



SYNERGY
for JUSTICE

SEXUAL VIOLENCE UNDER SETTLER COLONIALISM

Structural, political, and racialised violence against Palestinians

The authors of this report are two Palestinian academics, holders of PhDs in sociology, both of whom have a track record of peer reviewed articles and are recognised for their contributions to decolonial theory. Due to well-founded fears of potential retaliation by Israeli authorities, they have elected to withhold their names from publication. Their decision reflects the increasingly hostile environment faced by Palestinian scholars engaging in critical decolonial research. Despite these risks, the authors conducted a rigorous analysis grounded in extensive data sets drawn from their previous empirical and theoretical work, offering a rare and vital perspective that challenges dominant narratives and foregrounds Palestinian epistemologies.

Review and editing of this report was provided by Mera Eftaiha, Anna Dobrohorska, Lisa Palfart and Christy Fujio, all of Synergy for Justice.

We are grateful to Jihad Khair for the skilled and excellent translation that he provided for this difficult subject matter.

Above all, we are grateful to the key informants, including survivors and other civil society members who took risks to participate in this research, share their experiences, and inform the observations and conclusions shared here.

TABLE OF CONTENTS

INTRODUCTION	2
METHODOLOGY	4
Data Sources and Collection	4
Literature Review	4
Primary Data.....	4
Data Archive (2023–2025).....	4
Limitations and Ethical Considerations	5
SEXUAL VIOLENCE UNDER SETTLER COLONIALISM	6
FORMS AND SITES OF SEXUAL VIOLENCE	10
INTERNATIONAL FRAMEWORKS: GAPS	14
SYSTEMIC ENABLERS AND IMPUNITY	19
CONCLUSIONS AND RECOMMENDATIONS	22
Recommendations	23
1. To International Human Rights and Legal Institutions	23
2. To UN Bodies and the OSRSG-SVC	23
3. To Donors and International NGOs.....	24
4. To Palestinian Civil Society and Advocacy Groups	24



INTRODUCTION

Sexual violence has long been recognised as a brutal and dehumanising instrument of domination, yet its manifestations under settler colonial regimes remain deeply under-explored and systematically silenced, particularly in the case of Palestine. **In the context of Palestine, sexual violence is not incidental nor confined to moments of active conflict; it is structurally embedded in the Israeli settler colonial system, with its project deploying it as a mechanism of control, racialisation, and territorial expansion.** This research critically examines how Israeli sexual violence against Palestinians functions within, is sustained by, and linked to the broader architecture of settler colonialism. The research contends that the violence inflicted upon Palestinians, women, men, people with non-normative genders and sexualities, and children, is deeply rooted in a settler colonial logic that targets Palestinians through racialised, classed, gendered, sexed, and age-based forms of domination and subjugation. This research critically interrogates the *forms, functions, sites and invisibilities* of Israeli sexual violence against Palestinians, arguing that international frameworks such as Conflict-Related Sexual Violence (CRSV) fail to account for the structural and systematic nature of this abuse.

Despite the growing documentation from human rights bodies and academic research,¹ the international community continues to marginalise or ignore Palestinian testimonies of sexual torture and abuse, particularly those committed by Israeli state and non-state actors. This study argues for a re-conceptualisation of sexual violence in Palestine as a continuous, institutionalised practice interwoven with racialised colonial state power. Institutions like the UN Office of the Special Representative on Sexual Violence in Conflict (OSRSG-SVC) express concern for allegations against Palestinians committing sexual violence, while downplaying or omitting Israeli violations, even when direct interviews with Palestinian victims and survivors have taken place.² The tendency of international legal and humanitarian bodies to interpret Israeli violence through the narrow lens of armed conflict obscures the prolonged gendered, classed, sexed, aged, and racialised nature of abuse inflicted on Palestinians. This framing renders many Palestinian experiences of sexual torture and abuses invisible or unaccounted for in international platforms.

-
- 1 See Weishut D. J. (2015). Sexual torture of Palestinian men by Israeli authorities. *Reproductive health matters*, 23(46), 71–84, Shalhoub-Kevorkian, N. (2010). "Palestinian Women and the Politics of Invisibility Towards a Feminist Methodology." *Peace Prints: South Asian Journal of Peace Building* 3: 1–21; Madar, R. (2023). Beyond Male Israeli Soldiers, Palestinian Women, Rape, and War: Israeli State Sexual Violence against Palestinians. *Conflict and Society*, 9(1), 72-88. Medien, K. (2021). Israeli settler colonialism, "humanitarian warfare," and sexual violence in Palestine. *International Feminist Journal of Politics*, 23(5), 698–719.
 - 2 See OSRSG-SVC (2024) Mission report: Official visit of the Office of the SRSR-SVC to Israel and the occupied West Bank 29 January – 14 February 2024. Available at: <https://tinyurl.com/42ydb4an> [Accessed 22 July 2024].

This erasure is not accidental but structurally tied to the politics of racialisation and power that sustain settler colonialism. Medien³ and Mertens⁴ critique the CRSV framework for its inability to grapple with imperial legacies and race-based violence. They highlight how CRSV’s “weapon of war” framing fails to capture the everyday, institutionalised, and gendered domination that defines sexual violence under occupation. This includes sexual harassment at checkpoints, forced nudity and vaginal/anal searches by male and female soldiers, and sexual torture in interrogation facilities.⁵ These practices are not isolated acts, but deliberate tools of control embedded in military, carceral, and surveillance systems, constitutive of Israel’s settler colonial strategy.

Moreover, dominant narratives often frame sexual violence as primarily affecting women and girls, thereby erasing the extensive sexual torture inflicted on Palestinian men, boys, and non-normative people.⁶ The Israeli military, one of the most powerful in the world, allows even female soldiers to perpetrate sexual violence against men, with structural impunity. This dynamic is invisible in gender-binary narratives of victimhood and harm.⁷ Sexual violence is usually thought of as perpetrated by men against women; this stereotype is challenged by the sexual violence perpetrated against Palestinians under settler colonialism. As research demonstrates, Israeli sexual violence can be perpetrated by men and women, against men, women, girls, boys and others.

This research aims to respond to the following questions:

- How can we understand sexual violence within the context of settler colonialism in Palestine?
- What are the barriers to addressing sexual violence against Palestinians within conflict-related sexual violence frameworks?
- What are the different forms and spaces (sites) through which Palestinians are subjected to sexual violence?
- What alternative, justice-oriented approaches could be considered when addressing sexual violence in settler colonial contexts?

By centring the lived experiences of Palestinians and applying a decolonial, intersectional lens, this research contributes to a growing body of work that challenges the limitations of global human rights discourse and interventions and calls for an urgent reimagining of how sexual violence is understood, documented, and addressed in Palestine.

-
- 3 Medien, K. (2021). Israeli settler colonialism, “humanitarian warfare,” and sexual violence in Palestine. *International Feminist Journal of Politics*, 23(5), 698–719.
 - 4 Mertens, C. (2023). In the ruins of empire: historicizing sexual violence in Congo. *International Feminist Journal of Politics*. 25. 1-22.
 - 5 See Hammami, R. 2019. “Destabilizing Mastery and the Machine: Palestinian Agency and Gendered Embodiment at Israeli Military Checkpoints.” *Current Anthropology* 60 (S19), S87–S97, Breiner, J. and Yotam, B. 2018. “Shin Bet Officers Suspected of Ordering Unwarranted Search of Palestinian Woman’s Private Parts.” *Haaretz*, Available at: <https://tinyurl.com/mpc37z39> [Accessed 22 July 2024], B’Tselem. (2013). Abuse and torture in interrogations of dozens of Palestinian minors in the Israel Police Etzion Facility. Available at: <https://tinyurl.com/3ffwzhct> [Accessed 22 July 2024], and Euro-Med Human Rights Monitor. (2024). Gaza: Israeli army systematically uses police dogs to brutally attack Palestinian civilians, with at least one reported rape. Available at: <https://tinyurl.com/mr3kywmz> [Accessed 22 July 2024].
 - 6 See OHCHR (2024) Israel/oPt: UN experts appalled by reported human rights violations against Palestinian women and girls. Available at: <https://tinyurl.com/3tjb2pz5> [Accessed 22 July 2024], and Weishut D. J. (2015). Sexual torture of Palestinian men by Israeli authorities. *Reproductive health matters*, 23(46), 71–84.
 - 7 See Madar, R. (2023). Beyond Male Israeli Soldiers, Palestinian Women, Rape, and War: Israeli State Sexual Violence against Palestinians. *Conflict and Society*, 9(1), 72-88.

