in furtherance of state or organizational policy to commit such an “attack.”

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.⁴⁵⁴

⁴⁴⁹ Rome Statute, art. 7(1)(d); art. 7(2)(d).

⁴⁵⁰ ICC, *Situation in Bangladesh/Myanmar*, Decision on the “Prosecution’s Request for a Ruling on Jurisdiction under Article 19(3) of the Statute,” Pre-Trial Chamber I, September 6, 2018, para. 55.

⁴⁵¹ “ICC Welcomes Palestine as a New State Party,” ICC press release, April 1, 2015, <https://www.icc-cpi.int/news/icc-welcomes-palestine-new-state-party> (accessed May 15, 2024).

⁴⁵² “Palestine Declares Acceptance of ICC jurisdiction Since 13 June 2014,” ICC press release, January 5, 2015, <https://www.icc-cpi.int/news/palestine-declares-acceptance-icc-jurisdiction-13-june-2014> (accessed May 15, 2024).

⁴⁵³ 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; Kordic & Cerkez, International Criminal Tribunal for the Former Yugoslavia (ICTY), Case IT-95-14/2, ICTY Trial Chamber, February 26, 2001, para. 179; The Prosecutor v. Clement Kayishema and Obed Ruzindana, International Criminal Tribunal for Rwanda, Case ICTR-95-1-A, ICTR Trial Chamber, May 21, 1999, para. 123.

⁴⁵⁴ Rome Statute, article 7(2)(a).

The Israeli military has issued at least 184 evacuation orders which have forced 1.9 million Palestinians in Gaza to flee their homes.⁴⁵⁵ The initial broad-based order of October 13, 2023 alone forced over one million people from their homes and as of July 2024, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported that the majority of the population in Gaza remains internally displaced.⁴⁵⁶

The commission of crimes against humanity can serve as the basis for individual criminal liability not only in the domestic courts of the country where the crimes take place, but also in international courts and tribunals, as well as in other countries' courts under the principle of universal jurisdiction. 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. Responsibility attaches higher up the chain of command when superiors knew or should have known that their subordinates were committing such crimes but failed to take reasonable measures to prevent the crimes or punish those responsible.

Human Rights Watch has determined that the Israeli authorities have committed multiple acts of forced displacement. These were in furtherance of an organizational policy to commit the criminal act of forcible transfer, and therefore amount to an “attack directed against a civilian population” and a crime against humanity. Senior officials in the Israeli government and the war cabinet have repeatedly declared their intent to forcibly displace the population, declaring their policy goal throughout the conflict, from the early days of the war to over a year later. While Prime Minister Netanyahu might have stated the opposite intention at various times, the actions of the Israeli authorities throughout the conflict, as evidenced in this report, together with statements of intent by other senior members of government demonstrate the underlying state-level policy to forcibly transfer the majority of the population in Gaza. The Israeli military has consistently issued instructions to civilians to evacuate to unsafe areas and put people in harm's way; instead of providing for the protected population, the Israeli authorities have deliberately

⁴⁵⁵ United Nations Security Council, “As Israel's Aerial Bombardments Intensify, ‘There Is No Safe Place in Gaza,’ Humanitarian Affairs Chief Warns Security Council,” Document No. SC/15564, January 12, 2024, <https://press.un.org/en/2024/sc15564.doc.htm> (accessed May 14, 2024).

⁴⁵⁶ OCHA, “Humanitarian Situation Update #188 – Gaza Strip,” July 8, 2024, <https://www.un.org/unispal/document/ocha-sitrep-188-08jul24/> (accessed November 6, 2024).

restricted humanitarian assistance and used starvation as a weapon of war; and the Israeli military's continuous bombardment of Gaza has brought about widespread destruction in Gaza, either caused recklessly as a result of the hostilities or through deliberate razing of land after the military took control of the area.

Any specific prosecution of crimes against humanity would need to meet a criminal law standard for individual criminal culpability. While agents of the Israeli government in their official capacity as members of the Israeli military allegedly committed these crimes, Israel's documented record of failing to hold to account perpetrators of serious human rights abuses against Palestinians, including forcible transfer in the occupied West Bank, highlights the importance of criminal investigations in international courts and courts in other countries exercising universal jurisdiction.⁴⁵⁷

Forcible transfer as a crime against humanity should be independently and impartially investigated, including at the ICC. ICC Prosecutor Karim Khan recently confirmed that his office has since March 2021 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 and on May 20, 2024, sought arrest warrants in relation to this ongoing Palestine investigation.⁴⁵⁸ Human Rights Watch calls on the Prosecutor to Investigate Israeli authorities' forced displacement and prevention of the right to return as a crime against humanity.

Right to Redress

Under international law, victims of violations of international human rights and humanitarian law are entitled to redress, including reparation. According to the UN Basic Principles on the Right to a Remedy, victims of gross violations in particular have the right to receive "adequate, effective and prompt reparation for harm suffered."⁴⁵⁹ This right

⁴⁵⁷ Human Rights Watch, *A Threshold Crossed*.

⁴⁵⁸ "Statement by Prosecutor Karim A.A. Khan KC on the Situation in the State of Palestine," ICC press release, November 17, 2023, <https://www.icc-cpi.int/news/statement-prosecutor-international-criminal-court-karim-aa-khan-kc-situation-state-palestine> (accessed May 14, 2024); "Israel/Palestine: ICC Prosecutor Requests Arrest Warrants," Human Rights Watch news release, May 20, 2024, <https://www.hrw.org/news/2024/05/20/israel/palestine-icc-prosecutor-requests-arrest-warrants>.

