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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

Who Owns Palestine? Reading the Jurisdiction Clauses, the Military Order and the Treaty Standard

The 1995 Interim Agreement splits the West Bank into three jurisdictions and assigns title to none of them. What the governing instruments say.

Interim Agreement

Jurisdiction

Area C

Military Orders

Montevideo Convention

Sovereignty



The controlling instrument on the ground in the West Bank, the Israeli-Palestinian Interim Agreement of 28 September 1995, splits the territory into 3 kinds of jurisdiction and assigns title to none of them. The Interim Agreement states in its own final clauses that nothing in it prejudices the permanent status and that neither party has waived any existing right, claim or position. Beneath it sits Military Order 59 of 31 July 1967, which states that property Jordan held on 7 June 1967 vests in a Custodian of Government Property. Water ownership and import-tax revenue are each answered by a committee and a clearance rule rather than by an owner, and Israel's Supreme Court held in 1979 that a military administration may not create facts intended to outlast its rule while the fate of the territory is still unknown. Everyone arguing about who owns this ground is arguing about documents. So what do the documents say?

Key Findings

- Article XXXI of the Interim Agreement states that “Nothing in this Agreement shall prejudice or preempt the outcome of the negotiations on the permanent status,” and that neither party is deemed to have “renounced or waived any of its existing rights, claims or positions.” The clause after it bars either side from taking any step that changes the status of the West Bank and the Gaza Strip.
- Article XVII states 3 jurisdictions rather than one title: territorial jurisdiction over West Bank territory “except for Area C,” functional jurisdiction over the powers transferred to the Council, and personal jurisdiction over “all persons, except for Israelis.” The same article places 7 named subjects outside Palestinian jurisdiction altogether.
- Article XI states that land in Areas A and B comes under the Council's jurisdiction, “including government and Al Waqf land,” and that in Area C Israel transfers only “civil powers and responsibilities not relating to territory.” The Agreement prints no area percentage anywhere in its text.
- Military Order 59, signed on 31 July 1967 by the Commander of IDF Forces in the West Bank Area and published in its own Collection of Proclamations, Orders and Appointments, states that the determining day is 7 June 1967 and vests property that

belonged on that day to Jordan or another enemy state in a Custodian of Government Property.

- The Montevideo Convention of 1933 states in Article 1 that a state “should possess” 4 qualifications, the second of which is “a defined territory.”

Which instrument assigns sovereignty over the whole territory?

None of them does, and the Interim Agreement of 28 September 1995 states as much in three consecutive final clauses. Article XXXI provides that nothing in the Agreement “shall prejudice or preempt the outcome of the negotiations on the permanent status,” and that neither party is deemed “to have renounced or waived any of its existing rights, claims or positions.”

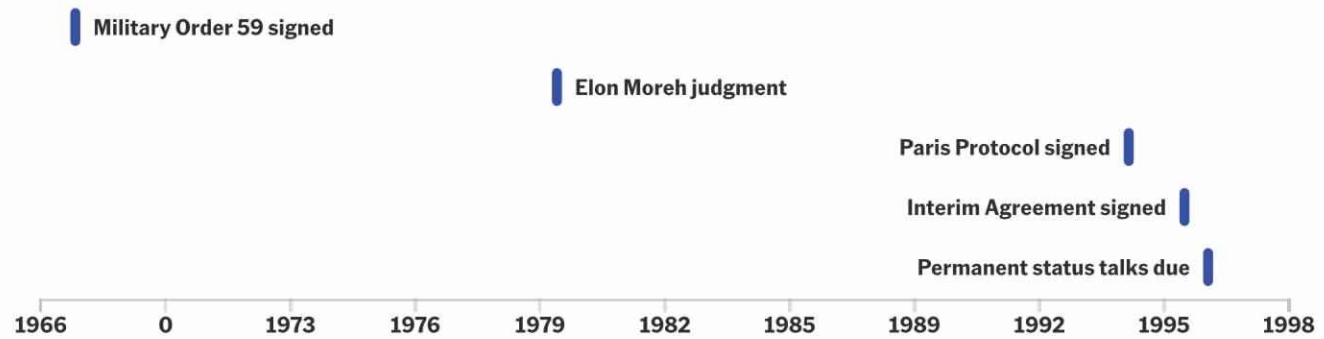
The clause that follows is the freeze. Article XXXI states that “Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.” It is symmetrical on its face and binds both parties, as does the non-waiver before it. The clause after that, repeating Article XI, records that the two sides “view the West Bank and the Gaza Strip as a single territorial unit.”