METHODOLOGY

This research adopts a decolonial, intersectional feminist methodological approach to investigate sexual violence and torture against Palestinians within the context of Israeli settler colonialism. This framework centres power analysis, challenges colonial knowledge production, and insists on research practices that are accountable to the communities most affected by violence. Rather than positioning research participants as passive sources of information, this methodology recognises their agency, prioritises co-construction of knowledge, and seeks to produce transformative spaces through engagement. In practice, this entails creating spaces for critical dialogue, co-learning, and unlearning, where participants' lived experiences are treated not only as sources of data but as valid knowledge. Consultations were designed as problem-solving spaces that enable collective reflection and critical interrogation, rather than extractive encounters. This approach aligns with feminist pedagogy and its commitment to amplifying the voices of marginalised individuals and communities. This multi-layered methodology, and the utilisation of multiple sources of data, ensures a grounded, community-centred understanding and analysis of sexual violence, one that challenges dominant narratives and centres the voices and knowledge of those historically silenced by settler colonial projects.

Data Sources and Collection

To respond to the research questions, we drew on three primary sources of information:

Literature Review

This research draws on interdisciplinary literature grounded in settler colonial theory, with a focus on how colonial violence operates through racialised, gendered, sexualised, and age-based domination in different contexts. Academic texts, peer-reviewed articles, and selected journalistic pieces from different disciplines and fields were also consulted. This included literature on legal and empirical insights from the Palestinian context, gendered and sexual dimensions of settler colonialism and indigenous feminist and decolonial scholarship globally, and in Palestine more specifically.

Primary Data

Primary data was collected through nine in-depth individual consultations with key informants, including:

- Civil society actors working in the fields of legal support, gender, and human rights in Palestine;
- Legal professionals with experience documenting cases of sexual violence;
- Academic experts on settler colonialism and sexual violence in Palestine;
- Two survivors of sexual violence.

In addition, the research also relied on ethnographic data⁸ collected by the authors, through conversations and day to day interactions with Palestinians in the country.

Data Archive (2023–2025)

This research also drew upon extensive data sets that the authors relied on for ongoing and previous research projects across the MENA region. The data sets consulted included the following:

- **Civic Space in the MENA Region (2023-2024)**
Involved 30 collective consultations with women's rights organisations and initiatives across Palestine, Jordan, Lebanon, and Tunisia.

8 Ethnographic data refers to the data that emerges from researchers' immersion in specific social settings through observation and interaction.

- **Feminist Movements in the MENA Region (2023)**
Based on 65 individual consultations with feminist and women’s rights actors in Egypt, Iraq, Jordan, Lebanon, and Palestine.
- **Racial Justice from a Decolonial Perspective (2023)**
Comprised five collective consultations with 24 participants from across the region, including Palestine, focused on structural racialisation and its intersections with gender and sexual violence.
- **Sexual Violence within Humanitarian Frameworks (2023–2024)**
Includes data from 107 observation questionnaires administered in Gaza and two collective consultations with 10 civil society and community-based organisations in the West Bank.
- **Anti-Gender Movement(s) in the MENA Region (2024-2025)**
While focused on the emergence of anti-gender discourses, data from Palestine revealed patterns of sexual violence and exposed spaces where such violence occurs. These insights were incorporated into the analysis.

Limitations and Ethical Considerations

This research was carried out during a period of heightened political repression, military escalation, and ongoing humanitarian crisis in Palestine, all of which presented significant ethical and methodological challenges (2023-2025). The sensitive nature of the research topic combined with the current political climate, created a high-risk environment for both participants and researchers.

A key limitation was the restricted participation of individuals and communities directly affected by sexual violence. Several potential participants declined to engage due to well-founded concerns regarding personal safety, fear of retaliation, digital surveillance, and possible targeting by Israeli colonial authorities, particularly in the absence of protection mechanisms. In response, we adopted a trauma-informed approach, placing the safety, consent, and autonomy of participants above data extraction. All consultations were voluntary, anonymised where requested, and facilitated with flexible formats to prioritise participants’ emotional well-being. The researchers and authors of this research have also decided to remain anonymous for concerns over their safety, and to avoid potential targeting by Israeli colonial authorities.

Additionally, the scarcity of formal documentation on sexual violence against Palestinians limited the availability of verifiable secondary data. To mitigate this, the research incorporated diverse forms of knowledge, including lived experience, grey literature, and decolonial feminist analysis. This research recognises that power dynamics in knowledge production must be critically examined, especially when working in settler colonial contexts. However, we acknowledge that we relied on some Israeli sources and academic research due to the scarcity of information.



Settler colonialism involves the displacement and replacement of indigenous populations by settlers seeking permanent control of land, a dynamic reflected in the Zionist movement's aim to establish a Jewish state in a land already inhabited by Palestinians.

SEXUAL VIOLENCE UNDER SETTLER COLONIALISM

Based on research and analysis of literature, in this section we argue, that to be able to capture sexual violence and torture against Palestinians, understanding it as a settler colonial project is more appropriate than looking at it from the perspective of conflict. As one participant put it: “We are not equal sides of conflict, there is a coloniser and a colonised, and there are imbalances in power.” Settler colonialism involves the displacement and replacement of indigenous populations by settlers seeking permanent control of land, a dynamic reflected in the Zionist movement’s aim to establish a Jewish state in a land already inhabited by Palestinians.⁹ The 1948 *Nakba*, which saw the expulsion of over 750,000 Palestinians and the destruction of hundreds of villages, exemplifies this logic of elimination.¹⁰ The ongoing expansion of Israeli settlements, the blockade of Gaza, the imposition of military law in the West Bank and Jerusalem,¹¹ and the continuous attempts to erase Palestinian identity in 1948 occupied land, further demonstrate the structural domination central to settler colonial regimes. Framing the situation merely as a “conflict” obscures the deep asymmetry in power and erases the historical and ongoing dispossession of the Palestinian people.

9 Veracini, L. (2010). *Settler Colonialism: A Theoretical Overview*. Palgrave Macmillan, and Wolfe, P. (2006). “Settler Colonialism and the Elimination of the Native.” *Journal of Genocide Research*, 8(4), 387–409.

10 Pappé, I. (2006). *The Ethnic Cleansing of Palestine*. Oneworld Publications.

11 Human Rights Watch. (2021). *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution*. Available at: <https://tinyurl.com/4v6jfu3v> [Accessed 22 July 2024], and UN OCHA (2018), ‘Humanitarian Impact of Settlements’ Available at: <https://www.ochaopt.org/content/humanitarian-impact-settlements-palestinian-neighbourhoods-east-jerusalem-evictions-and> [Accessed 5 August 2025].

In the Palestinian context, we cannot speak of sexual violence as related to an “incident” or “event” of conflict, rather it is more adequate to address it as part of a prolonged settler colonial project, which has its own “logic.” Settler colonial logic refers to the rationale that underlines colonial practices of elimination, replacement, territorialisation, gendered, racialised, and sexual violence, imperial cultural domination, and normalisation. Even though following the 7 October 2023 Israeli escalation of violence amounting to genocide, sexual violence against Palestinians gained more attention in the media, it has been used as a colonial method of control against indigenous communities since 1948.¹² As a tactic of control, sexual violence must be understood in its broader context, taking into consideration its historical roots, its forms, its sites, local terms that describe it, and its embeddedness into the everyday life of Palestinians. As one participant put it: “They use sexual violence as a tactic of terrorisation. For example, during interrogation a Palestinian man was threatened with torture until ‘he could no longer breed;’ it is terrorising.”

The structural, racialised, and systemic nature of sexual violence against Palestinians is rooted in Israel’s settler colonial project, which has aimed to subjugate and erase Palestinian life since 1948. Scholars like Madar, Mertens, and Medien¹³ argue that conventional frameworks, such as “rape in war,” fail to capture the everyday realities of Palestinians living under occupation and ignore the intersection of race, imperialism, and state power. This framing also reinforces cultural stereotypes and exceptionalism, portraying Palestinians as inherently violent while masking Israeli state violence behind liberal values and human rights rhetoric. Settler colonialism, unlike conflict, does not imply equal sides; it is a structure built on material and cultural domination and dispossession.

In fact, the way colonial violence is broadly described in the local language reflects its structural and systematic nature. *Tankīl*, the word used most to describe all forms of colonial violence in Palestine, refers to the systematic and structural abuse Palestinians are subjected to through the settler colonial project. The term reflects that such violence is not isolated but is used as a punitive scaring tactic to instil fear, which eventually serves the colonial model of domination and subjugation that is embedded in the everyday life of Palestinians. One participant put it: “We cannot think of sexual violence without considering other forms of violence inflicted upon Palestinians – it usually happens simultaneously with other forms of violence, including physical, verbal, psychological abuse, while expelling people from their homes.” Through this research, and during interviews, people described several colonial tactics as *tankīl*, and these included home demolitions and movement restrictions, as well as torture and medical neglect against prisoners, beatings, threats of rape, sexual harassment, unnecessary vaginal and anal examinations, strip searches, during house raids, and arrests and at checkpoints. The term *tankīl* itself also reflects the intersecting nature of different forms of colonial violence.