⁴⁵⁹ United Nations General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, March 21, 2006, <https://www.ohchr.org/sites/default/files/2021-08/No549642.pdf> (accessed July 18, 2023).

draws on the broader principle of a right to concrete and effective remedy in the face of violations.⁴⁶⁰

Victims of gross violations are “persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights,” and include “the immediate family or dependents of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.”⁴⁶¹

Reparation includes, among other aspects, restitution and compensation. Compensation is due when restitution cannot be obtained.⁴⁶²

Palestinians in Gaza are entitled to reparation for rights violations committed as part of crimes against humanity, for the displacement from their homes. The Israeli government bears primary responsibility to provide victims with, or assist them in obtaining, compensation.

In the recent International Court of Justice (ICJ) decision in the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, the Court held that “Israel is under an obligation to provide full reparation for the damage caused by its internationally wrongful acts.”⁴⁶³ The Court went on to state that “Restitution includes Israel’s obligation to return the land... as well as all assets seized... since its occupation started in 1967...In the event that such restitution should prove to be materially impossible, Israel has an obligation to compensate...”⁴⁶⁴ Human Rights Watch calls for the inclusion of all land and other property seized and / or damaged or destroyed as a result of the recent conflict, to this requirement to redress, including

⁴⁶⁰ International Commission of Jurists, “The Right to a Remedy and Reparation for Gross Human Rights Violations, A Practitioner’s Guide,” Revised Edition, 2018, <https://www.icj.org/wp-content/uploads/2018/11/Universal-Right-to-a-Remedy-Publications-Reports-Practitioners-Guides-2018-ENG.pdf> (accessed July 18, 2023), pp. 52-84; Theo van Boven, “Victims’ Right to a Remedy and Reparation: The New United Nations Principles and Guidelines,” <https://www.corteidh.or.cr/tablas/r26214.pdf> (accessed July 18, 2023), p. 22.

⁴⁶¹ UN Basic Principles on the Right to a Remedy, principle 8.

⁴⁶² International Commission of Jurists, “The Right to a Remedy and Reparation for Gross Human Rights Violations, A Practitioner’s Guide,” Revised Edition, 2018, pp. 156.

⁴⁶³ International Court of Justice, Summary of the Advisory Opinion of 19 July 2024, Document Number 186-20240719-SUM-01-00-EN, July 19, 2024, <https://www.icj-cij.org/node/204176> (accessed November 6, 2024).

⁴⁶⁴ Ibid.

through any mechanisms and register set up to address the reparations Israel owes to Palestinians.

Ethnic Cleansing

Though the term “ethnic cleansing” has no formal definition under international law, a UN Commission of Experts defined it as a “purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas” where “the purpose appears to be the occupation of territory to the exclusion of the purged group or groups.”⁴⁶⁵

The definition rests on three crucial components. “Purposeful policy” designates coordinated actions by individuals and groups (whether formal or informal), acting in the pursuit of a common goal; qualifying acts as “purposeful policy” may rely on demonstrating the implication of government bodies, but does not require it. The second component, the “remov[al] by one ethnic or religious group the civilian population of another ethnic or religious group from a geographic area,” indicates that the policy aims at widespread displacement of a given group by another. Finally, ethnic cleansing relies on “violent and terror-inspiring means.”

While it is beyond the scope of this report to analyze the group identities of Palestinians and Jewish Israelis, it is clear that in the local context that Palestinians and Jewish Israelis are regarded as separate identity groups that fall within the broad understanding of “ethnic or religious group.”⁴⁶⁶ The Palestinian National Charter defines Palestinians as “those Arab nationals who, until 1947, normally resided in Palestine,” emphasizing that the identity is “transmitted from parents to children.”⁴⁶⁷ Even within Israel where both Jews

⁴⁶⁵ United Nations Security Council, Letter Dated 24 May 1994 from the Secretary-General to the President of the Security Council, May 27, 1994, <https://documents.un.org/doc/undoc/gen/n94/200/60/pdf/n9420060.pdf> (accessed November 6, 2024).

⁴⁶⁶ Article 1 of the Convention on the Elimination of all forms of Racial Discrimination notes that “‘racial discrimination’ shall mean any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin. OHCHR, International Convention on the Elimination of All Forms of Racial Discrimination, December 21, 1965, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial> (accessed November 6, 2024).

⁴⁶⁷ See the Avalon Project, Yale Law School, “the Palestinian National Charter, The Palestinian National Charter: Resolutions of the Palestine National Council,” July 1-17, 1968, https://avalon.law.yale.edu/21st_century/plocov.asp (accessed November 6, 2024).

and Palestinians are citizens, authorities classify Jews and Palestinians as belonging to different “nationalities.”⁴⁶⁸

The UN Commission of Experts further defined the means of ethnic cleansing to include crimes such as “murder, torture, arbitrary arrest and detention, extra-judicial executions, rape and sexual assaults, confinement of civilian population in ghetto areas, forcible removal, displacement and deportation of civilian population, deliberate military attacks or threats of attacks on civilians and civilian areas, and wanton destruction or property.”⁴⁶⁹

