

**The Missing and Forcibly Disappeared
in the Gaza Strip since October 7, 2023**

Special Report Series No. (130)

**The Missing and Forcibly Disappeared Persons in the
Gaza Strip since October 7, 2023**

Special Reports Series No. (130)

Prepared by: Researchers, Mr. Abdullah Sharsharah
and Dr. Talal Abu Rukbeh

Field research team coordination: Mr. Bakr Turkmani

Research coordination: Mr. Hazem Haniyyeh

Supervision and follow up: Ms. Khadija Zahran,
Dr. Ammar Dwaik

Editing and linguistic review: Ahmed Abu Salem

Design and print:

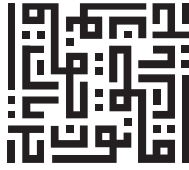
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**INDEPENDENT
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Special Reports
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130

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2025

Addresses

of the Independent Commission for Human Rights (ICHR) – Palestine

- **Main Office**

Ramallah

4 Mother Teresa St.

Ramallah, Palestine P6009059

Tel.: + 970 2 2960241 / 2986958

Fax: + 970 2 2987211

P. O. Box: 2264

E-mail: ichr@ichr.ps

Website: www.ichr.ps

- **Central West Bank Office**

Ramallah al-Tahta

Unit 302, 16 Municipality St.

Ramallah, Palestine P6008326

Tel.: + 970 2 2989838

Fax: + 970 2 2989839

- **Northern West Bank Office**

Nablus

Faisal Main St.

Al Takafol Building -2nd Floor

Tel : + 970 9 2335668

Fax: + 970 9 2336408

- **Southern West Bank Offices**

Hebron

Ras Al-Jora, near the Traffic Department

Hureizat Building, 1st Floor

Tel.: + 970 2 2295443

Fax: + 970 2 2211102

Bethlehem

Nazzal Building, above the Arab Bank

2nd Floor

Tele: + 970 2 2750549

Fax: + 970 2 2746885

- **Gaza offices**

The offices in Gaza and Khan Yunis were destroyed during the aggression on the Gaza Strip

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1. Introduction

Since October 7, 2023, the Gaza Strip has been subjected to a crime of genocide, causing tens of thousands of victims, among them thousands of missing and forcibly disappeared persons. This has taken place amid a total collapse of the humanitarian and medical system, systematic obstruction of search and rescue efforts, coupled with a complete absence of transparency or cooperation by the Israeli occupying authorities.

Day by day, the number of persons missing under the rubble or due to forced displacement continues to rise. At the same time, cases of enforced disappearance are increasing, often linked to secret detention and the deliberate concealment of those arrested in areas of ground operations, particularly in the northern and central parts of the Gaza Strip. Numerous international reports confirm that thousands of Palestinians have been subjected to arbitrary detention and enforced disappearance in multiple unknown or special locations, both inside and outside Gaza. This situation is compounded by the restricted ability of both official and non-official Palestinian bodies to access any information on Palestinians held by the Israeli occupying forces since the events of October 7, 2023. These grave crimes raise serious legal and ethical questions regarding the responsibility of the occupying Power under the rules of International Humanitarian Law (IHL), Geneva Conventions, and International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

Based on the above findings, the ICHR seeks to cast light on the systematic pattern of enforced disappearance of persons, consequences of these crimes, means of redress, and realization of justice. This includes the

demand to establish an independent international mechanism to uncover the fate of the missing, hold those responsible for these grave crimes accountable, establish an independent body to document the cases of missing and forcibly disappeared persons, ensure transparency and integrity in the follow-up of cases, and vest the ICHR with comprehensive investigative powers to coordinate with local and international bodies.

The report aims to analyze and diagnose the crime of enforced disappearance as part of the ongoing genocide following the events of October 7, 2023. It seeks to present policy, legislative, and legal approaches to confronting this crime at the various international and domestic levels, strengthen the capacity of official and non-official authorities to challenge it, and provide recommendations that ensure effective remedies for the victims.

The report is premised on field data, testimonies from the families of victims, and reports by international and local organizations. Along this vein, dozens of statements and testimonies related to the subject of the report were collected. In addition, the ICHR received dozens of reports from the families of missing persons. These were gathered by field teams, which the ICHR formed in 2024-2025. A focus group was also held with the families of victims in 2025. The legislative and policy setting was analyzed, including the extent to which it is linked, either strongly or weakly, to the capacity to address the crime. This is aimed at providing a comprehensive legal and human rights analysis of this phenomenon, which has come to constitute one of the most prominent complex crimes committed in the context of the ongoing genocide.

The preparation of the report faced several challenges, including the difficulty of communicating with law enforcement agencies across the Gaza Strip because they were designated as military targets. All those interviewed refused to provide any information about themselves, including their names or the nature of their work.

The report concludes that a set of factors have contributed to the exacerbation of the phenomenon of, and the scarcity of information about, missing and forcibly disappeared persons. These factors include forced

displacement, poor procedures for reporting missing persons, issues in the burial procedures of victims after October 7, 2023, the presence of thousands of victims beneath the rubble, the large number of victims located outside the geographical scope of the Gaza Strip, and the debilitated search and investigation system.

In the light of the foregoing, the report concludes with a set of recommendations, most notably, the necessity of forming an independent and special international commission of inquiry under the mandate of the United Nations Human Rights Council (HRC) or the United Nations General Assembly (UNGA), to investigate the crimes of enforced disappearance in the Gaza Strip, identify those responsible, and ensure accountability. Based on Article 33 of the ICPPED, the report also calls on the Working Group on Enforced or Involuntary Disappearances to initiate an urgent investigation into the mass cases of forcibly disappeared persons in the Gaza Strip. Furthermore, the report urges the State of Palestine to enact national legislation that defines with precision the terms “missing” and “forcibly disappeared persons,” in tandem with international standards. It will also establish an independent body to document cases of missing and forcibly disappeared persons, while ensuring transparency and integrity in case follow-up. The report recommends that this body be granted comprehensive investigative powers to coordinate with local and international entities. To be managed in coordination with relevant bodies, a centralized electronic platform will be developed for collecting data on missing persons. The report further recommends allocating 24-hour emergency hotlines for reporting missing persons, with trained teams to communicate with families, document data, and coordinate with local initiatives to ensure easy access to these hotlines. This will be in parallel with the work of field teams and coordination committees with the operation of an electronic system linked to Criminal Investigation agencies, hospitals, and Civil Defense service.

2. The missing and the forcibly disappeared: Concepts and Manifestations

Amid the ongoing crime of genocide, the issue of missing and forcibly disappeared persons reflects one of the most horrific aspects of human rights violations committed throughout the Gaza Strip. This phenomenon encompasses the elements of the crime of genocide under International Law. Since October 2023, with the intensification of Israeli aerial and ground attacks on Gaza, the number of missing persons, including women, children, and the elderly, has increased as a result of the complete destruction of residential neighborhoods, excessive use of military force, restrictions on search and rescue operations, fragmentation of Gaza, and prevention of medical and humanitarian teams from entering Gaza. Cases of thousands of missing persons have been documented, particularly in the southern and central Gaza, where entire neighborhoods were bombed without prior warning or any possibility of escape. These include the neighborhoods of Al-Zaytun, Al-Shuja'iyya, Khan Yunis, Rafah, and Deir al-Balah. Hundreds were buried beneath the rubble with no possibility of recovering their bodies due to the direct targeting of Civil Defense teams, lack of necessary equipment, electricity outages, and communication blackouts.

Estimates indicate that more than 4,000 persons remain trapped under the rubble, with children and women comprising at least half of them. Meanwhile, rescue operations are deliberately obstructed. Cases have also been documented of the disappearance of patients and injured persons following the targeting of hospitals. Wounded individuals were either transferred to undisclosed locations or detained by Israeli forces. In

addition to those missing due to bombardment and destruction, serious indications have emerged of systematic practices of enforced disappearance carried out by the occupying forces:

- Forcible detention of civilians during ground operations in northern Gaza, particularly in Beit Hanun and Jabalya, where men, young men, and women were taken to “temporary field detention sites” without informing their families or disclosing their places of detention.
- Transfer of wounded persons from hospitals (such as Al-Shifa Medical Complex and Nasser Hospital) to unknown destinations after these facilities were raided.
- Reports indicate ill-treatment, torture, and the systematic disappearance of persons arrested during incursions, without being allowed to contact a lawyer or their families.

Additionally, independent and credible international mechanisms for investigation and documentation are absent. While international bodies are restricted from entering conflict zones, humanitarian and human rights workers are besieged. This results in the continued impunity of those responsible for these violations and deepens the sense of injustice and loss.

The fact that this crime is not random cannot be overlooked. Rather, it is part of a systematic policy of disappearance and erasure aimed at terrorizing the Palestinian population, breaking their will, and obliterating the identity of an entire society. Enforced disappearance is used as a tool of silent extermination, making it difficult to separate the victims’ fate from the broader context of social and cultural genocide experienced in Gaza. Added to this is the double standards of the international community, which exerts pressure and intervenes in similar cases around the world, but remains silent in the face of grave violations in Gaza. This disparity in response reinforces a state of impunity and enables the continuation of abuses without accountability.