Several participants explained that there are multiple barriers related to documenting and putting forward on the Palestinian rights agenda the issue of sexual violence, especially as it usually occurs with other abuses. One participant explained: “If sexual violence or harassment occurs during a

Tankīl

{noun} · Arabic

The systematic and structural abuse Palestinians are subjected to through the settler colonial project.

Such violence is not isolated but is used as a punitive scaring tactic to instil fear, which eventually serves the colonial model of domination and subjugation that is embedded in the everyday life of Palestinians.

Also reflects the intersecting nature of different forms of colonial violence.

12 Shalhoub-Kevorkian, N. (2009 & 2015). “Militarization and Violence Against Women in Conflict Zones in the Middle East: A Palestinian Case-Study.” Cambridge Journal of Education, 38(3), 405–421, and Security Theology, Surveillance and the Politics of Fear. Cambridge University Press.

13 See Madar, R. (2023). Beyond Male Israeli Soldiers, Palestinian Women, Rape, and War: Israeli State Sexual Violence against Palestinians. Conflict and Society, 9(1), 72-88., Mertens, C. (2023). In the ruins of empire: historicizing sexual violence in Congo. International Feminist Journal of Politics. 25. 1-22. 10.1080/14616742.2023.2198546, and Medien, K. (2021). Israeli settler colonialism, “humanitarian warfare,” and sexual violence in Palestine. International Feminist Journal of Politics, 23(5), 698–719.

house raid, and is followed by a home demolition, victims usually prioritise and pay more attention to the home demolition.” Some participants highlighted the emotional impact of going through the trauma of violence, let alone, when it is intersecting with other forms of violence. A participant said: “The heavy impact of the incident prevents people from connecting to their feelings. Events get messed up in our memory, and sometimes people find themselves questioning whether it really happened.” Another participant said: “If a woman goes through harassment, during her son’s arrest, all of her emotional attention will be focused on her son’s release.”

“If a woman goes through harassment, during her son’s arrest, all of her emotional attention will be focused on her son’s release.”

Participant

Examples of sexual violence that emerged from the consultations demonstrate that people do not always recognise their experience of intersecting violence as sexual, and that in many cases victims disassociate from sexual violence due to the gravity of the event, and its subsequential trauma. Another participant said: “So many of the practices that take place fall under the umbrella of sexual violence, however, many victims do not know that such practices are considered sexual violence.” For instance, one explained: “People do not recognise unnecessary genital medical exams are torture, or that strip-searching is a form of harassment.” During ethnographic encounters with Palestinians who went through sexual violence at a young age through invasive body searches, including anal searches, we noticed that people talk about these incidents as if “they are part of life.” A participant said: “I was a 12-year-old boy when they stopped me at a checkpoint because I had forgotten my birth certificate. A soldier took me to a room and searched my anus with a flashlight.” He added: “This always happens, it is part of our lives.” In addition, participants also explained that social taboos prevent people from talking about sexual violence, and particularly when the victim is a woman.

“The heavy impact of the incident prevents people from connecting to their feelings. Events get messed up in our memory, and sometimes people find themselves questioning whether it really happened.”

Participant

Israeli practices such as sexualised threats, forced nudity, genital violence, and sexual humiliation in detention, especially against Palestinian men, are often not recognised as “sexual violence” due to entrenched biases about what counts as “rape” or who can be a victim. In addition, particularly in the Palestinian context, many of these acts are done under the guise of state security, despite the fact that they are systematic colonial tactics aiming to subjugate Palestinians through extreme sexual humiliation. Participants explained that such practices are rarely classified as sexual violence due to the narrow definitions that dominate international law. They also highlighted that the woman/victim–man/perpetrator binary does not apply to the sexual violence Palestinians go through. Palestinian men, boys, and queer individuals are subjected to gendered and sexualised violence by a militarised settler-colonial regime, where domination is exerted through the body, often through tactics that are deliberately emasculating and sexual in nature. These experiences do not fit easily within international legal typologies shaped by heteronormative and global frameworks. A participant said: “Such acts of sexual humiliation and genital violence are rendered invisible in international discourse due to narrow definitions of both sexual violence and victimhood.”

In addition to these acts, through this research we identified another complicated form of violence of a sexual nature, which is described in Arabic as *Isqāt*. *Isqāt* refers to the systematic efforts by Israeli intelligence agencies to recruit Palestinians as informants or collaborators. This process often involves coercive methods such as blackmail, threats, or exploitation of personal vulnerabilities, and particularly those of a sexual nature, which targets Palestinians with non-normative genders and

Isqāt

{noun} · Arabic

The systematic efforts by Israeli intelligence agencies to recruit Palestinians as informants or collaborators, often through coercion including blackmail, threats, or exploitation of personal vulnerabilities, and particularly those of a sexual nature.

sexualities and who are engaged in non-normative practices. This form of violence reveals the sexualised architecture of settler-colonial control, where bodies are not just targeted for military dominance, but also for moral, social, and intimate control. The use of sexual blackmail through surveillance and deception is a calculated tactic aimed at disempowering Palestinians by weaponising their privacy, sexuality, and community ties. One participant said: “Sexual blackmail – they have Unit 8200 of the defence intelligence, which collects information about Palestinians to blackmail them. They can target anyone, including queers and activists.” During an ethnographic encounter, a participant explained that Israeli authorities also use Palestinians, whom they had subjected to *Isqāt* before, to practise it on other Palestinians. He added: “It happens everywhere, and they can instrumentalise anyone. It happens at women’s hairdressers, and sometimes even at kiosks, in colleges, basically everywhere.”

Sexual violence becomes a counterinsurgency strategy, employing sexualised tactics of control, ranging from physical assault to psychological coercion and reputational control, for the purpose of countering insurgency, making it institutional, intentional, and systemically deployed.

The various forms of sexual violence, elaborated in the next section, reflect the embeddedness of colonial violence within the everyday lives of Palestinians. As such, sexual violence becomes a counterinsurgency strategy, employing sexualised tactics of control, ranging from physical assault to psychological coercion and reputational control, for the purpose of countering insurgency, making it institutional, intentional, and systemically deployed. By countering insurgency, the Israeli colonial powers’ aim is to put an end to any form of Palestinian liberation movements, popular resistance, revolutionary ideologies and actions, as well as Palestinian existence more broadly. As the settler colonial foundation involves the elimination, replacement, racialisation,

and dehumanisation of its victims, in addition to the invasion of land as a continuous process, it fundamentally seeks to undermine Palestinian existence.¹⁴ This settler colonial tactic also feeds off, and is reinforced by, the denial of atrocities, accompanied by an appropriation of Palestinian culture; all contribute to the erasure of the Palestinian people and colonisation of the land. This is very much in line with the logic of other settler colonial projects, which utilised the *terra nullius* doctrine, which translates to English as “land belonging to no one,” legally and morally justifying the elimination of Indigenous peoples.¹⁵ The 1992 *Mabo v Queensland (No 2)* decision by the High Court of Australia overturned the doctrine of *terra nullius*—the false claim that Australia was uninhabited before British colonisation. This *terra nullius* principle had justified the dispossession of Aboriginal and Torres Strait Islander peoples. By overturning the *terra nullius* and recognising native title, the ruling exposed the colonial foundations of settler colonial property law and acknowledged the enduring land rights of Indigenous peoples.

Considering this analysis, it becomes clear that sexual violence under Israeli settler colonialism cannot be disentangled from the broader architecture of domination, elimination, and control that defines the Palestinian experience. **Far from being isolated incidents or aberrations of war, such violence is a calculated and systemic strategy embedded in settler colonial governance. It functions not only to punish and humiliate, but also to fracture communities, enforce silence, and dismantle possibilities for resistance.** The next section builds on this understanding by detailing the specific forms that sexual violence takes in the Palestinian context, demonstrating how it is structural, institutionalised, prolonged, and happens across different times and spaces to maintain the colonial order. Through this colonial order, the body becomes a battleground in the struggle for Palestinian liberation, as a participant put it **“our bodies become sites of control and subjugation.”**

14 See Wolfe, P. (2006). “Settler Colonialism and the Elimination of the Native.” *Journal of Genocide Research*, 8(4), 387–409. Veracini, L. (2010). *Settler Colonialism: A Theoretical Overview*. Palgrave Macmillan, and Wolfe, P. (2006). “Settler Colonialism and the Elimination of the Native.” *Journal of Genocide Research*, 8(4), 387–409, and Tuck, Eve, and K. Wayne Yang (2012) “Decolonization is Not a Metaphor.” *Decolonization: Indigeneity, Education & Society*, vol. 1, no. 1 (2012).