As this report makes clear, the acts of unlawful displacement in Gaza were conducted through serious human rights violations and violations of international humanitarian law, including war crimes and crimes against humanity. The evidence in this report shows that Israel has intentionally and purposefully displaced Palestinians in Gaza by means of forced displacement. It has used an evacuation system which has displaced people using violence and the fear of violence and has not kept people safe. The Israeli army has attacked safe routes and safe zones and has created an environment where nowhere is safe in Gaza. The actions of the Israeli authorities in Gaza are the actions of one ethnic or religious group to remove Palestinians in Gaza, members of another ethnic or religious group, from geographic areas in Gaza by violent means. The organized, forced displacement of Palestinians in Gaza has removed much of the Palestinian population from land that for decades and generations has been their home. Nowhere is this clearer than in areas which have been razed, extended, and cleared for buffer zones and security corridors. These areas appear emptied and cleansed of Palestinians and the intention and policies of the Israeli authorities appears to be to ensure that these areas remain permanently emptied and cleansed of Palestinians and under the occupation and control of Israeli authorities.

Those who directed or took direct part in abuses made clear orally and in written statements their intention to remove Palestinians from areas of Gaza and in some instances beyond the borders of Gaza. Taken together, these acts indicate that, at least in

⁴⁶⁸ Human Rights Watch, *A Threshold Crossed*.

⁴⁶⁹ United Nations Security Council, Letter Dated 24 May 1994 from the Secretary-General to the President of the Security Council, May 27, 1994, <https://documents.un.org/doc/undoc/gen/n94/200/60/pdf/n9420060.pdf> (accessed November 6, 2024).

the buffer zones and security corridors in Gaza, the Israeli authorities are pursuing a policy of ethnic cleansing.

Investigate the Denial of the Right of Return of Palestinian Refugees as a Crime Against Humanity

International human rights law guarantees refugees and exiles the right to enter the territory they are from, even where sovereignty is contested or has changed hands, and reside in areas where they or their families once lived and have maintained links to. Article 13(2) of the Universal Declaration of Human Rights (UDHR) states, “Everyone has the right to leave any country, including his own, and to return to his country.”⁴⁷⁰

In December 1948, following Israel's establishment, the UN General Assembly passed Resolution 194, which states:

[R]efugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.⁴⁷¹

The right of return for Palestinian refugees has been confirmed repeatedly by the UN General Assembly, including through Resolution 3236, which “Reaffirms also the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return.”⁴⁷²

Under the Rome Statute, a distinct crime against humanity is “Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to

⁴⁷⁰ Universal Declaration of Human Rights (UDHR), adopted December 10, 1948, G.A. Res. 217A(III), U.N. Doc. A/810 at 71 (1948), art. 13(2).

⁴⁷¹ UNRWA, “Resolution 194,” undated, <https://www.unrwa.org/content/resolution-194> (accessed August 6, 2024).

⁴⁷² United Nations, “Resolution 3236 (XXIX): Question of Palestine,” November 22, 1974, <https://www.un.org/unispal/wp-content/uploads/2016/05/ARES3236XXIX.pdf> (accessed August 6, 2024).

mental or physical health.”⁴⁷³ The ICC Pre-Trial Chamber in 2018 found with respect to the Rohingya that preventing people from returning to their home can amount to the crime against humanity of other inhumane acts. It stated:

The Chamber notes that, following their deportation, members of the Rohingya people allegedly live in appalling conditions in Bangladesh and that the authorities of Myanmar supposedly impede their return to Myanmar. If these allegations were to be established to the required threshold, preventing the return of members of the Rohingya people falls within article 7(1)(k) [other inhumane acts] of the Statute. Under international human rights law, no one may be arbitrarily deprived of the right to enter one’s own country. Such conduct would, thus, be of a character similar to the crime against humanity of persecution, which “means the intentional and severe deprivation of fundamental rights contrary to international law.” Furthermore, preventing a person from returning to his or her own country causes “great suffering, or serious injury [...] to mental [...] health.” In this manner, the anguish of persons uprooted from their own homes and forced to leave their country is deepened. It renders the victims’ future even more uncertain and compels them to continue living in deplorable conditions.⁴⁷⁴

The prevention of return can amount to the crime against humanity of “other inhumane acts,” using the standard set out by an ICC pre-trial chamber in the Bangladesh/Myanmar situation.

Crimes against humanity have no time limit for prosecution. Its application to the denial of the right to return has been recently summarized by a legal expert as: “Those who had a sufficient connection with the place to which they were denied return are to be regarded as victims of a crime against humanity even if a long period has passed, and even if they currently no longer have a physical place to which to return.”⁴⁷⁵

⁴⁷³ Rome Statute, art. 7(1)(k).

⁴⁷⁴ ICC, *Situation in Bangladesh/Myanmar*, Decision on the “Prosecution’s Request for a Ruling on Jurisdiction under Article 19(3) of the Statute,” Pre-Trial Chamber I, September 6, 2018, para. 77.

⁴⁷⁵ Tomer Levinger, “Denying the Right of Return as a Crime Against Humanity,” *Israel Law Review*, 54(2), October 1, 2021, p. 229.

The forced displacement of a population will by its nature continue as long as those displaced are prevented from returning to their homeland. It should therefore be treated as a continuous crime, especially if the same state or entity responsible for the displacement remains responsible for the denial of the right of return. The UN expert on addressing serious abuses committed in colonial contexts has stated that “it should be noted that there are also crimes that by their nature are continuous.”⁴⁷⁶ The prevention of the right to return against the Palestinians in Gaza, forcibly displaced by the current hostilities, may amount to a crime against humanity.