Three clauses, and each withholds a decision rather than making one. The Agreement was signed at Washington DC by Israel and the PLO, and it runs to a main text plus annexes, appendices and maps, which the Interim Agreement states “shall constitute an integral part hereof.” The schedules, the committee protocols and the maps are the instrument rather than commentary on it, and across all of that apparatus no clause names a sovereign over the territory it governs.

That is not something a reader has to infer from silence. The Agreement states in terms that the permanent status is unresolved, that entering into it cost neither side a claim it already held, and that neither side may change the status of the ground while the question stays open. A document drafted to settle ownership would have to say the opposite of all three.

The instruments that govern the ground, by date

EACH IS THE ENACTED OR SIGNED TEXT ITSELF



Source: *Commander of IDF Forces in the West Bank Area, 1967, Military Order 59*; *Israeli Supreme Court, 1979, HCJ 390/79*; *Government of the State of Israel and the P.L.O., 1994, Paris Protocol*; *Israel and the PLO, 1995, Interim Agreement, Article XXXI(5)*.

How does the 1995 agreement divide jurisdiction?

Three ways, and the Interim Agreement states all of them in Article XVII. Territorial jurisdiction covers West Bank territory “except for Area C” and “includes land, subsoil and territorial waters.” Functional jurisdiction “extends to all powers and responsibilities transferred to the Council.” Personal jurisdiction applies “to all persons, except for Israelis.” One of the three excludes a territory; one excludes a class of persons.

Jurisdiction	What the Agreement says it covers	What the Agreement excludes from it
Territorial	West Bank territory, and it “includes land, subsoil and territorial waters”	Area C
Functional	“All powers and responsibilities transferred to the Council”	Anything not transferred
Personal	“All persons”	Israelis

Source: *Israel and the PLO, 1995, Interim Agreement, Article XVII(2)*.

The three do not stack neatly, and the text says so. Article XVII records a notwithstanding clause: “the Council shall have functional jurisdiction in Area C, as detailed in Article IV of Annex III.” So the territory carved out of territorial jurisdiction is carved back in for a defined

list of functions, and a reader who wants to know what the Council may do in Area C has to leave the article and go to an annex.

Each of the three is defined by what it reaches, not by who owns what it reaches. Territorial jurisdiction covers land, subsoil and waters, which is the vocabulary of a power to govern a space rather than a claim to hold it. Functional jurisdiction exists only to the extent of a transfer, so another document measures it. Personal jurisdiction is drawn around a class of people rather than a place.

That is the shape of the whole instrument in one article. It settles what may be done, by whom, where and to whom, four questions that can all be answered without answering the fifth.

Does Israel hold effective control over the land?

It is often said that Israel holds effective control over the West Bank, and the signed Agreement states it in its own words. Article XVII records that “Israel, through its military government, has the authority over areas that are not under the territorial jurisdiction of the Council, powers and responsibilities not transferred to the Council and Israelis.”

The carve-out list sits in the same article. Article XVII states that outside the Council’s jurisdiction lie “Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations and Israelis.” That is **7 named subjects removed from Palestinian jurisdiction by the agreement itself**, and they are not marginal ones: they include the city, the borders, the settlements and the refugees.

Security is split the same way and by area. Article XIII states that the Council assumes “the powers and responsibilities for internal security and public order in Area A.” In Area B, Israel transfers responsibility for public order for Palestinians, while “Israel shall have the overriding responsibility for security for the purpose of protecting Israelis and confronting the threat of terrorism,” with 25 Palestinian police stations and posts provided for.