15 See Banner, S., 2007. *Possessing the Pacific: Land, Settlers, and Indigenous People from Australia to Alaska*. Cambridge, MA: Harvard University Press, and High Court of Australia. (1992). *Mabo v Queensland (No 2)* (“Mabo case”) [1992] HCA 23; (1992) 175 CLR 1 (3 June 1992). Available at: <http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/HCA/1992/23.html> [Accessed 8 May 2025].



FORMS AND SITES OF SEXUAL VIOLENCE

Despite the fact that sexual violence against Palestinians is embedded in settler colonial tactics and can be identified as institutional and systematic, it has been given very little attention, and often even when enacted by officials, it is treated as isolated incidents rather than systematic torture. In fact, the Office of the Special Representative of the Secretary-General of Sexual Violence in Conflict (OSRSG-SVC) mission

report¹⁶ describes acts of sexual violence allegedly enacted by Palestinians against Israelis on 7 October 2023 as “sexualised torture,” while the word torture is not mentioned even once to describe the nature of sexual violence Palestinians are subjected to. The omission of the term “torture” when describing violence against Palestinians obscures the asymmetrical power dynamics between Palestinians and Israelis, conceals the systematic and institutional nature of such violence, and fails to capture its embeddedness in the everyday life of Palestinians. One participant said: “Most colonial spaces are highly sexualised, and it is embedded in the everyday. I remember in the late 1980s to early 1990s, they used manual vaginal checks at the borders. I was six then, and I remember seeing my mother having to go through it. I have travel anxiety till this day.”

“Most colonial spaces are highly sexualised, and it is embedded in the everyday. I remember in the late 1980s to early 1990s, they used manual vaginal checks at the borders. I was six then, and I remember seeing my mother having to go through it. I have travel anxiety till this day.”

Participant

When describing forms of sexual violence, participants described the emotional and psychological impact on victims which results from sexual violence. For example, participants said that: “They [Israeli occupation forces] practise sexual violence in different forms to dominate and subjugate the victim.”

¹⁶ See OSRSG-SVC (2024) Mission report: Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January – 14 February 2024. Available at: <https://tinyurl.com/42ydb4an> [Accessed 22 July 2024].

This type of subjugation places victims under severe emotional distress, even more severe than the physical aspects of the violence, as some participants described it. A participant exposed to various forms of sexual violence on various sites, described her experience being strip-searched in a humiliating way during monthly family visitations in prisons. She said: “You are put in one room with a female soldier, and sometimes two, then you are stripped of everything, then they do violent searches of a sexual nature, like even painful touching of breasts and pressing close to genitals. Then they harass you, while staring at you, to convey a particular message of subjugation.” **She added that the intent was humiliation and domination, and she explained that they used to strip-search women during their periods, take away their sanitary towels, and leave them to continue the visit without sanitary towels, and without access to toilets.**

The sexual violence Palestinians are exposed to is perpetrated both by Israeli officials and Israeli “civilian” armed settlers. According to international definitions of sexual torture, violence enacted by the settlers does not necessarily qualify as “sexual torture,” because settlers, although armed, are considered civilians, and not state officials. However, it seems clear that in many cases, the settlers are acting as agents of the government. Therefore, it can be credibly argued that these practices perpetrated by settlers fall under the definition of “torture.” Even though research exposed cases of sexual violence and harassment by settlers, the UN and international bodies see such incidents as isolated cases, and not as part and parcel of settler colonialism. This does not give justice to the lived reality of Palestinian people. One participant said: “Soldiers serving settlers attacked and assaulted children, they detained one of the kids and sexually assaulted him.” Another added: “We all know that soldiers protect settlers, and that settlers are not civilians but are rather tools serving the expansion of the state.”

Participants highlighted different forms of sexual violence Palestinians are subjected to that take place in different sites, and these included:

1. **Torture in Interrogation Rooms:** This includes sexual, physical, and verbal abuse, with physical and verbal abuse of a sexual nature, which could include beating genitals, rape threats, and threats to rape family members. This is carried out by official security forces.
2. **Sexual Abuse During House Raids and Checkpoints:** This includes sexual, physical, and verbal abuse of a sexual nature, including threats of rape, multiple strip searches, forced nudity, and sexual harassment by soldiers of all genders.
3. **Violence During Detention and Imprisonment:** This includes sexual, physical, and verbal abuse, with physical and verbal abuse of a sexual nature, including beating genitals, forced anal and vaginal examinations, harassment by prison guards, and sometimes at court hearings or during family visits.
4. **Use of Animals in Sexual Torture:** This includes forcing individuals to commit sexual acts with animals, and the use of dogs to sexually assault or intimidate detainees.
5. **Sexual Exploitation and Blackmail (*Isqāt*):** This form of sexualised violence involves coercing Palestinians to collaborate through threats, blackmail, and surveillance of a sexual nature. People with non-normative gender performances and sexual practices are targeted by these tactics, including people who have sexual relationships outside of wedlock and LGBTQ+ individuals.
6. **Sexual Humiliation and Dehumanisation Tactics:** This includes forced touching, public undressing, unnecessary strip searches, deprivation of sanitary towels during menstrual cycles, genital violence, sexualised language and threats, including from female Israeli officers.
7. **Neglect and Abuse Framed as Medical Procedure:** This includes unwarranted genital searches conducted under the guise of medical exams and forced manual anal and vaginal “searches” by military personnel.
8. **Sexual Harassment by Settlers:** This form of sexual violence, occurs particularly in high-tension areas of illegal settlements in the West Bank, and is usually perpetrated by armed civilians, often with impunity.

These forms of violence may take place at different sites, and these include:

Site	Description	Examples
1. Interrogation Rooms	Used systematically to extract confessions or coerce collaboration. Sexual violence is used alongside verbal, physical, and psychological torture.	Forced anal/vaginal exams; sexual threats; sexual humiliation during interrogations
2. Prisons and Detention Centres	Spaces of prolonged abuse where sexual violence occurs, involving officials of all genders.	Manual genital exams; repeated strip searches; denial of hygiene products; threats of rape
3. Military Checkpoints	Everyday control sites where Palestinians are exposed to degrading and invasive practices.	Strip-searches; verbal harassment; sexualised taunting
4. House Raids	Nighttime or early-morning raids involving physical and sexualised abuse under the pretext of security.	Strip searches in front of family members; threats of sexual violence during arrests; absence of female soldiers to search women; threats of rape to different members of the family
5. Streets and Public Spaces	Especially in settler-heavy or militarised areas where soldiers and settlers target Palestinians.	Harassment and attempted assaults by settlers; beatings, humiliation; unlawful detention and arrests; destruction of property
6. Court Hearings and Prison Visitations	Entry processes involve invasive searches and abuse of detainees and family members.	Sexual harassment during transport between buildings; unnecessary strip searches and security checks
7. Hospitals and Medical Settings (Under Custody)	Used to disguise sexual violence as medical necessity, often without consent.	Forced manual vaginal/anal exams conducted by military doctors
8. Surveillance and Digital Spaces	Targeted surveillance gathers intimate material used for blackmail or coercion.	Blackmail (<i>Isqāt</i>) targeting non-normative Palestinians to force collaboration
9. Illegal Settlements and Settlement Roads	Areas with frequent settler-perpetrated violence, including sexual assaults.	Sexual harassment and abuse; beatings; destruction of belongings; thefts; kidnapping
10. Airports and Border Control Areas	Spaces of intensified control and humiliation through prolonged detention and searches.	Unnecessary strip searches targeting bodies; prolonged detention; sexualised questioning and touching

Based on the interviews, the targets and perpetrators of all forms of sexual violence identified were people of all genders and age groups. However, patterns of violence are in themselves gendered. For example, threats to rape family members are often directed against men, while blackmail, *Isqāt*, targets are often people with non-normative genders and sexual practices, including women who engage in sexual practices outside of marriage, and LGBTQ+ people. This gendered dimension of the patterns of sexual violence can also be understood as a tactic to destroy the social fabric of Palestinian society, as shame, stigma, and fear are weaponised to fracture community trust and isolate targeted people. One participant said: “Talking about sexual violence is taboo; it is never easy to disclose.”

Disrupting the fabric of the society and reducing trust among its members contributes to the elimination of Indigenous people, which eventually achieves the colonial goal of demographic transformation. For example, a participant narrated stories about *Isqāt* victims and explained that: “A woman detained by Israeli soldiers was blindfolded and then stripped. After the blindfold was taken off, she found herself next to naked Israeli soldiers and found they had photographed her blindfolded naked next to them. The soldiers later blackmailed her and threatened to publish these photos.” Such acts reflect that the Israeli settler colonial project disrupts social ties, through damaging the reputation of and isolating its targets who may feel so humiliated that they leave their communities and may leave Palestine entirely, which is precisely the aim of the Israeli government.