Acts or Threats of Violence, the Primary Purpose of Which is to Spread Terror

International humanitarian law prohibits “acts or threats of violence the primary purpose of which is to spread terror among the civilian population.”⁴⁷⁷ It has been shown that Israel’s evacuation system in Gaza was not a good faith attempt to evacuate the population in favor of the security of the population, and the imperative military reason to defeat Hamas did not justify the disproportionate decision to evacuate the entirety of the population of north Gaza to the South and push Palestinians in Gaza into smaller and smaller pockets as the war-front extended to encompass nearly all of the territory. Statements that called for the evacuation of areas that are not genuine warnings but are primarily intended to cause panic among residents or compel them to leave their homes for reasons other than their safety, would fall under this prohibition.

Previous caselaw has established that the atmosphere of terror in which a displacement takes place, is relevant to the question of whether it is a lawful evacuation, rather than forcible transfer.⁴⁷⁸ In the *Prosecutor v. Radislav Krstić* at the ICTY, the atmosphere of terror demonstrated that the true goal of the displacement of civilians from Srebrenica in Bosnia

⁴⁷⁶ UN General Assembly, Report of the Special Rapporteur on Promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli, Transitional justice measures and addressing the legacy of gross violations of human rights and international humanitarian law committed in colonial contexts, A/76/180, July 19, 2021, <https://www.ohchr.org/en/documents/thematic-reports/a76180-promotion-truth-justice-reparation-and-guarantees-non-recurrence> (accessed November 6, 2024), para. 30.

⁴⁷⁷ Office of the United Nations High Commissioner for Human Rights, “Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977,” June 8, 1977, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and-o> (accessed May 14, 2024), art. 13(2).

⁴⁷⁸ *Prosecutor v Krstić (Radislav)*, Case No IT-98-33-A, Appeal Judgment, ICL 306 (ICTY 2004), April 19, 2004, <https://www.icty.org/x/cases/krstic/acjug/en/> (accessed May 7, 2024).

“was carried out in furtherance of a well organised policy whose purpose was to expel the Bosnian Muslim population from the enclave.”⁴⁷⁹

Interviewees uniformly described the atmosphere of terror that accompanied the displacement from their homes. This evacuation system may amount to acts of violence, the primary purpose of which is to spread terror, and should be investigated.

Persecution

The crime of persecution traces back to the 1945 International Military Tribunal in Nuremberg. The tribunal’s charter recognizes “persecutions on political, racial or religious grounds” as crimes against humanity.⁴⁸⁰

The Rome Statute also identifies persecution as a crime against humanity, defining it as “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.”⁴⁸¹ The statute broadened the scope of the crime to encompass “any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law.”⁴⁸² The statute limits the crime to applying only “in connection with” other crimes identified under it.⁴⁸³ The customary international law definition of persecution, though, includes no such limitation.

Israeli authorities have collectively punished and forcibly transferred the majority of the population in Gaza by virtue of their identity as Palestinians. These policies and systematic practices box in, dispossess, forcibly separate, marginalize, and otherwise inflict suffering on Palestinians. Based on the evidence set out in this report, Human Rights Watch calls for the investigation of persecution in connection with forced displacement as a crime against humanity.

⁴⁷⁹ Ibid., para. 527.

⁴⁸⁰ United Nations, Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal, 1950, https://legal.un.org/ilc/texts/instruments/english/draft_articles/7_1_1950.pdf (accessed November 6, 2024).

⁴⁸¹ Rome Statute, art. 7(2)(g).

⁴⁸² Rome Statute, art. 7(1)(h).

⁴⁸³ Ibid.

Wanton Destruction

The laws of war prohibit attacks directed at civilians or civilian objects, indiscriminate attacks, attacks that have disproportionate effects on civilians, as well as extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly. Previous war crimes tribunals have held that a single act, if significant in scope such as the destruction of a hospital, may suffice to constitute the offense of unlawful and wanton destruction.

IHL prohibits the destruction of civilian objects and of property seized from the adversary in the absence of military necessity.⁴⁸⁴ Wanton destruction of such property constitutes a war crime.⁴⁸⁵

Under the laws of war, civilian objects are any that are not military. Military objectives are only those that by their nature, location, purpose, or use make an effective contribution to military action and whose partial or total destruction, capture, or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

Human Rights Watch notes that many instances of widespread property damage may not be unlawful. Human Rights Watch understands and has criticized Hamas and other Palestinian groups for firing rockets from populated areas. In such cases, property damage caused by Israeli counterstrikes against armed groups may have been lawful “collateral damage.”

Given the widespread destruction throughout the conflict and Gaza, as part of the war crime of forcible transfer, it is possible that many of the instances of such destruction would be a grave breach of the Fourth Geneva Conventions of 1949, which is applicable in Gaza. Individuals responsible for committing or ordering such destruction should be prosecuted for war crimes. At the very least, where Israel has demolished residential properties and civilian infrastructure and razed agricultural land to create a buffer zone, particularly in areas where fighting is not or no longer taking place, this could constitute wanton destruction and should be investigated.

⁴⁸⁴ See ICRC, “Military necessity,” Glossary, undated, <https://casebook.icrc.org/node/20549> (accessed November 6, 2024).

⁴⁸⁵ See ICRC, “Wanton destruction,” Glossary, undated, https://casebook.icrc.org/a_to_z/glossary/wanton-destruction (accessed November 6, 2024).