In the Gaza Strip, enforced disappearance and involuntary absence are not incidental outcomes of the state of war, but rather reflect a systematic pattern of Israeli colonial and punitive policies that employ dispropor-

tionate violence and deprivation of human rights as a means to dismantle and subjugate Palestinian society. Specifically, since the beginning of the full-scale aggression against Gaza in October 2023, these crimes have marked a new phase characterized by quantitative expansion and structural intentionality to the extent that they have come to resemble one of the tools of slow and complex genocide.

Forms of enforced disappearance, involuntary absence and loss

- Physical genocide: Through the systematic targeting of civilians and the destruction of residential neighborhoods over the heads of their inhabitants, leaving thousands of civilians under the rubble without rescue or even registration.
- Moral and family genocide: Families are left in a constant state of trauma and uncertainty, unable to mourn or perform funeral rites, dismantling the psychological and social fabric of society.
- Legal genocide: Victims are denied legal protection. They are not registered as detainees, prisoners, or even martyrs, excluding them from international visibility.
- The fate of at least 10,000 missing persons, the majority of whom are children and women, remains unknown to date.¹
- Dozens of mass graves have been established without precise documentation or identification, due to ongoing shelling and lack of available resources.
- Thousands of bodies remain under the rubble amid a severe shortage of rescue equipment and restrictions on Civil Defense team operations.
- Cases of enforced disappearance include the transfer of wounded individuals to unknown locations after hospitals (Al-Shifa, Nasser, Al-Aqsa) were raided. Eyewitness testimonies have reported the arrest of these persons by the Israeli army without their families' knowledge.

1 Palestinian Civil Defense, as documented on Palestinian Information Center website.

2.1 The legal concept of missing persons

The concept of missing persons holds central importance in both IHL and International Human Rights Law (IHRL), given its profound humanitarian implications as well as the grave violations it entails against human dignity and the right to life and security. According to IHL, a “missing person” is defined as any individual whose whereabouts are unknown as a result of an armed conflict, occupation, or humanitarian disaster. For these persons, neither their family nor the competent authorities have any reliable information regarding their fate or whereabouts, whether they are still alive or deceased.²

The Additional Protocol I to the Geneva Conventions of 1977 addresses this issue. Article 32 prescribes the duty of parties to the conflict to search for persons who go missing during armed conflicts and inform their families of all available information about them. Article 33 further obliges States to investigate the fate of missing persons and take the necessary measures to determine their whereabouts or, if deceased, their place of burial.

On the other hand, the concept of missing persons intersects with the crime of enforced disappearance, as defined by the ICPPED of 2006. The Convention provides that when a person is detained by State officials, or by persons or groups acting with the authorization, support, or acquiescence of the State, and in case of refraining from acknowledging such detention or concealment of the person’s fate or whereabouts, this constitutes enforced disappearance, which is a crime not subject to any statute of limitations.

In this context, every enforced disappearance is a case of loss, but not every case of loss is legally categorized as enforced disappearance. The decisive criterion lies in the existence of complicity or deliberate action by the State or its actors, along with the intent of disappearance.

A person is considered legally missing in cases of involuntary absence under circumstances that pose a serious threat to their life or safety, and

2 Additional Protocol I to the Geneva Conventions of 1977, Article 33 (Missing Persons).

when their family is unaware of the authority detaining them or of their fate. This legal status imposes obligations on the State and actors in the conflict to disclose the fate of missing persons, inform their relatives, guarantee remedies, and ensure investigation and accountability in cases of involvement of official or non-official agencies.

Accordingly, the legal concept of missing persons is not limited to the humanitarian or social dimension. Rather, it constitutes a point of intersection between the duties of the State, protection of individuals, and fight against impunity. It establishes legal foundations for holding perpetrators of violations to account and enshrines the inalienable right of victims' families to know the truth, as well as a fundamental condition for achieving justice.

Every person who is a victim of enforced disappearance is deemed to be missing, but not every missing person is considered a victim of enforced disappearance.

2.2 The concept of enforced disappearance

In Report (A/HRC/16/48/Add.3), the Working Group on Enforced or Involuntary Disappearances establishes criteria for identifying the defining factors of the crime of enforced disappearance. The report serves as a highly important legal reference in understanding and determining the standards that constitute the crime of enforced disappearance. It places an emphasis on five essential elements, namely deprivation of liberty, refusal to disclose fate, keeping the person outside the protection of the law, continuing nature of the crime, and international responsibility. It provides an accurate understanding of a crime that represents one of the gravest human rights violations and one of the most harmful to human dignity and legal security. These elements consist of:³

³ <https://docs.un.org/en/A/HRC/16/48/Add.3>.

2.2.1 Deprivation of liberty

Deprivation of liberty is the first fundamental component in characterizing a case of enforced disappearance. It occurs through the arrest, detention, or abduction of the targeted person, or by depriving them of their freedom by any means, whether formal or informal, lawful or arbitrary. The report emphasizes that such deprivation may be carried out by State officials, or with their knowledge, consent, or complicity, even if implemented by non-state actors such as militias, armed groups, or individuals collaborating with the State authorities. It stresses that any form of physical or legal control over a person, regardless of its duration or surrounding circumstances, constitutes a sufficient element to activate this component. It is not required that the arrest be documented in official records; it suffices to establish the occurrence of the act and the existence of control.

2.2.2 Refusal to disclose the person's fate or whereabouts

The second element that constitutes the crime of enforced disappearance is the authorities' refusal to acknowledge the deprivation of liberty of the person or to disclose their whereabouts. This deliberate concealment of information not only deprives the victim's family of knowledge, but also undermines any possibility of grievance, legal remedy, or judicial protection. The report makes clear that such concealment reflects the criminal intent element of the crime and indicates the existence of a deliberate policy of disappearance. The report further emphasizes that even the provision of misleading or contradictory information on the person's fate or location, or deliberate transfer of the victim between unrecognized detention sites, falls within the ambit of this element and confirms the systematic nature of the crime.

2.2.3 Placement of the disappeared person outside the protection of the law

This element entails the humanitarian and legal core of the crime of enforced disappearance. When a person is deprived of liberty and their fate concealed, they are stripped of any legal protection and left vulnerable to

serious violations such as torture, killing, isolation, or ill-treatment. The report makes clear that this situation involves not only a violation of the right to liberty and security, but also extends to abusing the right to life, physical and psychological integrity, and protection from enforced disappearance itself as an independent right. The report highlights that this “placement outside the protection of the law” does not necessarily mean a complete absence of law. Rather, it refers to an actual state of legal and factual denial of the victim, where they cannot be reached, no complaint can be filed, perpetrators cannot be held accountable, and even the place of detention cannot be known.

2.2.4 The Continuous nature of the crime

Emphasized by the Working Group in its report, a unique feature of the crime of enforced disappearance is its continuous nature. The crime is not considered complete upon the abduction or disappearance itself, but continues so long as the fate or whereabouts of the person remain undisclosed, the location of the body – if deceased – remains unidentified, and the perpetrators have not been held accountable. The report notes that this continuous nature imposes legal obligations on States and international bodies in respect of the victims’ rights to truth, justice, and reparations. It also means that the crime is not subject to statutes of limitation, and that its legal, moral, and social consequences can last for decades.

2.2.5 International responsibility of the State or its agents

The report emphasizes that enforced disappearance is not merely an individual crime. It may also entail State responsibility when it is committed by public officials or by persons acting with the authorization, support, or acquiescence of the State. By itself, failure to prevent or investigate cases of enforced disappearance, or to provide remedies, constitutes a form of complicity or legal negligence requiring accountability. The Working Group notes that such responsibility does not lapse even when the crime occurs in the context of armed conflict or internal security threats, since no exceptional circumstance, including states of emergency or counter-terrorism measures, may be invoked to justify enforced disappearance.

3. Factors associated with cases of loss and enforced disappearance in the Gaza Strip

These crimes are linked to a number of factors that contribute to their aggravation, in particular:

3.1 Secret prisons and unofficial detention sites

In the context of the ongoing genocide in the Gaza Strip, the phenomenon of secret prisons and unofficial detention sites has emerged as one of the most egregious violations committed by the occupying forces against Palestinians. These sites, which Israel does not disclose and keeps under absolute secrecy, represent a dark dimension of the ongoing policy of enforced disappearance and arbitrary detention, where detainees are held under obscure conditions and outside the scope of any legal or humanitarian oversight.

According to reports by the Israeli Information Center for Human Rights in the Occupied Territories (B'Tselem), the Israeli authorities operate secret detention centers used to hold Palestinians out of sight from International Law. In these, detainees are deprived of fundamental rights such as communication with their families or access to legal counsel, constituting a flagrant violation of international law. In its 2024 report, Human Rights Watch documented the arrest of Palestinians from Gaza during the recent aggression in undisclosed locations, concealing their fate and preventing contact with the outside world. This falls under the definition of enforced disappearance as prohibited by the ICPPED.⁴

4 Human Rights Watch. Extermination and Acts of Genocide: Israel Deliberately Depriving Palestinians in Gaza of Water, December 19, 2024.