As part of these tactics, settler colonial violence intentionally humiliates and violates masculinity and femininity, and pathologises queerness. With Israeli intelligence gathering intimate data on Palestinians, this exploitation of Palestinian sexuality places it under constant surveillance. Through these tactics Israel is exploiting the vulnerability of socially marginalised groups within Palestinian society, such as LGBTQ+ people and people whose sexual practices are not socially acceptable, leaving them in fear of social shaming or ostracisation. This form of coercion constitutes sexual violence as it is non-consensual, sexually invasive, and aimed at humiliation and control, as a tool of domination rather than a purely physical act. Another gendered and racialised form of violence Palestinian women go through that is tied to Palestinian culture is forcing women to take off their hijab, violating their intimate physical spaces. A participant said: “Women wearing the hijab are constantly forced to take off their covers in detention and are particularly targeted at checkpoints.”

The patterns, sites, and forms of sexual violence against Palestinians reveal a deliberate and multifaceted strategy rooted in settler-colonial domination. These forms extend far beyond physical acts to include psychological, digital, and socially symbolic violence aiming to affect the social fabric of communities, such as blackmail, forced nudity, invasive medical procedures, and sexualised surveillance, all of which are gendered, racialised, and strategically deployed to fracture Palestinian society. Whether enacted by Israeli officials or settlers, this violence functions to humiliate, control, and dismantle resistance through the erosion of bodily autonomy, community trust, and social cohesion. Yet despite their systemic and institutional nature, these acts are rarely recognised as such. International legal and policy frameworks have consistently failed to account for the complexity of this violence, excluding non-state actors, overlooking settler colonial contexts, and applying definitions that render Palestinian suffering invisible and non-consequential. The following section examines how these limitations not only obscure the political function of such violence but also reinforce global impunity for Israel.

However, patterns of violence are in themselves gendered. For example, threats to rape family members are often directed against men, while blackmail, *Isqāt*, targets are often people with non-normative genders and sexual practices, including women who engage in sexual practices outside of marriage, and LGBTQ+ people.



INTERNATIONAL FRAMEWORKS: GAPS

International definitions of sexual violence in conflict fail to capture the Palestinian experience because they overlook the full spectrum, purpose, and context of violence under settler colonialism, making them reductive and state-centric. These definitions prioritise overt physical acts such as rape, and justice actors routinely ignore the many other forms of sexual violence Palestinians endure, including psychological abuse, sexualised humiliation, coerced nudity, invasive “medical” searches, blackmail (*Isqāt*), and gendered surveillance. Such acts of sexual violence are not always covered through definitions, as many of them are done under the guise of state security, they are systemic, systematic, and also normalised in the everyday life of Palestinian people. In addition, sexual violence in the Palestinian context often intersects and comes together with other forms of violence, described in local terms as *tankīl*. Current international frameworks addressing sexual violence in conflict also exclude violence enacted by settlers, treating it as civilian misconduct rather than as an extension of state power, despite its role in enforcing colonial control. They also fail to recognise that sexual violence against Palestinians is not incidental, but systematic, used strategically to coerce, fragment communities, destroy social cohesion, and discipline bodies deemed “*deviant*.”¹⁷ These frameworks also ignore how sexual violence targets different groups, men, women, children, and LGBTQ+ individuals, in culturally specific, racialised, sexed and gendered ways that exploit stigma, shame, and fear. By not acknowledging these diverse and structural forms of sexual violence, international legal and policy tools erase the lived realities of Palestinians and perpetuate impunity for violence that is central to the functioning of the settler colonial regime. In addition to the inability of these mechanisms to capture the different forms of settler colonial sexual violence, there are also other barriers that make them ineffective in the case of Palestine.

One of the major barriers to all international frameworks, whether legally or politically binding, is the lack of accurate data collection and documentation of cases of sexual violence in the Palestinian context. All participants emphasised that there is a lack of documentation processes, and there is also a lack of complaints and protection mechanisms. A participant said: “Palestinians do not trust that available mechanisms will protect them.” There are several reasons for this lack of documentation and the lack of trust in available mechanisms, which could be helpful for international advocacy around

17 See Abu-Assab, N. 2017. Queering Narratives and Narrating Queer: Colonial Queer Subjects in the Arab World in *Queer in Translation*. Ed. B. J. Epstein and R. Gillet. London: Routledge, and Medien, K. (2021). Israeli settler colonialism, “humanitarian warfare,” and sexual violence in Palestine. *International Feminist Journal of Politics*, 23(5), 698–719.

sexual violence, one of them is the lack of credible international representation for the Palestinian people. The Palestinian Ministry of Foreign Affairs does not have Israeli sexual violence on its agenda and does not exert efforts to even send its reports to the UN bodies overseeing the treaties it has ratified. Although the Palestinian Authority (PA) is the legally and internationally recognised body representing Palestinians, it still does not represent Palestinian residents of 1948 occupied lands,¹⁸ nor does it represent Palestinian refugees in the diaspora, who number more than seven million, many of whom were forcibly displaced during the *Nakba* and have not been allowed to return. PA institutions do not offer any services for Palestinian residents in Jerusalem, and in the West Bank it is considered ineffective. Palestinians everywhere struggle with a complete absence of political leadership and representation. In reality, there are several documented cases of the PA repressing protestors in the West Bank.¹⁹ The role of the PA cannot be understood without interrogating its relationship to the state apparatus in Israel, and “complicity with it,” as several participants put it. Completely lacking in independence, the PA’s economy, services, resources, and governance are entirely controlled by Israel, as part of its settler colonial strategy. The PA has not exerted any efforts to document and/or respond to victims of sexual violence, especially for the cases when the violence is perpetrated by Israel. With it being completely dominated by Israel’s settler colonial agendas, the PA does not have any protection mechanisms for victims of Israeli violence.

The role of the Palestinian Authority (PA) cannot be understood without interrogating its relationship to the state apparatus in Israel, and “complicity with it,” as several participants put it. Completely lacking in independence, the PA’s economy, services, resources, and governance are entirely controlled by Israel, as part of its settler colonial strategy.

Several civil society organisations (CSOs) are documenting some cases of sexual violence; however, this documentation is not consolidated and is very much scattered. The lack of national data on cases, incidents, forms, and sites is compounded by the lack of access to justice and accountability mechanisms. Interviews with civil society actors demonstrated that none of those who document cases of sexual violence cover all forms of sexual violence, nor all genders, and nor all sites. For instance, many CSOs document violence against prisoners and their families, but do not document everyday violations. Other actors focus on women but do not document men’s cases. Research has indicated that no one is documenting LGBTQ+ specific or *Isqāt* cases. During the research we were unable to obtain information about sexual violence from actors that work with prisoners. For this research, we tried to contact the International Committee of the Red Cross (ICRC), the international body responsible for prisoners’ wellbeing, however, we understood that due to the non-disclosure agreements they sign, they are unable to discuss this topic externally.

Many UN treaties, resolutions and agreements prohibit sexual violence in conflict, such as UNSCRs 1325, 1820, 1888, 1960, 2106, and 2467, however, there are several reasons as to why they are not useful for addressing the systemic and systematic sexual violence Palestinians are subjected to. First, and most importantly, although UN Security Council Resolutions are considered legally binding for UN Member States, including Israel, there are no meaningful enforcement mechanisms, and none have been used appropriately to document the different types of sexual violence Palestinians are subjected to. Based on that, these frameworks can be described as “political promises,” rather than protection, enforcement, or prevention mechanisms. Second, due to their state-centricity and with the lack of recognition of a Palestinian state, their use remains exceptionally limited with the wide range of legal statuses

18 The 1948 occupied lands refer to what is currently internationally recognised as Israel and also known as historic Palestine.

19 Aljazeera. 18 October 2023. Palestinian Authority cracks down on protests over Israel Gaza attacks. Available at: <https://www.aljazeera.com/news/2023/10/18/palestinian-authority-cracks-down-on-protests-over-israel-gaza-attacks> [Accessed 5 August 2025].

Palestinians have in their homeland. Palestinian residents of 1948 occupied lands, for example, are treated by international law as “Israeli nationals,” and as such, all conflict-related frameworks do not apply to them. Palestinian residents of Jerusalem are internationally recognised as stateless, and the Palestinian Authority’s claim to representation of Jerusalemites is nominal. As for Palestinian residents of the West Bank, as the political dynamic between the PA and Israel cannot be classified as a conflict, due to the security coordination agreements and the military occupation by Israel, conflict-related sexual violence frameworks do not apply to them. And, finally, all UNSCRs mentioned above are very narrow in their understanding of gender, reinforcing gender binaries of female victim/male perpetrator, as they all come under the Women, Peace and Security (WPS) agenda.

“Women are less likely to disclose sexual violence for several reasons – one of them is cultural taboos and fear of stigma; however, and very important to recognise, men tend to take on a protective role, and many would prefer for their women relatives to avoid retaliation in case of disclosure.”