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We are grateful to the Palestinians in Gaza who were willing to share their experiences, including tragic personal accounts.

Annex I: List of Evacuation Orders Analyzed for this Report

Number	Date of order	Original Link	Archived Link
1	October 8, 2023	https://twitter.com/AvichayAdraee/status/1710776997230620908?s=20	https://archive.ph/Ho7Ob
2	October 12, 2023	https://twitter.com/happygibbon123/status/1717482509267501345/photo/1	https://archive.is/cd7Xl
3	October 13, 2023	https://x.com/AvichayAdraee/status/1712683686213144638	https://archive.is/QO9sM
4	October 13, 2023	https://twitter.com/AvichayAdraee/status/1712846493747495223	https://archive.is/lRyjY
5	October 13, 2023	https://twitter.com/happygibbon123/status/1717482511511486769/photo/2	https://archive.is/xvdhX
6	October 14, 2023	https://twitter.com/AvichayAdraee/status/1713065991511388610	https://archive.is/lzEMk
7	October 15, 2023	https://twitter.com/AvichayAdraee/status/1713431675458200042	https://archive.is/dJ1U1
8	October 15, 2023	https://twitter.com/happygibbon123/status/1717482513587671352/photo/2	https://archive.is/zDEx3
9	October 16, 2023	https://twitter.com/AvichayAdraee/status/1713779715868110946	https://archive.is/XC8px
10	October 16, 2023	https://twitter.com/AvichayAdraee/status/1713967522985226327	https://archive.is/cw7DB
11	October 17, 2023	https://twitter.com/AvichayAdraee/status/1714194739153490158	https://archive.is/dQKfy
12	October 18, 2023	https://twitter.com/AvichayAdraee/status/1714497435039330430	https://archive.is/el9Zw

13	October 20, 2023	https://www.facebook.com/photo?fbid=658815603025804&set=a.285650167009018	https://archive.is/f565L
14	October 21, 2023	https://twitter.com/AvichayAdraee/status/1715667721545830572	https://archive.is/UzTMZ
15	October 21, 2023	https://twitter.com/AvichayAdraee/status/1715766785662767273	https://archive.is/gEeKb
16	October 21, 2023	https://twitter.com/happygibbon123/status/1717482520109879771/photo/2	https://archive.is/v7IbX
17	October 21, 2023	https://www.facebook.com/photo.php?fbid=659277336312964&set=pb.100066921098856.-2207520000&type=3	https://archive.is/aNvCo
18	October 21, 2023	https://www.facebook.com/photo/?fbid=659312296309468&set=a.285650167009018	https://archive.is/gPHuf
19	October 22, 2023	https://www.facebook.com/COGAT.ARABIC/videos/723962536437768	https://archive.is/RL3Kv
20	October 25, 2023	https://twitter.com/AvichayAdraee/status/1717089441292927335	https://archive.is/JxtZu
21	October 28, 2023	https://twitter.com/AvichayAdraee/status/1718238080291713174/video/1	https://archive.is/AtD4d
22	October 28, 2023	https://twitter.com/happygibbon123/status/1718599649722818703/photo/3	https://archive.is/33wAc
23	October 29, 2023	https://twitter.com/AvichayAdraee/status/1718627084900180151	https://archive.is/vGHLS
24	October 29, 2023	https://www.facebook.com/photo/?fbid=663598849214146&set=pb.100066921098856.-2207520000	https://archive.is/MVnZg
25	October 30, 2023	https://twitter.com/AvichayAdraee/status/1719004766326444069	https://archive.is/ew9fH
26	October 30, 2023	https://twitter.com/happygibbon123/status/1722682129337790603/photo/2	https://archive.is/6xWsC

27	November 2, 2023	https://twitter.com/happygibbon123/status/1720116741915713977/photo/2	https://archive.is/FeJqL
28	November 5, 2023	https://twitter.com/AvichayAdraee/status/1720917602522820925	https://archive.is/ozJSZ
29	November 5, 2023	https://twitter.com/happygibbon123/status/1723531371010769189/photo/2	https://archive.is/utCMn
30	November 6, 2023	https://twitter.com/AvichayAdraee/status/1721438457526985143	https://archive.is/3fxj2
31	November 7, 2023	https://twitter.com/AvichayAdraee/status/1721811637932261412	https://archive.is/XJnql
32	November 8, 2023	https://twitter.com/AvichayAdraee/status/1722168755160007057	https://archive.is/o3kf2
33	November 8, 2023	www.facebook.com/photo/?fbid=668464412060923&set=a.285650167009018	https://archive.is/NUavU
34	November 8, 2023	https://www.facebook.com/IDFarabicAvichayAdraee/videos/1810665356036899	https://archive.is/Oa77a
35	November 8, 2023	https://twitter.com/AvichayAdraee/status/1722226579307425943	https://archive.is/HboOK
36	November 8, 2023	https://twitter.com/happygibbon123/status/1722588791137792382/photo/2	https://archive.is/VgAbm
37	November 9, 2023	https://twitter.com/AvichayAdraee/status/1722527895657005370	https://archive.is/sVSpE
38	November 10, 2023	https://twitter.com/AvichayAdraee/status/1722901106601218218	https://archive.is/gB7je
39	November 11, 2023	https://twitter.com/AvichayAdraee/status/1723249477039902776	https://archive.is/huxtc
40	November 12, 2023	https://twitter.com/AvichayAdraee/status/1723608640785985585	https://archive.is/kRIDr