So the common statement is well founded, and the specific version of it is the stronger one, because it arrives with clause numbers attached. What the Interim Agreement records is an

authority defined residually: Israel holds what was not transferred, over the areas that are not under the Council's territorial jurisdiction, plus a class of persons. A residual authority is a wide one, and it widens further the less that is transferred.

None of that is a statement about title. Authority over an area and ownership of it are different legal facts produced by different clauses, and this Agreement writes only the first kind.

Which land did the agreement transfer, and which not?

Land in Areas A and B, and in Area C powers only. Article XI of the Interim Agreement states that "Land in populated areas (Areas A and B), including government and Al Waqf land, will come under the jurisdiction of the Council during the first phase of redeployment," while in Area C "Israel will transfer to the Council civil powers and responsibilities not relating to territory."

The four words that carry the section are "not relating to territory." In two areas the land itself moves under a jurisdiction; in the third, a list of civil functions moves and the territory is expressly kept out of the transfer.

Area	How the Agreement defines it	What Article XI transfers
Area A	"The populated areas delineated by a red line and shaded in brown on attached map No. 1"	Land, "including government and Al Waqf land"
Area B	Populated areas "shaded in yellow," plus the built-up hamlets listed in an appendix	Land, on the same terms as Area A
Area C	"Areas of the West Bank outside Areas A and B"	"Civil powers and responsibilities not relating to territory"

Source: Israel and the PLO, 1995, Interim Agreement, Articles XI(2) and XI(3).

Two areas are defined by a colour on a map and the third as the remainder, which is why the familiar percentages for Area C are not in this document. The words "per cent" appear once in the main Agreement, in the article on appointments to the Executive Authority, and nowhere in relation to territory. Any share quoted for Area C is a later measurement by

another body, and the report on [the published measurements of land taken](#) sets out what those bodies counted.

Article XII closes the loop between the areas and the settlements. It states that “the Settlements’ means, in the West Bank the settlements in Area C,” so the area from which territory was withheld is by definition the area where the settlements are.

Which questions did the parties defer to permanent status?

The parties enumerated 6 subjects themselves, and added a residual clause. Article XXXI of the Interim Agreement states that permanent status negotiations “will commence as soon as possible, but not later than May 4, 1996,” and that they “shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest.”

This is the parties’ own list, written into the instrument they both signed, and it is a better answer to what is unresolved than any later summary of it. Three of the 6 subjects, Jerusalem, settlements and borders, also appear on the Article XVII list of matters outside the Council’s jurisdiction. The same subjects are therefore excluded from Palestinian jurisdiction during the interim period and reserved for a negotiation about the period after it, which is a deliberate pairing rather than a coincidence of drafting.

The date is the only hard figure in the clause. Permanent status talks were to commence no later than 4 May 1996, a deadline the Interim Agreement fixes to the day and attaches to no outcome.

The list is not exhaustive of what the Agreement defers, and reading it as a complete inventory understates the deferral. Annex III states that water rights and the ownership of water and sewage infrastructure go to the same negotiation, and the enumeration itself leaves open a wider category of “other issues of common interest.”

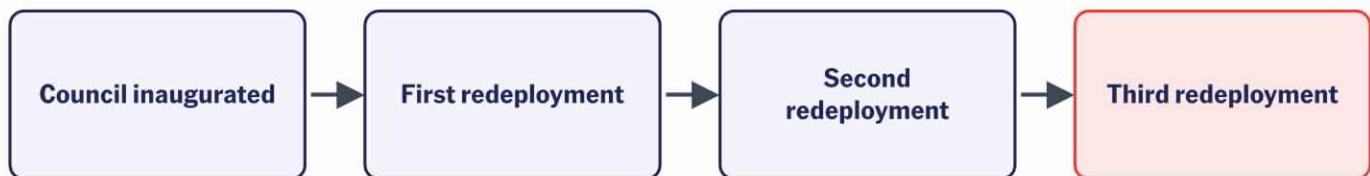
What the clause does not do is indicate an outcome for any subject on it. The Interim Agreement records the list and the deadline, and the two clauses quoted in the first section above state plainly that nothing in it anticipates how any of them will be resolved.