Reports by the International Committee of the Red Cross (ICRC) indicate the inability to access these detainees, increasing the likelihood of their exposure to torture and ill-treatment, such as solitary confinement, beating, and deprivation of basic needs. This constitutes a clear violation of the principles of IHL and IHRL.⁵

This reality coincides with a systematic policy aimed at breaking the morale of the Palestinian population and intimidating the entire society through a state of fear and uncertainty. Secret prisons are used as a tool to conceal victims and prevent the documentation of violations, deepening the tragedy of the forcibly disappeared and turning the search for truth into an ongoing struggle for Palestinian families. On January 10, 2024, Israeli media published video footage showing shocking scenes of Palestinian prisoners held in harsh and inhuman conditions in previously undisclosed secret prisons. These prisoners are detained in underground cells, completely isolated from sunlight, sealed with iron doors, and without mattresses or blankets. As put by the Israeli Broadcasting Corporation, detainees are denied freedom of movement, spending 23 hours a day inside cramped cells, and are only allowed out for one hour in a fully enclosed yard where sunlight cannot reach.

The ambiguity surrounding efforts to uncover the fate of Palestinians is further compounded by the continued enforcement of a law known as the “Unlawful Combatant Law” in the occupying State since 2002. Amended on July, 30 2008, the law defines an “unlawful combatant” as a person who “has taken part, directly or indirectly, in hostile acts against ‘the occupying State’, or who is part of a force carrying out hostile acts against it.” The law also grants the Chief of General Staff of the Israeli occupying army the authority to detain any person, based on a “reasonable cause,” as an unlawful combatant if their release is deemed likely to harm national security. The law endows Israeli courts with the power to review the detention order within 14 days from the date of arrest, and once every six months thereafter.⁶

In October 2023, the Knesset enacted a temporary amendment to the

5 CRC Annual Report 2023-2024.

6 Palestinian Prisoners Club, October 10, 2023.

“Unlawful Combatant Law,” allowing for the indefinite detention of any Palestinians from the Gaza Strip without filing a charging instrument. Under the pretext that the case file is classified and cannot be accessed by either the detainee or their lawyer, these detainees can only appear before the central court every six months. The amendment also permits arbitrary administrative detention, similar to the practice of administrative detention. This law served as a legislative framework for legalizing enforced disappearances in the Gaza Strip and for withholding information about the missing. Beyond doubt, this practice contravenes international humanitarian law, particularly the Fourth Geneva Convention.

As of 28 April 2025, the ICHR has received approximately 1,067 reports on individuals subjected to enforced disappearance or missing persons. Based on an analysis of the ICHR database, testimonies can be categorized according to the following table:

Distribution by Gender	
Males	Females
78.37%	21.63%
Age Distribution	
Under 18 Years	3.30%
Years 35–18	56.31%
Years 45–36	23.88%
Years 64–46	14.56%
Over 65 Years	1.95%
Responses from the Israeli Prison Service	
Response from the Israeli Prison Service exists	53.2%
No response from the Israeli Prison Service	25%
Response indicates no information about the missing or forcibly disappeared	21.8%

It is noted that among these prisoners, 25 are denied visits, while only 24 have been visited. Meantime, 106 prisoners remain under follow-up by the ICHR. The issue of detention in Israeli prisons cannot be separated from the issue of the missing or those subjected to enforced disappearance, as they are interconnected. ICHR data indicates that it has no information regarding 352 cases of missing persons. ICRC visits to Israeli detention centers have been suspended since 7 October 2023. Consequently, many Palestinians have lost access to information concerning potential detainees and forcibly disappeared persons.⁷

3.2 Using forced displacement as a method of war

The occupying Power has adopted a policy of forced displacement as a tool of war, employing excessive military force and systematic terror to compel civilians to leave their homes and areas of residence by force, without providing safe passages or basic guarantees for survival. This displacement was not the result of incidental military clashes, but rather a direct outcome of deliberate strategic decisions designed to depopulate entire areas, constituting a large-scale forced displacement that amounts to a crime against humanity.

According to reports issued by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the number of forcibly displaced persons in the Gaza Strip exceeded 1.9 million by January 2024, representing more than 85 percent of the Gaza population. This reflects a complete collapse of the social and humanitarian structure of the civilian population. Displacement operations were not limited to forced evacuation alone, but also involved direct bombardment of homes and shelters, threatening leaflets and text messages, and attacks on evacuation routes, including targeting of the displaced, as documented by Amnesty International.⁸

7 ICHR data, as of April 28, 2025.

8 OCHA. Humanitarian Situation Report in the Occupied Palestinian Territory, January 11, 2024.

Forced displacement is closely linked to the phenomenon of missing persons and enforced disappearance. The chaos of mass displacement and collapse of communication networks have caused thousands of families to lose track of their relatives, whether during the bombing or after they left their areas. Many testimonies collected by human rights organizations, including the Palestinian Center for Human Rights, indicate cases of individuals who went missing after leaving areas under bombardment. Later, it was revealed that some of them had either been detained in unknown locations by the occupying forces or disappeared in combat zones without being found to this day.

The Israeli occupying authorities have exploited this state of systematic chaos to expand the scope of the “disappearance” policy. To this end, they have carried out field arrests of dozens of civilians, especially males, in crossing areas, displacement sites, or even inside “security screening” centers established near the borders, without registering the names of the detainees or disclosing their places of detention. This has been documented in reports by the United Nations Office of the High Commissioner for Human Rights (OHCHR).⁹

The combination of forced displacement and enforced disappearance policies constitute an integrated strategy to instill terror in the population, dismantle social bonds, and destroy the Palestinian societal fabric. This is regarded by International Law as a grave violation of the Geneva Conventions and the ICPPED. It may even be considered part of the crime of genocide when practiced within the context of a comprehensive and ongoing policy to eliminate the existence of an entire population group.

As of July 7, 2025, United Nations data indicated that there were effective evacuation orders in the Gaza Strip, covering 78 percent of its territory. In most cases, the occupying forces issue a forced evacuation warning and designate areas to which citizens are directed. In other cases, sudden military operations are launched without warning the population. In both instances, forced evacuation is sometimes carried out with disproportionate military force. The occupying forces also set up

⁹ OHCHR, *Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024)*, July, 31 2024.

checkpoints in central Gaza, including inspection and verification of the identities of displaced persons. These checkpoints have been established in at least five additional locations.¹⁰

“In northern Gaza, we were exposed to a real famine because of the severe siege imposed by the Israeli occupying forces since the beginning of the current war on the Gaza Strip on October 7, 2023, and the absence of the basic necessities of life, including food and water, and the lack of white flour and canned food specifically in northern Gaza. For this reason, on January 30, 2023, my son Bassam went to Kuwait Circle, the place where humanitarian aid enters northern Gaza, to bring flour for his mother, who suffers from cancer. His brother-in-law informed us, as soon as the humanitarian aid trucks entered the area, that heavy gunfire broke out from quadcopter drones, in addition to artillery shells and live fire from Israeli tanks directed at the civilians present near Kuwait Circle. Due to the severe tension in the area, he told Bassam: ‘Let’s go home; we don’t want to stay here.’ My son literally replied: “You go home; I’ll stay until I bring flour for my sick mother so she can be happy and have something to eat.” Since that date until today, his family has had no information about him. Jamil Q., father of a missing person since January 30, 2024.

3.3 Weak government procedures for reporting missing and forcibly disappeared persons

The absence of effective institutional mechanisms for reporting missing and forcibly disappeared persons in the Gaza Strip is a major weakness in the local response to the ongoing humanitarian catastrophe. Causing widespread destruction, mass displacement, and systematic killings, the recent war launched by the Israeli occupying authorities against Gaza has unveiled the fragile local administrative structure and limited gov-

¹⁰ OCHA. *Humanitarian Situation Update #302 | Gaza Strip*, July 2, 2025, <https://www.ocha-opt.org/content/humanitarian-situation-update-302-gaza-strip>.

ernmental capacity to monitor and document cases of loss and disappearance amid an almost total collapse of security, oversight, and service systems.

Despite the efforts made by some civil organizations and local administrations, the Gaza Strip lacks a comprehensive national system for registering and documenting missing persons, whether in times of war or peace. There is no updated central database, nor advanced digital mechanisms to link victims' information with hospitals or with relevant entities such as the Civil Defense or the Palestinian Red Crescent Society (PRCS). This makes the process of verifying the identity of missing persons slow and complicated, and often dependent on individual or community initiatives.

According to a February 2024 ICRC report, more than 6,000 reports of missing persons were submitted during the first three months of the aggression. However, the majority were not formally recorded in clear governmental registers, nor were they systematically followed up. Additionally, the *de facto* authorities in Gaza did not activate a central mechanism to receive complaints from the families of the missing or coordinate efforts with humanitarian organizations operating in the field.

In the absence of a clear legal framework for cases of enforced disappearance, and with the Public Prosecution lacking specialized units for this issue, the legal characterization of cases of loss remains inadequate and does not rise to the level of a composite crime as classified under International Law. Such cases are often recorded as “reports of missing persons under the rubble” or “reports of persons of unknown fate,” without distinction between cases of killing, arrest, or enforced disappearance.

On the other hand, limited technical and logistical capacities, such as the lack of forensic laboratories or DNA systems, lead to significant delays in identifying remains or confirming deaths, exacerbating the suffering of families and prolonging uncertainty and psychological distress for many months. This situation further widens the gap of trust between citizens and official authorities. It drives many families to resort to community initiatives or international organizations instead of local agencies.

Reports from organizations, such as Human Rights Watch and the Euro-Med Human Rights Monitor, indicate that the combination of forced displacement, bombing of infrastructure facilities, and total collapse of communication and information networks has resulted in hundreds of cases being excluded from official monitoring. All the more so, there are entire areas where no field surveys have been conducted to this day.