Participant

As explored above, the sexual violence Palestinians are subjected to takes many forms, and targets people of all genders, sexualities, and age groups. Meanwhile the WPS agenda launched through UNSCR 1325 in 2000 was prompted by 1990s conflicts, during which women and girls in specific were targets of sexual violence, such as the Rwandan genocide, Bosnia and Herzegovina and the Yugoslav wars, Sierra Leone, Kosovo, and Timor-Leste. With sexual violence in the Palestinian context, this binary female victim/male perpetrator does not stand. In fact, participants expressed based on their own observations that it is more likely for Palestinian men to disclose their experiences of sexual violence, and less likely for women and girls. A participant added: “Women are less likely to disclose sexual violence for several reasons – one of them is cultural taboos and fear of stigma; however, and very important to recognise, men tend to take on a protective role, and many would prefer for their women relatives to avoid retaliation in case of disclosure.” Another participant highlighted what she called “a culture of resistance,” which “discourages people from disclosing their moments of breakdowns, to maintain high spirits for the collective struggle.” Thus, the gendered assumptions in global policy discourse makes the sexual violence Palestinian men and boys endure under settler colonialism invisible and obscure. For this reason, the assumption that perpetrators are always male and victims always female is intrinsically flawed in the context of Israel’s settler colonial domination.

“Female soldiers mock and search male prisoners, and male soldiers search female prisoners as well.”

Participant

female soldiers, one of whom was a military doctor, forcibly conducted anal and vaginal searches on a Palestinian woman; actions that could amount to rape.²⁰ Reports also indicate that female soldiers routinely carry out strip searches, surveillance, and harassment at checkpoints, including against Palestinian men, revealing how gendered power operates within a militarised, racialised, gendered,

In addition, the female/male-man/woman binaries do not stand also in light of the fact that female Israeli soldiers, empowered by their institutional roles in the occupying military, are not only complicit in, but actively perpetrate acts of violence against Palestinians. Their participation challenges traditional gender narratives and underscores the need to view sexual violence as a function of power, part of settler colonial strategy, rather than biology. In one documented case from 2015, two

20 See Madar, R. (2023). Beyond Male Israeli Soldiers, Palestinian Women, Rape, and War: Israeli State Sexual Violence against Palestinians. *Conflict and Society*, 9(1), 72-88., and Breiner, J. and Yotam, B. 2018. “Shin Bet Officers Suspected of Ordering Unwarranted Search of Palestinian Woman’s Private Parts.” *Haaretz*, Available at: <https://tinyurl.com/mpc37z39> [Accessed 22 July 2024].

and sexed regime.²¹ One participant said: “Female soldiers mock and search male prisoners, and male soldiers search female prisoners as well.” However, UNSC resolutions rely on reductionist and narrow understandings of gender as identity categories, and cannot be used to adequately respond to, address, or advocate for addressing sexual violence within the Palestinian context.

Legally binding mechanisms are also ineffective in relation to responding to and preventing sexual violence against Palestinians, including the Geneva Conventions of 1949 and its Protocols, which are woefully outdated in terms of understanding sexual violence, as well as the Rome Statue of 1998. The Geneva Conventions, which constitute international humanitarian law, address sexual violence in various articles and protocols.

Article 27, paragraph 2, of the 1949 Geneva Convention IV stipulates that:

“Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.”

Similarly,

Article 76, of Protocol II agreed on 8 June 1977, also offers special protection to women in particular in relation to

“rape, forced prostitution, and any other form of indecent assault.”

Article 4, paragraph 2 of Protocol agreed on 8 June 1977, extends fundamental guarantees for protection from such crimes to all civilian persons, and does not limit it to women. Despite the fact that the Geneva Conventions remain binary in their general approach to sexual violence, they still apply to men and boys and are not limited to women. Yet, the lack of enforcement mechanisms, and the fact that Israel disputes the legal classification of the West Bank, the Gaza Strip, and East Jerusalem as “occupied territories” under international law, creates barriers to addressing sexual violence in the Palestinian context. In addition, as the Geneva Conventions offer protections for civilians, including provisions prohibiting sexual violence and collective punishment, Israel evades such responsibility by claiming that it is protecting its own “security,” and that it has the “right to self-defence.” Some participants also pointed out that under highly securitised and militarised circumstances, many unarmed, civilian, Palestinians in general are treated as “a threat to state security,” thus avoiding being held accountable for any violence or harm it subjects Palestinians to. Israeli’s 2025 *Iron Wall* operation, which was described by UNRWA²² as causing “systematic destruction of civilian infrastructure and homes, aiming to permanently change the character of Palestinian cities and refugee camps at a scale unjustifiable by any purported military or law enforcement aims,” is another example of how Israel continuously violates international humanitarian and human rights laws, under the guise of “state-security.”

Article 7 in the Rome Statue of the International Criminal Court (1998) considers

“rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity”

as crimes against humanity when they are committed as part of a widespread or systematic attack.

21 Madar, R. (2023). Beyond Male Israeli Soldiers, Palestinian Women, Rape, and War: Israeli State Sexual Violence against Palestinians. *Conflict and Society*, 9(1), 72-88.

22 UNRWA. (2025) UNRWA Commissioner-General: 60 days to the start of Operation 'Iron Wall' in Jenin camp. Available at: <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-60-days-start-operation-iron-wall-jenin-camp> [Accessed 12 May 2025].

Article 8 considers

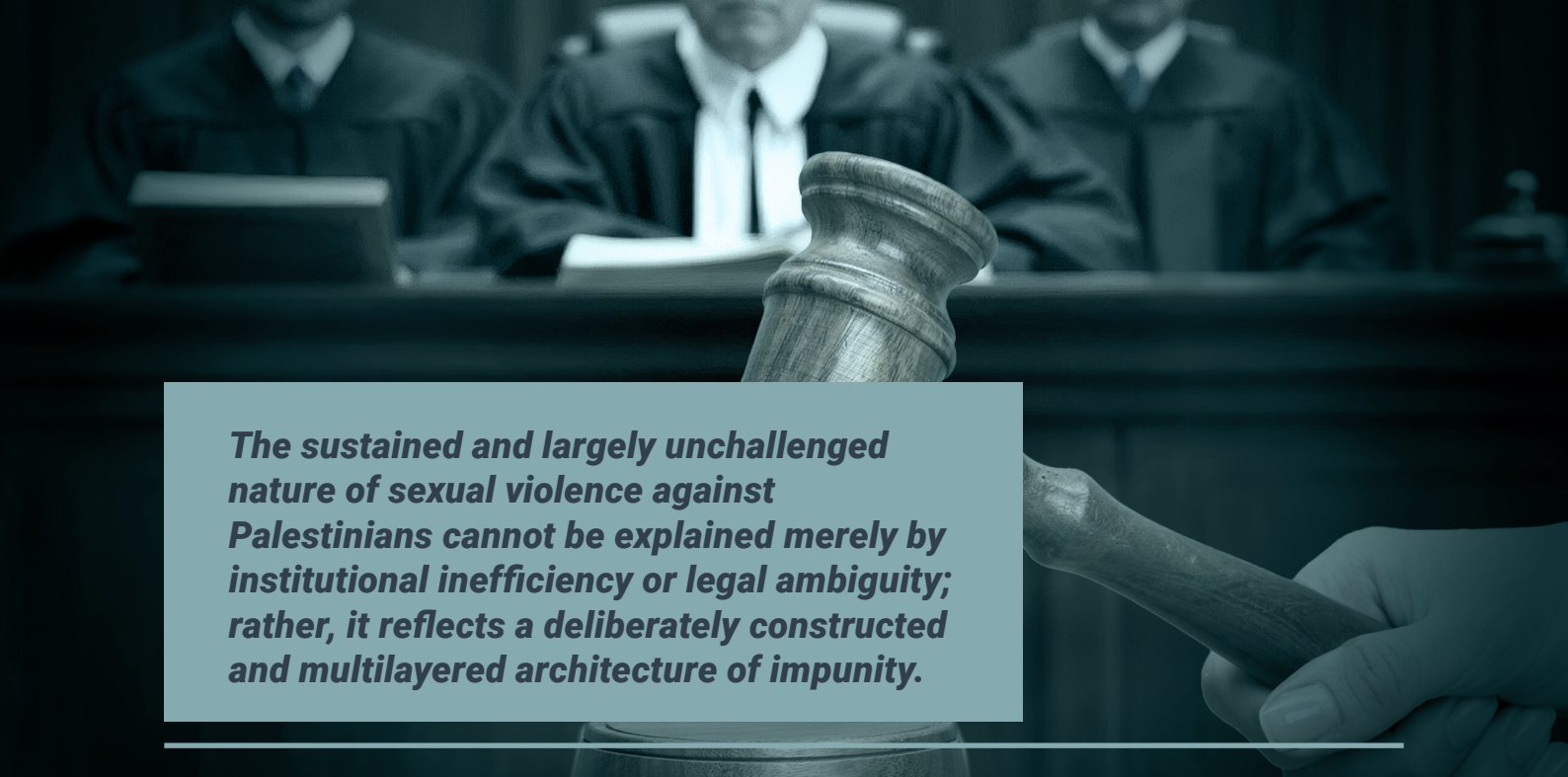
“committing rape, sexual slavery, enforced prostitution, forced pregnancy... enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions or a serious violation of the laws and customs applicable in armed conflict”
as war crimes.