41	November 13, 2023	https://www.facebook.com/photo/?fbid=904243671067241&set=a.306770754147872	https://archive.is/2PzFd
42	November 14, 2023	https://twitter.com/AvichayAdraee/status/1724326961336434934	https://archive.is/brPl1
43	November 14, 2023	https://twitter.com/AvichayAdraee/status/1724385295829815331	https://archive.is/1dqwx
44	November 15, 2023	https://twitter.com/AvichayAdraee/status/1724698787753361887	https://archive.is/5wymW
45	November 15, 2023	https://twitter.com/happygibbon123/status/1724792939367567458/photo/2	https://archive.is/VkVQx
46	November 16, 2023	https://twitter.com/AvichayAdraee/status/1725064257866256573	https://archive.is/n2UTp
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48	November 18, 2023	https://twitter.com/AvichayAdraee/status/1725810783425089647	https://archive.is/LRSSD
49	November 19, 2023	https://twitter.com/AvichayAdraee/status/1726166233525932095	https://archive.is/37idB
50	November 20, 2023	https://twitter.com/AvichayAdraee/status/1726534496315449766	https://archive.is/lkngd
51	November 21, 2023	https://twitter.com/AvichayAdraee/status/1726896302804418973	https://archive.is/OwTzD
52	November 22, 2023	https://twitter.com/AvichayAdraee/status/1727249971437527275	https://archive.is/JtWAD
53	November 23, 2023	https://twitter.com/AvichayAdraee/status/1727610903506346136	https://archive.is/jVsEJ
54	November 23, 2023	https://twitter.com/AvichayAdraee/status/1727795936523440622	https://archive.is/uradz

55	November 24, 2023	https://twitter.com/AvichayAdraee/status/1727974089912877315	https://archive.is/tefV9
56	November 24, 2023	https://www.thenationalnews.com/mena/palestine-israel/2023/11/24/israeli-flyers-warn-gazans-to-not-head-north-during-temporary-truce/	https://archive.is/Ai6N5
57	November 24, 2023	https://twitter.com/AvichayAdraee/status/1727908761602298182	https://archive.is/tFjNU
58	November 25, 2023	https://x.com/AvichayAdraee/status/1728292199128031339	https://archive.is/xLLbJ
59	November 26, 2023	https://x.com/AvichayAdraee/status/1728656103934771553	https://archive.is/uaNOz
60	November 27, 2023	https://www.facebook.com/IDFarabicAvichayAdraee/videos/364125522936102	
61	November 28, 2023	https://x.com/AvichayAdraee/status/1729396240520007865	https://archive.is/xzKrU
62	November 29, 2023	https://x.com/AvichayAdraee/status/1729729076766646277	https://archive.is/pN81Y
63	November 30, 2023	https://x.com/AvichayAdraee/status/1730107660916163029	https://archive.is/X3l78
64	December 1, 2023	https://observers.france24.com/en/middle-east/20231201-khan-yunis-is-now-a-combat-zone-bombardments-resume-across-the-gaza-strip	https://archive.is/esoXR
65	December 1, 2023	https://twitter.com/happygibbon123/status/1730581727976837271/photo/2	https://archive.is/l8M9X
66	December 2, 2023	https://twitter.com/AvichayAdraee/status/1730849868447436881	https://archive.is/AluWo
67	December 2, 2023	https://twitter.com/AvichayAdraee/status/1730849877263786259	https://archive.is/KnxKo
68	December 2, 2023	" https://www.gettyimages.de/detail/video/palestinians-in-khan-yunis-read-leaflets-	See Getty image archive

		nachrichtenfilmmaterial/1826598243?adppopup=true https://www.gettyimages.de/detail/nachrichtenfoto/palestinian-holds-a-leaflet-dropped-by-israeli-forces-nachrichtenfoto/1817197183?adppopup=true	
69	December 3, 2023	https://twitter.com/AvichayAdraee/status/1731296821731873096	https://archive.is/2hvSe
70	December 3, 2023	https://twitter.com/AvichayAdraee/status/1731170539023040697	https://archive.is/fpV7N
71	December 3, 2023	https://twitter.com/AvichayAdraee/status/1731315349092516329	https://archive.is/bXln7
72	December 3, 2023	https://www.newspointar.net/news/23805	https://archive.is/vyqxQ
73	December 4, 2023	https://twitter.com/AvichayAdraee/status/1731539367368241265	https://archive.is/zRDeM
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85	December 12, 2023	https://www.facebook.com/COGAT.ARABIC/posts/pfbido7ZC3a7bZ3Q3voZ3AKJFvbf81QpoyaMWnnoLcvTAQffuw7djwPMZYEnZdZ933LW4Xl	https://archive.is/yM7Us
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90	December 17, 2023	https://twitter.com/AvichayAdraee/status/1736285200127017299	https://archive.is/geXdS
91	December 18, 2023	https://twitter.com/AlMezanCenter/status/1736809795876008067/photo/1	https://archive.is/tpzAg
92	December 18, 2023	https://twitter.com/AvichayAdraee/status/1736635676647477635	https://archive.is/ztPLr
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94	December 20, 2023	https://twitter.com/AvichayAdraee/status/1737390939209892146	https://archive.is/aBn2x