This institutional weakness is not merely an administrative matter. Rather, it violates the rights of victims and their families and aggravates the impact of the crime of enforced disappearance, which is considered a continuous crime that does not end until the fate of the disappeared person is revealed. It also reflects the failure of local authorities to fulfill their obligations under IHRL, including the duty to search for the missing, document them, and enable their families to access justice and redress.

“Aerial and artillery bombardment on the Beit Lahya area intensified, leading to the targeting of Husam’s family home. The bombing resulted in the martyrdom of his mother and brother, and the injury of his siblings (a 15-year-old girl and an 11-year-old boy). Husam buried his mother and brother, then decided to leave Beit Lahya with his wife, children, and injured siblings to transfer them to the Al-Ma’adani Hospital, due to the lack of medical equipment at the Kamal Adwan Hospital. At the Civil Administration checkpoint, the place was overcrowded with displaced women, children, and elderly people. Husam requested an ambulance for his wounded siblings, who were bleeding. The Israeli army rejected his request and ordered that the injured be transported on a donkey-drawn cart that was present at the location. After he was filmed by camera, he was detained by the army, while the rest of the family was allowed to leave.” — “Mushirah A.,” wife of a forcibly disappeared person since November 6, 2024.

With respect to official efforts, the Palestinian Ministry of Health (MoH) announced an electronic form (<https://sehatty.ps/moh-registration/public/add-order>) through which citizens can report martyrs and missing per-

sons. Of note, the form contains data on the missing person, such as ID number, full name, date of birth, governorate, and gender. It also features data on the burial status such as “buried, under the rubble, not buried,” together with the applicant’s information and two identifiers.

Evidently, the form only covers data concerning martyrs or missing persons presumed dead. This means that the official handling of the term “missing persons” refers to victims of killing without a death certificate issued by the MoH. It does not address data on the forcibly disappeared. The form also relies on information provided by the families of the martyrs and requires the presence of two identifiers to confirm the data entered in the form. It is entirely clear that the form provides only the minimum information necessary to ensure an effective response in cases of enforced disappearance. Moreover, the form does not allow for the attachment of any documents or evidence that support the credibility of submitted information.

“We tried to contact the Police or the Internal Security authorities, but the response was always the same: They cannot know anything as long as the war is ongoing.” – “Raghdah S.,” mother of a missing person since February 12, 2024.

3.4 Arbitrary burial procedures after October 7

The procedures of burying victims during the crime of genocide since October 2023 cannot be compared to those under normal circumstances. The situation has been made more difficult by the poor governmental system in the Gaza Strip, placing the burden of burial operations on the citizens themselves. On October 10, 2023, the Gaza-based Ministry of *Waqf* and Religious Affairs issued guidance on mass-burial procedures, recommending the burial of martyrs, especially relatives, in a single grave due to the “state of emergency.”¹¹ It should be noted that this was

11 Directive issued by the Ministry of Waqf and Religious Affairs, October 10, 2023.

the only directive issued concerning burial processes. With the number of martyrs increasing by the hundreds daily, mass graves spread as citizens are unable to access the largest cemeteries in the eastern areas of the Gaza Strip. In other cases, the occupying forces have imposed sieges and restricted access to or exit from areas of military operations. This has compelled families to bury martyrs in empty plots of land inside hospitals or in areas adjacent to main hospitals,¹² and, in documented cases, even inside residential apartments in multi-story buildings.¹³

Burial procedures are closely linked to potential cases of loss and enforced disappearance for several reasons. Lasting for long periods of siege and involving isolation from the outside world, particularly in areas of northern Gaza, the state of emergency and nature of military operations have compelled citizens to resort to primitive burial methods, especially in cases where bodies of unidentified victims were found. These burials are carried out without notifying either official or non-official authorities.¹⁴ In some cases, families placed identifying markers on improvised graves, such as the victim's clothing, hair color, approximate age, or gender. However, in most cases, such markers were not added, further complicating the identification of victims at a later stage.¹⁵

In the Gaza Strip, the number of mass graves is estimated at about 140. Gaza-based human rights organizations have documented more than 140 mass, improvised, or temporary graves. These included the discovery of two mass graves containing hundreds of civilian bodies, dozens of whom have most likely been executed in the field and buried in these graves. In January 2023, a mass grave containing 30 bodies with bound hands and blindfolded eyes was found in one of the schools in Beit Lahya, indicating detention prior to execution.¹⁶

12 Interview with a Civil Defense official in the Deir al-Balah Governorate. He refused to disclose his name, position, or rank.

13 Ibid.

14 Ibid.

15 Focus group, January 16, 2025.

16 Euro-Med Human Rights Monitor, *Unmarked mass graves in Gaza during Israel's genocide (October 2023-September 2024)*, September 18, 2024.

As a result of overcrowded cemeteries and lacking new burial grounds, some social customs in burial practices in the Gaza Strip have complicated procedures for verifying the fate of certain forcibly disappeared persons. Many citizens indicate that families have resorted to reopening old graves to bury new victims.¹⁷

The Israeli occupying forces' crimes, including crushing by tanks, violating the sanctity of corpses and burning homes, have complicated the processes of identifying victims through traditional means and documenting their cases. In other instances, bodies were left exposed, subject to disfigurement by stray animals or decomposition due to natural factors. These difficulties were further compounded by the absence of a specialized laboratory for DNA examination of remains and the prohibition of conducting such procedures in a third country.

On September 25, 2024, the occupying forces handed over the bodies of 88 Palestinians in a container truck to the Nasser Hospital in Khan Yunis. The truck was sent by the occupying forces through the Karm Abu Salem crossing and delivered to a local transport company without prior coordination with the MoH or the ICRC. Some of the bodies were placed in plastic bags, while in other cases, single bags contained several bodies altogether. With these remains, the Palestinian authorities received no records identifying names, distinguishing marks, or the locations where the bodies had been found. On September 26, 2024, in cooperation with other local bodies, the MoH buried these bodies in a mass grave.¹⁸

17 Interview with a Civil Defense official in the Deir al-Balah Governorate. He refused to disclose his name, position, or rank.

18 Interview with a MoH official, Khan Yunis Governorate. He refused to disclose his name or job title.

3.5 Presence of a large number of victims under the rubble

OCHA documented reports indicate that at least 10,000 persons were still missing across the Gaza Strip as of May 2024. Most of these are believed to be either under the rubble or detained in unknown locations. The Palestinian Civil Defense stated that “operating teams have been unable to reach hundreds of targeted sites due to the destruction of infrastructure and shortage of fuel and equipment,” leaving bodies trapped beneath the rubble for weeks, and possibly months, without recovery or documentation.

This grim reality effectively turns the victims into forcibly disappeared persons, as their families lose every means of determining their fate. There is no official mechanism to register these victims as deceased, nor any possibility of burial or holding funeral rites, leaving families trapped in a cycle of pain, waiting, and denial.

In its February 2024 report, the Euro-Med Human Rights Monitor noted that “more than 60 percent of the targeted residential buildings contained reports of missing persons. No genuine rescue operations were carried out; rather, some buildings were levelled by military bulldozers without ensuring they were free of victims.¹⁹ In the Shuja’iyya and Zaytun neighborhoods, as well as in western Rafah, the Al Mezan Center for Human Rights documented testimonies from families, confirming that they lost contact with dozens of individuals after their homes were bombed. While deaths were not declared, bodies could not be found. No government authority was capable of registering these bodies or investigating their fate.²⁰

The MoH also estimates that the number of victims under the rubble is approximately 10,000 persons as the Civil Defense is unable to carry out its role as a civilian evacuation force. Out of 314, some 98 Civil Defense staff members have been lost. While 304 personnel were injured, the

19 Foundation for Middle East Peace (FMPEP), *Top News & Analysis on Israel/Palestine*, February 9-16, 2024.

20 Al Mezan Center for Human Rights, *Field Report on the Targeting of Residential Neighborhoods in Gaza City and Western Rafah*, February. <https://www.mezan.org> (in Arabic).

Israeli occupying army arrested 22 others. Furthermore, 40 out of 72 fire-fighting, rescue, and ambulance vehicles were completely lost. The MoH officially recognizes as martyrs those whose legal status is classified as deceased after admission to hospitals and issuance of official reports thereof.²¹ On the other hand, victims under the rubble are considered to be missing. In many cases, the actual identity of victims inside targeted buildings was unclear, leaving the status of many citizens uncertain, especially in areas experiencing active military operations.

3.6 Difficult access to information on the missing and forcibly disappeared outside the geographic scope of the Gaza Strip

Missing persons outside the geographic scope of the Gaza Strip present one of the most complex and sensitive issues. No precise statistics or independent sources are reliable to determine the exact number of missing persons and victims who left Gaza or crossed the buffer zone as civilians without returning or having their fate known. Although the Israeli media occasionally mention estimated figures for these individuals,²² such information remains ambiguous and is often based on multiple accounts or sources that may be incomplete or inaccurate.

This is not limited to those who participated in military actions or gained access into Israeli settlements, but also includes civilians who crossed the borders of the Gaza Strip or the buffer zone without any hostile intent.²³ The majority of cases discussed outside the Gaza Strip concern:

- Persons who were detained at checkpoints or while traveling from Gaza to the West Bank or to Israel under medical or commercial permits;

21 Palestinian Information Center. *Civil Defense: 10,000 people missing under the rubble of destroyed buildings across Gaza*, <https://english.palinfo.com/>.