Even though many forms of sexual violence can be covered under these articles, the arrest warrants issued so far in the context of Palestine have been limited to allegations of war crimes of starvation as a method of warfare and of intentionally directing an attack against the civilian population, and the crimes against humanity of murder, persecution, and other inhumane acts. These arrest warrants issued against Israeli Prime Minister Netanyahu and former Defence Minister Gallant remain controversial and political. Some argue that the International Criminal Court (ICC) does not have jurisdiction over Israel, as it is not an ICC member. However, given that Palestine is a signatory to the Rome Statute, and the alleged crimes were committed in its territory, there is a strong argument for jurisdiction over Israel in this case. Furthermore, the ICC charges individuals, not states. Nevertheless, concerns of impunity are rife due to the fact that several ICC member states have refused to enact arrest warrants or have made oblique statements as to whether they would arrest Netanyahu or Gallant if they appeared in their territory. ICC member states are legally obliged to arrest people of any nationality once the ICC Office of the Prosecutor has issued arrest warrants. In the case of the warrants issued against Netanyahu and Gallant, “many governments have made conflicting statements, claiming they support the court’s work,” but refused to enact the arrest.²³ The result is that victims and survivors of sexual violence and other crimes committed by Israeli forces and/or settlers, feel, justifiably, that they will never obtain justice due to the extent of Israel’s impunity across the board and the support of countries that are meant to be upholding the international legal order, not tearing it down.

Although international legal and political frameworks prohibit sexual violence in conflict, they remain ineffective in the Palestinian context due to their narrow interpretation by justice actors, state-centric application, and failure to account for the settler colonial practices underpinning Israeli violence. The lack of enforcement mechanisms, combined with fragmented documentation, weak representation, and a structurally compromised Palestinian Authority, further renders these frameworks incapable of offering meaningful protection or accountability. Even where legal tools such as the Rome Statute apply, their impact is constrained by geopolitical bias, selective implementation, and Israel’s refusal to recognise international jurisdiction. As a result, Israel continues to violate international humanitarian and human rights law with near-total impunity, using the rhetoric of state security to justify violence, including sexual violence, against a population it colonises and dominates.

The lack of enforcement mechanisms, combined with fragmented documentation, weak representation, and a structurally compromised Palestinian Authority, further renders these frameworks incapable of offering meaningful protection or accountability.

23 Jones, M.G. (2024) Fact check: Where do EU countries stand on ICC’s arrest warrant for Netanyahu? Available at: <https://www.euronews.com/my-europe/2024/12/03/fact-check-where-do-eu-countries-stand-on-iccs-arrest-warrant-for-netanyahu> [Accessed: 12 May 2025].



The sustained and largely unchallenged nature of sexual violence against Palestinians cannot be explained merely by institutional inefficiency or legal ambiguity; rather, it reflects a deliberately constructed and multilayered architecture of impunity.

SYSTEMIC ENABLERS AND IMPUNITY

The sustained and largely unchallenged nature of sexual violence against Palestinians cannot be explained merely by institutional inefficiency or legal ambiguity; rather, it reflects a deliberately constructed and multilayered architecture of impunity. This architecture is produced through intersecting mechanisms of legal protectionism, political shielding, definitional bias, and geopolitical complicity, all of which serve to insulate Israel from accountability both domestically and internationally. As this section outlines, international systems fail not only to prevent sexual violence in the Palestinian context but actively enable its continuation by obscuring its settler colonial logic and its systemic and systematic patterns, reinforcing them instead. For example, the report²⁴ issued by the Office of the Special Representative of the Secretary-General of Sexual Violence in Conflict (OSRSG-SVC), which was based on a field visit to Israel and the Palestinian territories after 7 October 2023, barely mentions sexual violence against Palestinians. This overlooking of Palestinian experiences of sexual violence as Medien²⁵ described it in reference to CRSV frameworks broadly “functions to both obscure the sexual violence of Israel’s settler colonial occupation and bolster the notion of Israel as a modern liberal democracy engaging in a conflict against a population deemed terrorist.” The report mentions as a matter of fact that since 2001 around 1,400 complaints of acts of torture, including sexual violence and harassment, were submitted to the Israeli Ministry of Justice by Palestinians, and that none resulted in indictment, taking for granted Israeli legal frameworks and justice processes, which are framed in the first place to eliminate the native populations of the land.

Since 2001 around 1,400 complaints of acts of torture, including sexual violence and harassment, were submitted to the Israeli Ministry of Justice by Palestinians, and none resulted in indictment.

24 OSRSG-SVC (2024) Mission report: Official visit of the Office of the SRSR-SVC to Israel and the occupied West Bank 29 January – 14 February 2024. Available at: <https://tinyurl.com/42ydb4an> [Accessed 22 July 2024].

25 Medien, K. (2021). Israeli settler colonialism, “humanitarian warfare,” and sexual violence in Palestine. *International Feminist Journal of Politics*, 23(5), 698–719.

Several participants highlighted that one of the main barriers to addressing Israeli sexual violence is Israel's impunity, and lack of mechanisms capable of holding it accountable for any form of violence. The fact that ICC warrants against Israeli officials for alleged war crimes committed as part of the genocide have been ignored by major global political powers, including the United States and the United Kingdom and several European countries, including Italy, Germany, and France, is evidence that Israel and its officials are above international law. In 2024, the U.S, under the Biden Administration, as well as the EU, issued sanctions against a few Israeli settlers and settler groups.²⁶ Even though such sanctions are applauded as a step in the direction of justice for Palestinians exposed to settlers' violence, at the cognitive and discursive levels they shift the attention from the state of Israel to individual settlers and settler groups, scapegoating individuals and overlooking systemic and systematic enablers of violence, represented by the state and its officials.

Even though such sanctions are applauded as a step in the direction of justice for Palestinians exposed to settlers' violence, at the cognitive and discursive levels they shift the attention from the state of Israel to individual settlers and settler groups, scapegoating individuals and overlooking systemic and systematic enablers of violence, represented by the state and its officials.

Although South Africa has brought a contentious case against Israel at the International Court of Justice (ICJ) for violation of the genocide convention, there are several challenges in relation to its effectiveness in preventing acts of genocide and allowing humanitarian aid into the Gaza Strip. On 26 January 2024, the ICJ issued provisional measures; however, with no enforcement or implementation mechanisms, Israel has not complied, and the UNSC was not able to support the enactment of these measures. Participants also pointed out that the ICJ cannot function or implement, without the support of major global powers, who have veto rights in the UNSC. Participants also noted that the current global order, compounded with the failure of international human rights mechanisms and frameworks, plays a massive role in deterring victims from disclosing the violence they are exposed to at the hands of Israel. A participant said: "People believe that available mechanisms are 'hypocritical, performative, and complicit' in the very oppression they claim to oppose." Others added that people fear retaliation, "knowing that Israel can get away with anything it wants."

Israel enjoys high levels of diplomatic shielding, particularly by its key ally, the U.S., who often uses its political leverage within the Security Council and other UN bodies to prevent investigations, sanctions, or even public condemnation of Israel. This political protection extends to issues of sexual violence, which are either framed as "security incidents," "individual cases," or even "lies," rather than violations of international law. Many feminist and/or women's rights organisations expressed that they find accessing funds for the documentation of sexual violence carried out by Israel exceptionally difficult. A participant explained: "Funders and donor communities are interested in SGBV, GBV, and intra-community femicide." This reframing of sexual violence as a cultural issue, i.e. a Palestinian problem, not the political and colonial weapon that it is, provides Israel with further impunity.

26 Council of the European Union. (2024). Extremist Israeli settlers in the occupied West Bank and East Jerusalem, as well as violent activists blocking humanitarian aid to Gaza: five individuals and three entities sanctioned under the EU Global Human Rights Sanctions Regime. Available at: <https://www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremist-israeli-settlers-in-the-occupied-west-bank-and-east-jerusalem-as-well-as-violent-activists-blocking-humanitarian-aid-to-gaza-five-individuals-and-three-entities-sanctioned-under-the-eu-global-human-rights-sanctions-regime/> [Accessed 14 May 2025], and The Guardian. (2024). US imposes sanctions on extremist Israeli settlers in West Bank. Available at: <https://www.theguardian.com/world/article/2024/aug/28/us-imposes-sanctions-on-extremist-israeli-settlers-in-west-bank> [Accessed 14 May 2025].