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97	December 24, 2023	https://twitter.com/AvichayAdraee/status/1738819460104954011	https://archive.is/V1TIV
98	December 25, 2023	https://twitter.com/AvichayAdraee/status/1739201291228795306	https://archive.is/ZsBsm
99	December 25, 2023	" https://twitter.com/Timesofgaza/status/1739250888689197325 https://x.com/AlMezanCenter/status/1739348142040961392/photo/2 "	" https://archive.is/fbZml https://archive.is/LEYvt "
100	December 25, 2023	https://www.middleeasteye.net/live-blog/live-blog-update/israeli-forces-drop-leaflets-demanding-khan-younis-residents-move-rafah	https://archive.is/pP18l
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111	January 3, 2024	https://www.middleeasteye.net/live-blog/live-blog-update/israeli-warplanes-drop-leaflets-urging-residents-designated-safe-zone	https://archive.is/WowoP
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115	January 6, 2024	" https://twitter.com/kann_news/status/1743672150500737109 https://x.com/azaizamotaz9/status/1743620859695141028 "	" https://archive.is/Wetrx https://archive.is/iq5Ks "
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117	January 8, 2024	https://abualiexpress.com/%D7%94%D7%A4%D7%9C%D7%A1%D7%98%D7%99%D7%A0%D7%99%D7%9D-%D7%9E%D7%93%D7%95%D7%95%D7%97%D7%99%D7%9D-%D7%A9%D7%A6%D7%94%D7%9C-%D7%94%D7%98%D7%99%D7%9C-%D7%94%D7%91%D7%95%D7%A7%D7%A8-%D7%9E%D7%A0%D7%A9/	https://archive.is/g5HFp
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124	January 15, 2024	https://x.com/AvichayAdraee/status/1746823120571212205	https://archive.is/HIT8l
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128	January 24, 2024	https://twitter.com/AvichayAdraee/status/1750128054075076643	https://archive.is/pgYbq
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130	January 25, 2024	https://twitter.com/AbuAliEnglishB1/status/1750573362001162677	https://archive.is/5rPlc
131	January 26, 2024	https://twitter.com/AvichayAdraee/status/1750801643824693288	https://archive.is/Fc3a8
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136	January 31, 2024	https://twitter.com/AvichayAdraee/status/1752634852447289555	https://archive.is/krk3K
137	February 1, 2024	https://abualiexpress.com/%D7%94%D7%A4%D7%9C%D7%A1%D7%98%D7%99%D7%A0%D7%99%D7%9D-%D7%A6%D7%94%D7%9C-%D7%94%D7%98%D7%99%D7%9C-%D7%90%D7%AA%D7%9E%D7%95%D7%9C-%D7%9B%D7%A8%D7%95%D7%96%D7%99%D7%9D-%D7%91%D7%A2%D7%99%D7%A8/	https://archive.is/Nb5f8
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139	February 4, 2024	https://twitter.com/AvichayAdraee/status/1754073389369548893	https://archive.is/1Wosw
140	February 5, 2024	https://twitter.com/AvichayAdraee/status/1754409073166995604	https://archive.is/BokYO
141	February 7, 2024	https://t.me/abualiexpress/60460	https://archive.is/oyuyp
142	February 20, 2024	https://x.com/AvichayAdraee/status/1759825957697774049	https://archive.is/4j2J9
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149	May 6, 2024	https://twitter.com/AvichayAdraee/status/1787361950298431761/photo/2	https://archive.is/NSigm
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152	May 11, 2024	https://twitter.com/AvichayAdraee/status/1789171670105636971	https://archive.is/WdBeU
153	May 11, 2024	https://www.facebook.com/photo/?fbid=1004344887723785&set=pb.100044448488923.-2207520000	https://archive.is/Nzz40
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155	May 15, 2024	https://x.com/AvichayAdraee/status/1790711897941049590	https://archive.is/ucdJO
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157	June 27, 2024	https://x.com/AvichayAdraee/status/1806264754068942966	https://archive.is/VUSay
158	July 1, 2024	https://x.com/AvichayAdraee/status/1807792175859536181/photo/o	https://archive.is/4Wzgf
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163	July 27, 2024	https://x.com/AvichayAdraee/status/1817064860376510514	https://archive.is/GCRsQ
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165	July 28, 2024	https://x.com/AvichayAdraee/status/1817566489676791840	https://archive.is/JKQuV
166	August 4, 2024	https://x.com/AvichayAdraee/status/1820087158113239487	https://archive.is/XCali
167	August 5, 2024	https://x.com/AvichayAdraee/status/1820426898121392226	https://archive.is/AM3C6
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184	August 30, 2024	https://x.com/AvichayAdraee/status/1829447461598822613	https://archive.is/6qMG M

Annex II: Translations of Evacuation Orders Posted to Official Israeli Military Social Media Channels

December 3, 2023

#Breaking Residents of Gaza Strip, the [Israeli] Defense Forces have resumed their strong action against Hamas and the rest of the terrorist organizations. We would like to inform you of the following for your security and safety:

To the residents of Al-Mahatta, Al-Katiba, Hamat, Al-Sater, Bani Shehla and Maan in Khan Yunis, in blocks 36, 38-54, 219-221. For your safety, we call on you to move to know displaced shelters in the neighborhoods of Al-Fakhkhari, Al-Shabura, Al-Zuhour and Tel al-Sultan.