22 For example, in press statements by Israeli military spokesperson, Richard Hecht, October 10, 2023.

23 Focus group, January 16, 2025.

- Persons who were arrested while attempting to flee the aggression to outside Gaza through the Rafah crossing or border areas; and
- Persons whose news was cut off after being transferred to secret detention centers or “filtering” camps inside Israel, as reported by several human rights organizations.

In the absence of any official announcement by the occupying authorities on these individuals, tracking their fate becomes nearly impossible, especially after Israel’s refusal to acknowledge the existence of documented lists of newly detained persons following October 7, 2023.

A report released by Human Rights Watch (March 2024) confirmed that “the Israeli military continues to hold hundreds of Palestinians in arbitrary detention without allowing them access to their lawyers or families, and conceals their places of detention,” considering that “this form of detention constitutes enforced disappearance.” In January 2024, the ICRC reported that it had failed to access dozens of cases reported by Palestinian families of detainees who disappeared after crossing from Gaza or while attempting to exit combat zones. The Euro-Med Human Rights Monitor also indicated that the majority of those transferred to detention centers in Beer al-Sabe’ and Naqab Desert were being held in undisclosed locations and were denied contact or visitation rights. This constitutes a direct violation of Article 9 of the International Covenant on Civil and Political Rights.

In view of international experiences, the Guiding Principles for the Search for Disappeared Persons aim to consolidate good practices in the effective search for disappeared persons, arising from States’ obligations to search for such persons. During the first eight years of its mandate, the Committee on Enforced Disappearances built up extensive expertise, particularly through its Concluding Observations (Article 29) and Urgent Actions (Article 30).²⁴ In this respect, a key element highlighted by the Guiding Principles is the need for a public policy to govern the search process. This policy should seek to prevent enforced disappearance, clar-

24 OHCHR, Guiding principles for the search for disappeared persons, <https://www.ohchr.org/en/documents/legal-standards-and-guidelines/guiding-principles-search-disappeared-persons>.

ify the circumstances of past disappearances, ensure that the perpetrators are appropriately punished, and adopt protective measures. These measures should be reflected in the relevant laws and policies.

Almost two years after the onset of the genocidal war in the Gaza Strip, the judicial investigation and search system tasked with locating forcibly disappeared persons has been severely compromised due to the damage inflicted on both the civil and criminal branches of the judicial apparatus. The deliberate targeting of law enforcement agencies and components of the judicial authority has resulted in the martyrdom of some 15 judges and public prosecutors as of April 14, 2024. In addition, hundreds of police personnel have been killed. No public policy has been created so as to effectively encourage or organize any governmental, civil, or community-based body to undertake this role.²⁵

Judicial bodies, such as the Public Prosecution and law enforcement agencies, are unable to fulfill their role in adjudicating cases of missing or forcibly disappeared persons. On one hand, these have been potential military targets. On the other hand, law enforcement agencies have been debilitated and lost capacity, rendering them incapable of recording or collecting testimonies and statements on missing and forcibly disappeared persons.²⁶ Despite the efforts of Palestinian human rights organizations such as Addameer and the Commission for Detainees and Released Detainees Affairs, the process of documenting cases of disappearance outside Gaza faces several challenges, the most prominent of which are:

- The absence of unified and updated databases linking the Gaza Strip, the West Bank, and abroad.
- The lack of official communication channels with the Israeli authorities, who refuse to acknowledge cases of detention or disclose the fate of detainees.
- The restrictions imposed by the occupying authorities on the work

25 Interview with a police officer in the Gaza Strip, who declined to disclose his name, position, rank, or the governorate in which he served.

26 Ibid.

of international and local human rights organizations, including the denial of access to detention centers or official records.

- The weakness or absence of unified and systematic Palestinian governmental procedures for managing and documenting the cases of missing and disappeared persons outside Gaza, whether by the Ministry of Interior (MoI) or Ministry of Foreign Affairs (MoFA).

3.7 Uneasy access to information about the missing and forcibly disappeared in restricted-access areas

The documentation of cases of enforced disappearance and missing persons faces enormous challenges, particularly in areas with restricted access, often including frontlines of ground operations, completely destroyed areas, or areas declared by the Israeli occupying forces as “closed military zones.” These restrictions have deprived thousands of families of their fundamental right to know the fate of their relatives who have gone missing, are suspected to be in detention, killed under the rubble, or forcibly transferred.

Over the course of several months, the Israeli occupying forces imposed a strict military siege on vast areas in the northern, central, and southern parts of the Gaza Strip, particularly in Beit Hanun, Beit Lahya, and Jabalya in the north; Al-Nuseirat and Al-Bureij refugee camps in the center; and Khan Yunis and Rafah in the south. This military control has been compounded by severe restrictions on the movement of the population and full isolation of entire areas from the rest of Gaza, effectively transforming them into “black spots” that are inaccessible both physically and for documentation purposes.

Difficult access to information on the missing and forcibly disappeared in the Gaza Strip is a key humanitarian challenge, particularly in areas that are completely inaccessible, such as the Rafah governorate, Netzarim corridor, and Morag axis. In these locations, field teams, victims’ families, and human rights organizations are entirely prohibited from entry, hindering documentation and verification efforts. Areas that are partially accessible, such as those surrounding the aid distribution sites operated

by the “Gaza Humanitarian Foundation,” are also affected by field and security restrictions that limit the ability to collect data and follow up on cases. This information blackout deepens the suffering of families of the missing.

The Human Rights Watch report stated that Israeli restrictions on the entry of humanitarian organizations, medical teams, and journalists into former combat zones have prevented the documentation of thousands of cases of missing and forcibly disappeared persons. This is a clear violation of Article 19 of the ICPPED, which guarantees the right to an immediate search for any disappeared persons.

Released on May 3, 2024, an OCHA report indicated that dozens of families displaced from areas with restricted access have no means of knowing whether their relatives have been killed, are still alive under the rubble, or have been forcibly transferred to secret detention locations. The report added that the lack of digital and field infrastructure for documentation turns the case of each missing person into a humanitarian and legal dilemma.

The United Nations Committee on Enforced Disappearances affirmed in its general comments that denying families the ability to know the fate and whereabouts of their loved ones constitutes a form of psychological torture and is, in itself, a breach of fundamental human rights.

“On June 19, 2025, I went to the area where the humanitarian aid distribution center is located in Netzarim with my cousin (S). As I approached the Wadi Gaza area, drones began shooting at us. I took cover behind a wall with another person, but I was shocked to find that he was dead! I sought protection in that place for a little while, then someone shouted out that the distribution had begun... I ran along with hundreds of others to reach the center. There, I managed to get a small amount of aid and returned. Then, I remembered my cousin. I had forgotten him due to the intensity of the situation. I tried calling him and asking people about him, then I thought he might have returned home on his own, but he has not returned since then.” K. D., relative of a missing person since November 6, 2024

4. International and national efforts to address enforced disappearance

4.1 International efforts

4.1.1 The Special Rapporteur on Enforced Disappearances

According to Article 31 of the ICPPED, any individual who claims to be a victim of a violation of the rights protected under the said Convention may submit a complaint (also known as a communication) to the Committee. The individual complaints procedure applies only to States Parties that have declared their acceptance of the Committee's mandate to examine individual complaints in pursuance of Article 31 of the Convention. States may make such a declaration either upon becoming a party to the ICPPED or at any subsequent time. States Parties to the Convention may also initiate urgent action procedures. In such cases, relatives of the disappeared person, their legal representatives, lawyers, or any person authorized by them, as well as any other person with a legitimate interest, may submit an urgent request to the Committee to search for that disappeared person, without the need to exhaust domestic remedies. However, they must first notify a competent authority in the concerned State Party, if such an option exists.²⁷

In cooperation with the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur has received dozens of communications from Palestinian and international human rights organizations concerning persons missing following the intense Israeli bombardment

²⁷ Committee on Enforced Disappearances. *Individual communications*, <https://www.ohchr.org/en/treaty-bodies/ced/individual-communications>.

of civilian areas, targeting of civilians in so-called “safe” zones, and detention of civilians during ground incursions without official notification of their place of detention or allowing contact with their families. Hundreds of individuals, including children, women, and older persons, have disappeared since the start of the aggression against Gaza in October 2023 and through to mid-2025. In his reports and statements, the Special Rapporteur emphasized the following:

- The existence of a systematic pattern of enforced disappearance in the context of occupation and military aggression.
- The need to open independent and transparent investigations into the fate of the disappeared.
- Holding Israel, as the occupying Power, legally accountable under IHL and IHRL.
- Demanding disclosure of the fate and whereabouts of persons who were detained in the field or lost contact during military operations in Gaza.

The Special Rapporteur called²⁸ for urgent measures to pressure Israel to uphold its obligations under the 2006 ICPPED and support both national and international documentation mechanisms to monitor these crimes and provide legal protection to victims and their families. He also stressed that the ICRC be enabled to have immediate and unconditional access to all places of detention, including those within the Green Line.