Another systemic enabler of Israel's impunity at the global level is the persistent framing of Israel as a democracy, which whitewashes its crimes. For instance, Israel uses pinkwashing, by strategically promoting its record on LGBTQ+ rights to obscure its crimes against Palestinians. By presenting itself as progressive on gender and sexuality, Israel gains legitimacy in international arenas. Meanwhile, Israel discredits the Palestinian narrative, through reinforcing an image of Palestinian societies, and particularly men, as "backwards," "homophobic," and "barbaric."²⁷ This also plays a major role in improving Israel's image and reinforcing its impunity at the level of global discourse.

Despite the existence of international legal and human rights frameworks, Israel benefits from a deeply entrenched system of impunity for sexual violence against Palestinians. Domestically, legal mechanisms shield state actors, such as military, police, and intelligence, from accountability, with investigations routinely delayed, dismissed, or justified under vague security claims. Internationally, Israel's political allies, particularly powerful states, consistently block or dilute scrutiny through diplomatic pressure and veto power, ensuring that even documented violations are reframed as isolated security incidents rather than systemic abuse. UN bodies and global institutions, wary of political backlash and funding cuts from the U.S., often avoid engaging with the issue altogether or downplay its severity. The framing of the occupation as a bilateral conflict, rather than a settler colonial project, further obscures the structural nature of the violence and limits the applicability of legal tools. This has created for Israel a dual system of impunity, at home, and abroad, allowing it to continue with its settler colonial agenda, utilising sexual violence for the elimination of populations, leaving survivors without support or justice.

The framing of the occupation as a bilateral conflict, rather than a settler colonial project, further obscures the structural nature of the violence and limits the applicability of legal tools. This has created for Israel a dual system of impunity, at home, and abroad, allowing it to continue with its settler colonial agenda, utilising sexual violence for the elimination of populations, leaving survivors without support or justice.

27 See Abu-Assab, N. 2017. *Queering Narratives and Narrating Queer: Colonial Queer Subjects in the Arab World* in *Queer in Translation*. Ed. B. J. Epstein and R. Gillet. London: Routledge.

CONCLUSIONS AND RECOMMENDATIONS

This research demonstrates that sexual violence against Palestinians is not incidental or confined to moments of armed conflict, but is instead a deliberate, systemic, and institutionalised tactic embedded within Israel's settler colonial regime. Framing it as "conflict-related sexual violence" distorts its structural nature, obscures its function within the broader architecture of racialised and gendered domination, and erases the lived realities of Palestinian victims: women, men, queer individuals, and children. This violence operates across multiple sites: prisons, interrogation rooms, house raids, medical settings, checkpoints, and digital surveillance systems. It targets communities not only physically but symbolically, exploiting shame, stigma, and fear to fracture social cohesion and suppress resistance. These practices are not one-time incidents, they are racialised, sexed, and gendered tactics of colonial control and domination.

International legal and policy frameworks have consistently failed to address this violence. Constrained by binary gender assumptions, state-centric mandates, geopolitical interests, and diplomatic shielding, international frameworks and mechanisms remain inadequate, outdated, and inconsistently applied. The Palestinian Authority's lack of legitimacy and protection mechanisms further exacerbates this gap, leaving survivors without recourse or documentation and Israel shielded from accountability. Challenging this reality requires more than legal interventions. It demands discursive disruptions in the narrative around settler colonialism, naming the violence for what it is, documenting it rigorously, and dismantling the colonial foundation that obscures, normalises, or fragments the discourse around sexual violence. **Reframing sexual violence as a weapon of settler colonialism, not merely as a byproduct of conflict, is necessary to centre Palestinian voices, amplify their experiences, and pursue justice rooted in structural transformation.**

As a conclusion, sexual violence under settler colonialism can be defined as a systemic, institutionalised, and racialised practice that functions as a tool of domination, elimination, and control over Indigenous populations. It extends beyond individual acts to encompass physical, psychological, symbolic, medicalised, and digital forms of harm that target bodies, sexualities, and communities as part of a broader colonial logic. This violence includes, and is not limited to, forced nudity, sexualised torture, coerced medical procedures, genital violence, digital surveillance and blackmail (*Isqāt*), public humiliation, sexual harassment by settlers, and the exploitation of cultural stigma and social structures. It is often perpetrated by military, police, intelligence actors, and armed settlers operating with state sanction or protection. Unlike conventional definitions, this form of sexual violence:

- Is embedded in everyday colonial infrastructures (e.g., prisons, checkpoints, raids, digital surveillance);
- Seeks to fragment social cohesion, instil fear, and suppress resistance;
- Is often rendered invisible by international frameworks that exclude settler violence, ignore non-rape forms, and operate through gendered and legalistic binaries.

Recommendations

1. To International Human Rights and Legal Institutions

1.1 Reframe Legal and Policy Approaches

International legal and advocacy frameworks must recognise Israeli sexual violence against Palestinians as a systemic tool of settler colonial domination, not incidental or conflict-related violence.

1.2 Expand CRSV Frameworks

Broaden the definition of sexual violence under CRSV to explicitly include coerced securitised nudity, sexualised surveillance, blackmail (*Isqāt*), forced genital searches, and humiliation that are systemic and systematic. Incorrect, narrow interpretations made by justice actors about what constitutes sexual violence excludes most Palestinian experiences.

1.3 Provide sensitisation trainings

Provide sensitisation trainings to justice actors to strengthen their understanding of conflict-related sexual violence definitions, particularly in ways that move beyond outdated, narrow, or overly conventional interpretations, and enhance their sensitivity to forms of sexual violence experienced under settler colonial systems.

1.4 Recognise Sexual Violence as Torture

Reclassify Israeli-perpetrated sexual violence, especially within prisons, interrogation rooms, and checkpoints, as acts of torture under international law.

1.5 Ensure Survivor-Centred Accountability

Develop mechanisms that respect survivors' agency, privacy, and diverse identities. The research reveals that current frameworks marginalise men, boys, queer and non-normative individuals, and those subjected to practices not labelled as "rape." Accountability must be trauma-informed, culturally sensitive, and inclusive of under-reported forms.

2. To UN Bodies and the OSRSG-SVC

2.1 Challenge Gendered and Racialised Biases

Move beyond the female-victim/male-perpetrator binary and acknowledge violence enacted by both male and female Israeli officers, including against men and LGBTQ+ Palestinians. Moving beyond cultural stereotypes is also a way to challenge racialised biases. Challenge the stereotype that Palestinians are perpetrators of violence, and that Israelis are acting in self-defence and are thus thought of as victims.

2.2 Include Palestinian Testimonies in Monitoring Mandates

Ensure that UN sexual violence mechanisms explicitly include Palestinian accounts of Israeli violations, especially those rooted in carceral and settler violence.

2.3 Avoid Political Instrumentalisation

UN reports must resist framing Israeli sexual violence as isolated misconduct or unverifiable "claims," due to pressure from global powers. The UN reports must be impartial and must reflect the systemic and racialised nature of abuse.

3. To Donors and International NGOs

3.1 Fund Comprehensive Documentation and Survivor Support

Invest in long-term, decentralised funding for Palestinian civil society organisations documenting sexual violence, including underrepresented forms such as *Isqāt*, LGBTQ+ experiences, and settler-perpetrated abuse.

3.2 Support Alternative and Decolonial Justice Mechanisms

Prioritise non-state, community-led justice processes grounded in feminist, trauma-informed, and decolonial frameworks. Fear, distrust of formal systems, and lack of redress reinforce the need for community-led situated approaches to accountability.

3.3 Challenge Epistemic²⁸ Violence and Knowledge Hierarchies

Centre Palestinian terms, analyses, and methodologies, such as *tankīl* (systematic punitive violence) and *Isqāt* (sexualised blackmail), in programmatic and policy work. These terms reflect the local understanding of sexual violence as part of colonial power and must not be dismissed as anecdotal or “unverifiable.”

4. To Palestinian Civil Society and Advocacy Groups

4.1 Strengthen Cross-Sectoral and Intersectional Collaboration

Encourage coordinated responses across feminist, LGBTQ+, legal, human rights, and prisoner rights actors. Siloed documentation efforts, with key groups focusing only on women, detainees, or specific violations limit the visibility of the full scope of harm.

4.2 Develop Survivor-Centred, Protective Advocacy

Design advocacy that prioritises safety, anonymity, and care, especially in light of state surveillance and digital targeting. Many participants declined participation due to fear of retaliation or social stigma, particularly in cases of *Isqāt*, LGBTQ+ violence, or violations involving female soldiers.

4.3 Reclaim Language and Narrative

Adopt and promote Palestinian analytical terms that name and historicise sexual violence as part of settler colonial control, rather than depoliticised “cultural issues.”

28 Epistemic violence refers to the ways in which dominant groups suppress, distort, or erase the knowledge, experiences, and perspectives of marginalised communities.



SYNERGY
for JUSTICE