How long was the interim division meant to run?

Eighteen months, on the face of Annex I to the Interim Agreement. Annex I states that there are three further redeployments, “each to take place after an interval of six months,” to be completed “within 18 months from the date of the inauguration of the Council,” and that after the Council is inaugurated “the Israeli Civil Administration will be dissolved and the Israeli military government will be withdrawn.”

Article XI of the main text records the same schedule, and an appendix to Annex I names the three phases at six, twelve and eighteen months. The structure is a clock: a starting event, three intervals, and a described end state in which one administration is dissolved and the other withdrawn.

The redeployment schedule the text sets out



The schedule as written, not a record of what took place.

Source: Israel and the PLO, 1995, Interim Agreement, Article XI(2)(d), with Annex I, Article I(9) and its Appendix 1.

The 18 months is what the text promises, and it is never a description of what happened. That the interim period has now run for three decades is a fact about the years since 1995, established by other records and dated by them, and this instrument cannot be cited for it. The distinction governs the whole section: a schedule written into an agreement is evidence of an intention on the day of signature and of nothing later.

It bears on the ownership question in one specific way. The division into three areas, the residual authority described above, and the custody arrangements described below were all drafted as temporary allocations pending a negotiation with a start date attached. A temporary allocation is a weak instrument to read a permanent title out of, and the Interim Agreement states that it is not to be read that way.

Who holds the property that was Jordan's on 7 June 1967?

Military Order 59, signed on 31 July 1967, vested it in a Custodian of Government Property. The order states that the determining day is 7 June 1967 and defines Government Property to include property that belonged on that day to an enemy state, defined as “the Hashemite Kingdom of Jordan or any other enemy state,” including a corporation in which such a state held any right, direct or indirect.

The operative provision is one sentence. Military Order 59 states that the Custodian may take possession of government property and take any step he deems necessary for that purpose. A later article records the good-faith rule: a transaction made in good faith between the Custodian and another person, over property the Custodian took at the time for government property, stands “even if it is proved that the property was not government property at that time.”

The order runs to 8 articles, is published by the issuing authority in its own Collection of Proclamations, Orders and Appointments, and entered into force on 7 July 1967, twenty-four days before the date it carries as its signature. No official English text of it exists there or anywhere else the issuing authority publishes, so every English wording in circulation is a working rendering rather than the instrument.

Two absences in the 1967 text are worth stating precisely, because later machinery is often attached to this order that is not in it. The eight articles carry no declaration procedure, no objection window and no appeals committee. What they carry is a definition keyed to a single date, a custodian, and a rule protecting transactions the custodian makes.

Custody is not title, and the order does not claim it is. It moves the holding of property from a state that no longer administers the territory to an officer appointed by the military commander who does, and leaves ownership where it found it. Who held title to particular ground before 1948 is a separate record, read in the report on [who owned the land of Palestine](#).

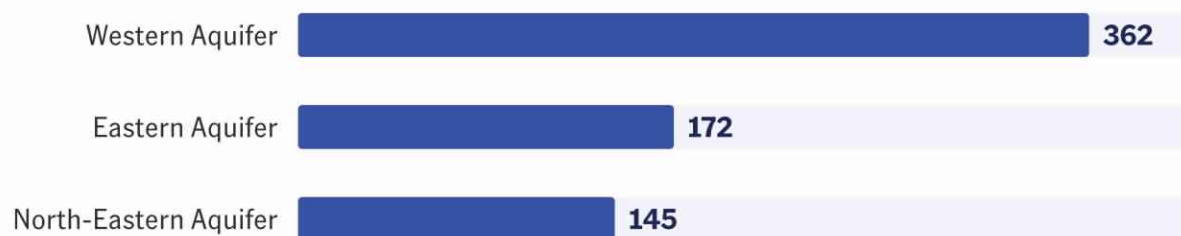
Who owns the water under the West Bank?