We remind you that we have published the "area map" that divides the Gaza Strip territories into areas and neighborhoods that you know in a bid to help you in the next phases of the war to understand instructions and move from accurately designated locations as needed, for your safety and security. Many link: https://bit.ly/gaza_blockmap1

Residents of Gaza, heeding evacuation instructions is one of the safest ways to preserve your safety and lives and your families' lives. If Hamas members are still preventing you from doing so, reach us via text messages on telegram at [gaza_saver](https://t.me/gaza_saver) or +97250-341-0322

To residents of Al-Mahatta, Al-Katiba, Hamat Al-Sater, Bani Shehla and Maan in Khan Yunis, in Blocks 36, 47-54, 219-221

Al-Shabura Camp
Tel al-Sultan
Al-Fakhkhari

Scan the QR code to access the block map



Heading on the map omits 9 blocks listed in the caption

Blocks 55, 99 and 104 highlighted on the map, despite not being listed in either the heading or the caption of the post

Imprecisely covered blocks



**Note: The map that we issued this morning fixed up Tel al-Sultan and Al-Shabura Camp. The error has been corrected and the attached map is the correct one. Instructions have not been changed.

To residents of the neighborhoods of Al-Mahatta, Al-Katiba, Hamat Al-Sater, Bani Shehla and Maan in Khan Yunis, located in Blocks 36, 47-54, 219-221

Tal al-Sultan

Al-Shabura Camp

Al-Fakhkhari

Scan the QR code to access the block map



July 7, 2024 and July 8, 2024

Map from an evacuation order by the Israeli military on July 7

إلى كل السكان والنازحين المتواجدين في مناطق التفاح، البلدة القديمة، والدرج في بلوكات: 609, 608, 606, 605, 604

ممنوع الاقتراب إلى السياج الأمني

من أجل أمنكم - عليكم الاخلاء بشكل فوري إلى المأوي المعروفة في غرب مدينة غزة

امسح رمز QR لكشف خارطة البلوكات

ممنوع الاقتراب إلى السياج الأمني

Do not approach the security fence

Scan the QR code to access the block map

Do not approach the security fence

For your safety - you must evacuate immediately to the known shelters in the west of Gaza City.

To all residents and displaced persons in the areas of Al-Tuffah, the Old City, and Al-Daraj in Blocks: 604, 605, 606, 608, 609

Do not approach the security fence

Scan the QR code to access the block map

Do not approach the security fence

For your safety - you must evacuate immediately to the known shelters in the west of Gaza City.

Map from an evacuation order by the Israeli military on July 8

إلى كل السكان والنازحين المتواجدين في مناطق الصبرة، الرمال، تل الهوا والدرج في بلوكات: 835, 784, 783, 777, 725, 724, 705, 704, 703, 702, 693, 690, 688, 687

ممنوع الاقتراب إلى السياج الأمني

من أجل امنكم - عليكم الاخلاء بشكل فوري إلى مأوي دير البلح في المنطقة الإنسانية

امسح رمز QR لكشف خارطة البلوكات

ممنوع الاقتراب إلى السياج الأمني

Do not approach the security fence

Scan the QR code to access the block map

Do not approach the security fence

For your safety - you must evacuate immediately to the known shelters in the west of Gaza City.

To all residents and displaced persons in the areas of Sabra, Al-Rimal, Tal Al-Hawa and Al-Daraj in Blocks 687, 688, 690, 693, 702, 703, 704, 705, 724, 725, 777, 783, 784, 835

Do not approach the security fence

Scan the QR code to access the block map

Do not approach the security fence

For your safety - you must evacuate immediately to the known shelters in the west of Gaza City.



“Hopeless, Starving, and Besieged” Israel’s Forced Displacement of Palestinians in Gaza

Israeli authorities have caused the massive, deliberate forced displacement of Palestinian civilians in Gaza since October 2023 and are responsible for war crimes and crimes against humanity. Israeli evacuation orders, attacks on so-called safe zones, and arbitrary restrictions to humanitarian aid have caused enormous harm to Palestinian civilians. Contrary to claims by Israeli officials, the forced displacement of Palestinians in Gaza does not comply with the laws of war.

“*Hopeless, Starving, and Besieged*” examines how Israeli authorities’ conduct has led to the displacement of 1.9 million Palestinians and the widespread destruction of much of Gaza over the last 13 months.

The report is based on interviews with 39 displaced Palestinians in Gaza and analysis of Israel’s evacuation system, including 184 evacuation orders, satellite imagery confirming the widespread destruction, and verified videos and photographs of attacks on designated safe zones and evacuation routes.

As the occupying power, Israel is obliged to ensure adequate facilities to accommodate displaced civilians, but the authorities have blocked all but a small fraction of the necessary humanitarian aid, water, electricity, and fuel from reaching civilians in need in Gaza. Israeli attacks have also rendered swathes of Gaza uninhabitable. Israel’s military has intentionally demolished or severely damaged civilian infrastructure, including in areas its forces control.

Human Rights Watch calls on the International Criminal Court to investigate Israel’s forced displacement in Gaza. The United States, Germany, and other countries should immediately suspend weapons transfers and military assistance to Israel. Continuing to provide arms to Israel risks complicity in war crimes, crimes against humanity, and other grave human rights violations.

(Above) Leaflets dropped over Gaza City, ordering residents to evacuate to southern Gaza immediately, October 13, 2023. © 2023 Mohammed Talatene/ picture-alliance/dpa/AP Images

(Front Cover) Palestinians flee south via Salah al-Din Road, in central Gaza, on the third day of a temporary ceasefire between Israel and Hamas on November 26, 2023. © 2023 AP Photo/Hatem Moussa