4.1.2 ICRC

For over 150 years, preventing family separation, locating missing persons, reestablishing contact between them and their relatives, and supporting families in their search for loved ones have been at the heart of the ICRC mission. This is aimed at alleviating the suffering of those

28 OHCHR, UN experts call for end to anguish of families seeking truth about disappeared loved ones in the Occupied Palestinian Territory and Israel, <https://www.ohchr.org/en/press-releases/2025/07/un-experts-call-end-anguish-families-seeking-truth-about-disappeared-loved>.

affected by conflict, primarily through the activities of the ICRC Central Tracing Agency. The ICRC reports that it has received more than 9,000 inquiries from persons in Gaza and abroad seeking any news about the fate of their missing family members. The ICRC is currently compiling these inquiries and engaging with the relevant authorities in an effort to uncover the fate of the individuals concerned.²⁹

On October 7, 2023, the Israeli occupying authorities decided to suspend ICRC visits to places of detention until further notice. Since then, the ICRC has not been able to visit any Palestinian detainees held in Israeli detention facilities.³⁰

“Since the first week of my brother Mohammed’s disappearance, we contacted the Red Cross as the international body responsible for such cases. However, there were no clear responses, other than that we had to wait. Yet we don’t know for how long. They provided no official update or answer regarding the circumstances of his disappearance. The difficulties began from day one. We didn’t know which authority to report to, who is handling these cases, or who could give us official information about his condition, location, or legal status.” Asmaa K., sister of a forcibly disappeared person since March 18, 2024

4.2 National efforts

Palestinian national efforts to address enforced disappearance are multifaceted, focusing on monitoring and documenting cases and reporting to international bodies, including the United Nations and HRC, to exert pressure on the occupying Power. These efforts also raise awareness of the issue in global forums to expose violations and ensure accountability. Community-driven initiatives also play a vital role by launching aware-

29 ICRC, *Information for persons affected by the conflict in the occupied territories*, December 16, 2024.

30 ICRC, *Information for persons affected by the conflict in the occupied territories*, December 16, 2024.

ness campaigns to strengthen solidarity with the families of the disappeared and provide them with psychological and social support.

4.2.1 Official efforts

The Commission for Detainees and Released Detainees Affairs is the official and legal successor to the Ministry of Detainees and Released Detainees Affairs, which was established by presidential decree in 1998. The Commission was formed by a presidential decree issued by President Mahmoud Abbas on May 29, 2014. Accordingly, an administratively and financially independent body affiliated with the Palestine Liberation Organization (PLO) was established.

On August 10, 2024, the Commission for Detainees and Released Detainees Affairs launched a dedicated telephone line to receive information on detainees and missing persons from the Gaza Strip with the aim of determining their fate and places of detention. The Commission called on families who had not previously contacted any bodies or institutions, but did not receive any information about the fate or location of their relatives, to reach out through the designated number, 0593588050, operated jointly by the Commission and Palestinian Prisoners Club. It made clear that initial data could be provided first, and a special power of attorney from the family would later be required to pursue the case through the relevant legal teams. The Commission also allowed families to send information via WhatsApp to the international number +970593588050 outside official working hours.³¹

Together with the Palestinian Prisoners Club, the Commission also launched a dedicated online link for families of detainees and missing persons from the Gaza Strip with a view to creating a database on detainees in Israeli prisons and those missing since the start of the war. This step was taken as an alternative to the previously used telephone line, which proved ineffective due to the high volume of calls. Families were invited to submit the required data through the online form. Through its

³¹ <https://cda.gov.ps/index.php/ar/ar-activity/2-advertisement17995-2024-08-12-07-06-37/> (in Arabic).

legal representatives, the Commission was able to identify a number of missing Palestinians and confirm that they were being held in Israeli prisons.³² Despite these efforts, the legal mandate of the Commission does not specifically cover forcibly disappeared or missing persons. Of note, relevant legislation does not address this category.³³

4.2.2 Efforts of human rights organizations

Human rights actors play a crucial role in addressing the issue of enforced disappearance by advocating for justice, accountability, and protection of victims and their families. These organizations document and investigate cases of enforced disappearance, collect evidence and testimonies to ensure accurate recording of violations, and present them to national and international bodies. Among the most prominent institutions that have made efforts in this field are the ICHR, Jerusalem Legal Aid and Human Rights Center (JLAC), Al-Dameer Association for Human Rights, Palestinian Center for Human Rights (PCHR),³⁴ and Al Mezan Center for Human Rights.³⁵ Additionally, other institutions have taken part in awareness campaigns to highlight the plight of the disappeared and the ongoing suffering of their families, aiming to build public pressure for action. These campaigns have often been initiated in partnership with international organizations, such as the Euro-Med Human Rights Monitor. The synergy of these efforts will contribute to strengthening global advocacy, implementing preventive measures, and holding perpetrators accountable to deter future violations.

32 <https://cda.gov.ps/gaza/> (in Arabic).

33 Focus group, January 16, 2025.

34 The Palestinian Center for Human Rights launched an online platform to report missing and forcibly disappeared persons: <https://ee-eu.kobotoolbox.org/x/JjBgQpZw>.

35 Focus group, January 16, 2025.

“I informed the administration of the displacement camp I’m staying in since they’re originally from the Al-Zawayda area. They reported to local security, the concerned authorities, and community leaders. A search was conducted, but to no avail. The next day after the incident, I went to my relatives who were displaced near the seashore in Al-Nuseirat to look for my son Mohammed, but again, in vain. I contacted the Red Cross and relevant organizations such as Al-Dameer Association for Human Rights and the Independent Commission for Human Rights. To this day, I’m still waiting for a response after submitting power of attorney documents through them.” Atef H., father of a forcibly disappeared person since June 25, 2024

4.2.3 Community and volunteer efforts

Community and volunteer efforts play a vital role in addressing the impacts of enforced disappearance by offering direct support to affected families and raising awareness about this serious issue. Oftentimes, volunteers and community groups organize support networks for families of the disappeared, provide psychological counseling, and hold advocacy campaigns, protests, and public events to keep the issue visible and to pressure for accountability and justice. Also, volunteers collaborate with human rights organizations to document cases, share stories, and raise the voices of those affected. By promoting solidarity and collective action, these efforts help build a sense of community resilience and ensure that the plight of the disappeared and their families remains a priority on local and national agendas.³⁶

36 Focus group, January 16, 2025.

A group of legal researchers launched the Information Platform for the Forcibly Disappeared. This initiative shares photos and information about forcibly disappeared and missing persons via social media. It has introduced a form that allows families of victims to submit information related to those forcibly disappeared or missing. Based on collected testimonies and statements from released detainees and prisoners, the initiative has identified several individuals forcibly disappeared in Israeli prisons.³⁷

Despite the efforts made, the lack of institutionalization in addressing the issue of enforced disappearance and multiplicity of the entities that handle this case have resulted in fragmented efforts as well as inconsistent data and figures among the institutions working on the matter. This is due to the absence of standardized documentation procedures and reliance of institutions on independent case monitoring and data collection without unified criteria.

The internal political divide has also negatively impacted the ability of official Palestinian institutions to follow up on this issue, particularly in light of the ongoing split between official bodies in Gaza and the West Bank.³⁸

37 Nasser Thabet, human rights researcher and member of the Freedom Monitor initiative. Telephone interview, December 24, 2024.

38 Telephone interview with Mr. Issam Abdeen, Al-Haq, December 12, 2024.

5. The impact of enforced disappearance on civil, political, economic and social rights

The crime of enforced disappearance has profound social, economic, and humanitarian consequences on society as a whole. It is not limited to the individual whose rights are violated. Rather, it has a far-reaching bearing on the entire human rights system. The failure to address such cases systematically contributes to the deepening fragility of the social fabric. Let alone severe psychological and emotional distress, families of victims face a variety of problems, making this crime one with long-term impacts.

Victims are also deprived of protection granted under international laws and conventions (civil and political rights), including the right to life, right not to be subjected to arbitrary detention, right to be free from torture, right to personal security, and right to access information, among others.

5.1 Impact on family structure

Enforced disappearance affects the emotional and social components that hold the family fabric together. When the provider or the person offering psychological and emotional support is absent, the family is left with a deep vacuum that burdens the remaining members, who are forced to take on additional roles and responsibilities.³⁹ As uncertainty surrounds the fate of the disappeared, a mix of anxiety, fear, hope, and despair in-

³⁹ Focus group, January 16, 2025.

tensifies, leading to a disruption of family stability. These pressures affect relationships within the family, causing conflict or increased isolation. They further result in psychological and social imbalances that may persist for a long time.

“My son Mohammed is married and has two children, a boy and a girl, aged between two months and two years. After his disappearance, the responsibility increased on me. I’ve become the sole provider for them amid the ongoing aggression. Just having my son Mohammed around used to bring us a sense of comfort and safety. Since the incident and his disappearance, we’ve lost that feeling. My son’s wife lost five of her family members. Only her father and brother remained. After losing her husband (my son Mohammed), the psychological, social, familial, and economic pressure on us grew immensely.” Atef H., father of a forcibly disappeared person since June 25, 2024

5.2 Impact on family economic conditions

The devastating impact of enforced disappearance and involuntary absence cases has not been limited to psychological and humanitarian aspects alone, but it has also triggered silent economic disasters within the fabric of Palestinian families. The living conditions of thousands of households have severely deteriorated due to the absence of the main breadwinner or a productive family member.

5.2.1 Loss of the breadwinner and income source

Many cases of enforced disappearance and loss involved working-age men, female heads of households, and workers who were the primary or sole source of family income. Their forced absence or mysterious disappearance has left families without any stable financial support, making them unable to meet basic needs such as food, medicine, and shelter,

especially within a besieged and collapsed economy. According to a January 2024 report by the World Food Program (WFP), over 85 percent of displaced families or those who lost a breadwinning member now live in extreme poverty and rely almost entirely on emergency food aid. All forms of self-generated income have vanished due to the destruction of the local economy and mass displacement.

5.3 Lack of legal rights and denial of compensation

The economic calamity is further worsened by the absence of official recognition of cases involving missing or forcibly disappeared persons. Families are unable to claim any form of compensation or long-term governmental or humanitarian support without a death certificate or legal documentation of these cases. As a result, thousands of women who are effectively widows, but lack death certificates, remain unemployed, with no income and no legal protection. According to the ICRC, in March 2024, many families who lost relatives under enforced circumstances are denied support or financial assistance because they cannot prove the death or fate of their breadwinners, constituting a prolonged form of economic injustice.

5.4 Feminization of poverty and increased burdens on women

In the absence of the breadwinner, women – whether mothers or wives – are often forced to take on the burden of providing for their families under extremely harsh conditions. These are exacerbated by a virtual lack of economic opportunities in conflict and displacement zones as well as a complete lack of social and institutional support. Reports by the UN Women (February 2024) stress that “women in Gaza are currently facing unprecedented levels of poverty and hunger, as thousands of families who lost their breadwinners have become female-headed households led by women unable to work, particularly amid the collapse of services and care systems.”

5.5 Economic deadlock

The absence of missing and forcibly disappeared persons prevents families from making strategic decisions about settling or rebuilding their lives. These families live in a state of paralyzing uncertainty, unable to sell assets or make decisions regarding livelihood or relocation, fearing that the missing person might return at any moment. This leads to economic paralysis for the household and disrupts the ability to resume normal life. With the primary provider gone, the burden of meeting essential needs falls on other family members who may not have a steady or sufficient income. In Mr. Atef's case, he was forced to cover the expenses of his disappeared son's family, deepening financial strain and pushing him into hardship and debt just to meet daily needs.⁴⁰ Hence, the family's suffering goes beyond grief and anxiety over a missing loved one; it extends to exhausting economic pressures that threaten their livelihood and compound the crisis.

“We have no income. We live in poverty because my husband was the one who supported us and provided our daily food. Only the UNICEF gave us ILS 1,000 at the beginning of 2024, but it was part of a general distribution, not because my husband is missing. We currently have no income.” Lubna D., wife of a missing person since November 17, 2023.

5.6 Impact on the right of access to information

Enforced disappearance, abduction, and loss profoundly affect families' right of access to information. Relatives of the disappeared find themselves trapped in a deadly information void, with no clear path to search for clear answers. Instead of receiving official data or credible evidence, they are often left to rely on rumors or vague hints, frequently from un-

⁴⁰ Focus group, January 16, 2025.

verified sources such as testimonies of released detainees. These raise their hopes only to crush them again and again.⁴¹ This systematic denial of information not only prevents families from making necessary decisions to bring an end to their suspended psychological state, but also violates a fundamental right guaranteed under IHL, namely, the right of families to know the fate of their loved ones. While obstructing justice and undermining human dignity, such violations place a double burden of emotional anguish and confusion on families.

“His disappearance has had a huge impact on us. Nearly a year has passed, and we live in illusions and fantasies. Everyone in my family is mentally exhausted. We don’t know his fate. If we knew he was martyred, maybe we could begin to accept it. But every time we hear something new about him, our pain returns and we experience new hope, only to be devastated again when there’s no result or real news.”
Raghda S., mother of a forcibly disappeared person since February 12, 2024.

5.7 Psychological impact

Cases of enforced disappearance and mass loss represent one of the most psychologically traumatic forms of violence not only for the victims themselves, but also for their families and communities. As the number of people missing under rubble or whose fate remains unknown in detention centers increases, thousands of Palestinian families live in a chronic state of psychological shock, tension, and existential anxiety.

41 Focus group, January 16, 2025.

5.7.1 Complex trauma among families of the missing

Enforced disappearance is one of the harshest forms of loss as it disrupts the natural grieving process and traps families in a cycle of waiting, oscillating between hope and despair.

International Committee of the Red Cross, December 2023

According to studies by the World Health Organization (WHO), families of the missing and forcibly disappeared often suffer from acute stress disorder, which can later develop into post-traumatic stress disorder. Symptoms include insomnia, nightmares, persistent anxiety, and episodes of severe depression. These are worsened by the nature of the loss, which entails an open-ended disappearance with no body, no grave, and no certainty.⁴²

5.7.2 Women and mothers: Psychologically overburdened victims

Women, especially mothers and wives, suffer unique forms of psychological pain, bearing the brunt of searching, caregiving, and providing for the family amid a state of ambiguity. UN Women (March 2024) documented cases of women suffering from psychological breakdowns, chronic depression, or overall health deterioration after losing sons or husbands under unknown circumstances.

42 WHO, mhGAP Humanitarian Intervention Guide (mhGAP-HIG), <https://www.who.int/publications/i/item/9789241548922>.

5.7.3 Children: Invisible orphanhood and unspoken pain of loss⁴³

Children who lose a parent without confirmation of death suffer disruptions in identity formation and emotional belonging. According to a January 2024 study by the Gaza Community Mental Health Program, these children often show poor academic performance and behavioral disorders. The study shows that “[c]hildren unaware of their parent’s fate live in a chronic state of anxiety and confusion. They exhibit withdrawn or aggressive behavior that requires long-term psychological support.”

“I can’t describe the emotions and psychological suffering we’ve endured for months. We’re all exhausted from waiting. We try to keep each other’s spirits up, but the situation is unbearable. Many nights I cry bitterly for my brother Mohammed; I miss him so much. Everyone around me tries to comfort me until we find out what happened to him.” Asmaa K., sister of a forcibly disappeared person since March 18, 2024

5.7.4 Frozen grief⁴⁴

In the absence of definitive information about a loved one’s fate, families experience what is known as “frozen grief” or delayed mourning as they are unable to put an end to their grief. This leads to persistent psychological exhaustion, affecting their ability to work, maintain family relationships, and make decisions.

43 Gaza Community Mental Health Center, “Children in Gaza suffer from severe psychological crises”, *Al Jazeera Net*, 2025, <https://t.ly/UgcRR> (in Arabic).

44 Gaza’s hidden crisis: adults, children, and generations of trauma. <https://pubmed.ncbi.nlm.nih.gov/39441219/>.

5.7.5 Wider social consequences

When enforced disappearance becomes widespread, affecting thousands of families as seen today in Gaza, personal pain transforms into collective social tension. This weakens social bonds, deepens a general sense of insecurity, and erodes trust in institutions and the international community.

“My children and I are terrified because of what they witnessed during their father’s arrest. We are still in shock. Sometimes, my children suddenly scream, ‘Where are you, Daddy?’ We suffer greatly and have no income to secure even our basic entitlements. This has deeply affected my children’s mental health.” Lubna D., wife of a forcibly disappeared person since November 17, 2023

Recommendations

Based on the review and analysis carried out for preparation of this report, the ICHR has concluded that several urgent actions must be taken by official authorities. These recommendations are grounded in human rights standards and international laws related to enforced disappearance. They aim to establish comprehensive legislative and institutional frameworks, put in place practical procedures to document violations and hold perpetrators to account, and provide necessary support to affected families. Implementing these recommendations requires joint efforts by the Palestinian National Authority (PNA), civil society organizations, and relevant international bodies, together with a serious national dialogue and transparent accountability to ensure justice for victims and realizing their rights.

Scope	Recommendation	Implementing Body
<p style="text-align: center;">At the international level</p>	<ul style="list-style-type: none"> • Establish an independent and credible international commission of inquiry, entrusted with the task of documenting all cases of enforced disappearance and missing persons, investigating their circumstances, collecting evidence on secret places of detention, and submitting periodic reports to the HRC. • Impose immediate sanctions on Israel by the international community, and initiate criminal investigations by the International Criminal Court (ICC) regarding crimes of enforced disappearance and unlawful detention. • Launch criminal investigations by the ICC, regarding crimes of enforced disappearance and unlawful detention. • Provide official mechanisms by the ICRC and local and international human rights organizations, enabling families to access accurate and immediate information on the fate of their relatives, preserving their right to know and alleviating their psychological suffering. 	<p>HRC UNGA ICC ICRC Working Group on Enforced or Involuntary Disappearances Special Rapporteurs Committee of Experts</p>
<p style="text-align: center;">At the national level</p> <p style="text-align: center;">Legislative framework</p>	<ul style="list-style-type: none"> • Draft a national law that defines, in precise terms, the missing and the forcibly disappeared, in consistence with international standards, such as the ICPPED. The law will also include provisions regulating the legal and human rights of the families of victims, including the right to access information about the fate of their relatives, and reparation for the harm caused to them, in line with the Prisoners and Released Prisoners Law. 	<p>PNA</p>
<p style="text-align: center;">Institutional framework</p>	<ul style="list-style-type: none"> • Establish an independent body mandated with documenting cases of missing persons and the forcibly disappeared, ensuring transparency and integrity in following up cases, and equipping the body with comprehensive investigative powers to coordinate with local and international bodies. 	<p>PNA</p>

Scope	Recommendation	Implementing Body
<p>Documenting violations for accountability</p>	<ul style="list-style-type: none"> Work with the families of victims to collect their testimonies while ensuring confidentiality for their protection. Use field investigation techniques and forensic evidence documentation, including photographs and videos, including those published through the Israeli occupying army’s platforms or by soldiers or civilian contractors, and refer cases of enforced disappearance and missing persons to the ICC as crimes against humanity. 	<p>Ministry of Justice (MoJ) MoFA</p>
<p>Procedures for reporting missing persons</p>	<p>Establish a unified database dedicated to missing persons</p> <ul style="list-style-type: none"> Develop a centralized electronic platform for collecting data on missing persons, managed in coordination between the MoI, human rights institutions, and specialized civil society organizations. This platform will enable families to enter basic information about the missing persons, such as name, age, descriptions, last place seen, and any additional information that may assist in their identification. <p>Emergency hotline</p> <ul style="list-style-type: none"> Allocate emergency numbers available around the clock for reporting missing persons, with trained teams provided to communicate with families, document data, and cooperate with local initiatives to ensure easy access to these numbers. <p>Specialized field teams</p> <ul style="list-style-type: none"> Establish field teams to document reports from displaced families, and involve local volunteers to provide logistical and humanitarian support. <p>Coordinate with hospitals and health centers</p> <ul style="list-style-type: none"> Link the central missing persons system with the data of hospitals and health centers to identify the missing who may be injured or deceased. 	<ol style="list-style-type: none"> MoI Public Prosecution Police MoH PRCS ICRC Local initiatives Civil society organizations ICHR

Scope	Recommendation	Implementing Body
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Random and mass graves and graves of unknown persons</p>	<ul style="list-style-type: none"> • Form a committee to establish a policy for documenting mass graves, random graves, and create a national registry of unidentified bodies, including photographs, fingerprints, forensic reports, DNA data, witness statements, and examining pre-published images on social media platforms regarding each grave or unidentified body. • Identify locations of random graves, mass graves, and graves of unidentified persons using satellite imaging techniques, conducting periodic reviews of satellite images, and relying on biometric databases and digital recognition to identify the remains through artificial intelligence. • Demand that the occupying forces immediately and systematically allow emergency, human rights, and medical organizations access to areas that witnessed bombardment or clashes, in order to conduct search and rescue operations, document victims, and ensure dignified burial of the dead. 	<p>1. MoI 2. Public Prosecution 3. Police 4. MoH 5. ICHR 6. MoJ 7. Ministry of Communications and Information Technology</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Victims under the rubble</p>	<ul style="list-style-type: none"> • Provide urgent support to the Palestinian Civil Defense to improve its capacities by equipping it with modern devices and equipment such as sound and vibration detection devices, thermal imaging cameras, lifting equipment and cutting tools, breathing and oxygen equipment, fire extinguishing equipment, among others, in addition to providing vehicles, equipment, and training. 	<p>PNA ICRC</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Missing or forcibly disappeared persons outside the geographic scope of the Gaza Strip</p>	<ul style="list-style-type: none"> • Demand that the Israeli occupying authorities provide official reports on the fate of the victims, especially those killed or arrested in October and November 2023 outside the boundaries of the Gaza Strip, and recognize and disclose of the identity and circumstances of the killing or discovery of remains sent to the Gaza Strip, which include unidentified bodies that are likely to belong to citizens from the Gaza Strip. 	<p>1. MoFA 2. ICRC</p>

The Missing and Forcibly Disappeared Persons in the Gaza Strip since October 7, 2023

Scope	Recommendation	Implementing Body
Awareness and advocacy	<ul style="list-style-type: none"> • Launch community awareness campaigns to highlight issues related to enforced disappearance and missing persons, including reporting and documentation procedures, and engage local and international media to expand the circle of community awareness. • Establish an independent committee comprising families representing victims, with the aim of supporting official and unofficial efforts and representing the demands of the victims' families, and consulting families as representatives of victims' interests. In this context, one committee may be formed to include both the forcibly disappeared and the missing. 	<ol style="list-style-type: none"> 1. Ministry of Information 2. Palestinian civil society organizations
Compensation	<ul style="list-style-type: none"> • Take all necessary measures to compel the occupying forces to provide information and data on forcibly disappeared and missing persons, including recourse to international courts such as the ICC and the International Court of Justice, as well as international mechanisms such as the Special Rapporteur, UNGA, and Security Council. • Compensate the families of victims through the provision of financial and social support, without prejudice to the right of the victims to obtain compensation due as a result of the practices of the occupation. • Establish psychological support centers to provide counseling and psychological support to bereaved families and designing community rehabilitation programs to alleviate the suffering of these families. 	<ol style="list-style-type: none"> 1. Civil society organizations 2. MoH 3. MoH 4. Ministry of Finance

Annexes:

Annex 1: Individual complaint form, ICHR Committee on Enforced Disappearances



WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES

COMMUNICATION FORM

1. INFORMATION CONCERNING THE DISAPPEARED PERSON

(A) * GIVEN NAMES(S):

(B) FAMILY NAME(S):
.....

(C) PSEUDONYMS OR OTHER FORMS BESIDES GIVEN NAME, BY WHICH HE
OR SHE MAY BE KNOWN:

(D) SEX: MALE / FEMALE / OTHERS / PREFER NOT TO SAY

(E) OCCUPATION/PROFESSION AND/OR AFFILIATION
.....

(F) FATHER'S NAME:

MOTHER'S NAME

(G) DATE OF BIRTH: (H) PLACE AND COUNTRY OF
BIRTH:

(I) WAS THE PERSON UNDER 18 YEARS OF AGE AT THE MOMENT OF THE DISAPPEARANCE?

_____ YES / _____ NO

(J) IDENTITY DOCUMENT (PASSPORT, NATIONAL IDENTITY CARD, VOTER'S CARD OR ANY OTHER RELEVANT NATIONAL IDENTITY CARD)

Type number

date of issue: place and country of issue:

(k) Nationality or nationalities

(l) Address of usual residence:

.....
.....

(m) Any other place of residence at the moment of the disappearance.

.....
.....

(n) Marital status:

(o) Member of an indigenous people: __ yes / __ no

(p) Pregnant: __ yes / __ no

2. INFORMATION CONCERNING THE FACTS

(a) * **Date of arrest, abduction or disappearance** (at least month and year)

(b) * **Place of arrest, abduction or where the disappearance occurred** (be as precise as possible, indicating street, city, province or any other relevant information)

.....
.....
.....

(c) * **If the person was seen after the disappearance, please indicate the date** (at least month and year)

.....
.....

(d) * **If the person was seen after the disappearance, please indicate where** (for example, if seen in a prison months after the initial arrest or abduction. Please, be as precise as possible. Indicate street, city, province or any other relevant information)

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.....
.....
.....

(e) **Please, provide a full description of how the disappearance took place.** Attach one page if necessary. Please note that, although this is not a required element, providing as detailed a description as possible of the circumstances of the disappearance will increase the chances of finding the person

.....
.....
.....

(f) * **State or State-supported forces believed to be responsible for the disappearance.** If the perpetrators are believed to be State agents, please specify and indicate who and why they are believed to be responsible. Be as precise as possible (military, police, persons in uniform or civilian clothes, agents of security services, unit to which they belong, rank and functions, identifications presented, etc.)

.....

.....
.....

(g) If you are unable to identify the perpetrators as agents of the State, please indicate why you believe that Government authorities, or persons linked to them, may be responsible for the incident

.....
.....
.....

(h) If there are witnesses to the incident, please provide their names and relationship to the victim. If they wish to remain anonymous, indicate if they are relatives, bystanders or others. If there is evidence, please specify.

.....
.....

(i) Additional Information on the case. Please indicate any other relevant information that could be useful to find the person

.....
.....

3. INFORMATION CONCERNING ACTIONS TAKEN AFTER THE DISAPPEARANCE

*** Indicate any action taken by relatives or others to locate the person** (police inquiries, jail visits, involvement of human rights commissions, habeas corpus petition etc.). You are required to state the following: *when*, by *whom*, and before *which organ* the actions were taken, and what was the outcome, if any.

(a) **Complaints** (*when, by whom, and before which organ/s, outcome*)

.....
.....
.....
.....

(b) **Other steps taken** (*when, by whom, and before which organ/s, outcome*)

.....
.....
.....
.....

(c) If no action was taken, please explain why

.....
.....
.....
.....

4. PERSON OR ORGANIZATION SUBMITTING THE COMMUNICATION

*** Person submitting the communication**

(a) Family name:

(b) Given name:

(c) Relationship with the disappeared person:

(d) Contact details (address, telephone, email)

.....
.....

*** Organization submitting the communication (if applicable)**

(e) Contact details (address, telephone, email):
.....
.....

5. CONFIDENTIALITY REQUEST

PLEASE STATE WHETHER THE FULL NAME(S) OF THE VICTIM SHOULD NOT APPEAR IN PUBLIC UN REPORTS

Yes, keep confidential: ____ No request for confidentiality: ____

*** Date:** **Place:**
.....

*** Signature of author:**

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