The Interim Agreement recognizes a right and defers the ownership in the same paragraph. Annex III states: “Israel recognizes the Palestinian water rights in the West Bank. These will be negotiated in the permanent status negotiations and settled in the Permanent Status Agreement relating to the various water resources.” A later paragraph defers ownership of the water and sewage infrastructure the same way.

What the instrument supplies in place of an owner is a committee. Annex III establishes a permanent Joint Water Committee, gives it “an equal number of representatives from each side,” and states that “All decisions of the JWC shall be reached by consensus, including the agenda, its procedures and other matters.” A schedule to the same article states that prior committee approval is mandatory for all licensing and drilling of new wells and all development of water resources “by either side.”

What the Agreement prints about the aquifers instead of an owner

AVERAGE ANNUAL ESTIMATES, IN MILLION CUBIC METRES A YEAR



Source: Israel and the PLO, 1995, Interim Agreement, Annex III, Appendix 1, Article 40, Schedule 10, headed Data Concerning Aquifers. The schedule states that all figures are average annual estimates and gives total annual recharge as 679.

That schedule is headed “Data Concerning Aquifers” and it is not the quota schedule. Annex III required the committee to prepare a separate schedule of extraction quotas within three months of signature and to update it yearly, and the aquifer data was to be the basis and guidelines for the committee’s work rather than the allocation itself. The widely quoted figure of 118 million cubic metres for the Palestinian share is arithmetic performed on the six Palestinian lines of that data table, and it appears nowhere in the text.

Whether a consensus rule with parity of representation produced a veto, a deadlock or something else is an empirical question about the years since 1995, and no clause answers it.

Article 40 also governs the West Bank alone: a closing paragraph leaves the prior arrangements for the Gaza Strip unchanged.

Who owns the import taxes collected at the crossings?

The Paris Protocol of 29 April 1994 answers with a clearance rule rather than an owner.

Article III states that clearance “will be based on the principle of the place of final destination,” and that “This revenue clearance will be effected within six working days from the day of collection of the said taxes and levies.” Its 1995 Supplement adds a 3% deduction.

The Supplement is explicit about what the deduction is for: “Israel will deduct 3% from each transfer to the Palestinian side of import taxes and other indirect taxes, in order to cover Israel’s administrative costs in collecting these taxes and in handling matters related to them.” The **3% belongs to the 1995 Supplement and not to the 1994 Protocol**, a seventeen-month misdating that is the standing error made about this instrument.

How import tax revenue moves under the Protocol



The interval and the deduction are the only figures the two texts attach to the transfer.

Source: Government of the State of Israel and the P.L.O., 1994, Protocol on Economic Relations, Article III, paragraph 15; the 1995 Supplement to it, paragraph 4.

The customs envelope sits around all of it. The Paris Protocol states that, except for goods on named lists, both sides “will maintain the same import policy ... and regulations including classification, valuation and other customs procedures,” as applied by Israel to its own importation. Revenue is therefore collected inside one policy and then divided by a destination test.

The Protocol contains no withholding power and no suspension clause. Nothing in Article III authorises either side to hold back cleared revenue, and the only interval the text names is the six working days. A transfer that does not arrive is conduct measured against that clause, never a provision of it, and the ownership of the revenue is settled by a rule about where the goods were going rather than by any statement about whose money it is.

Can a temporary requisition support a permanent settlement?

Israel's Supreme Court held that it cannot, on an independent ground, in 1979. In HCJ 390/79 the Court ruled that "a military administration cannot create within its territory 'facts on the ground' for the purposes of its military needs that were in advance intended to exist past the end of the military rule in that area, when the fate of the territory after the end of the military rule is yet unknown."

The judgment states that this ground "stands independently, even without regard to the other reasons I have so far detailed." The order nisi was made absolute over the petitioners' registered plots, about 125 dunams inside an order of possession covering about 700 dunams, and the respondents were given 30 days to comply.

What the Court did not hold matters as much as what it did. Israel's Supreme Court recorded expressly that possession of privately owned land for a civilian settlement "is potentially justified under Article 52 of the Hague Regulations," and the petition succeeded on the facts of that one requisition, where the Court found the political level had initiated the settlement and the military approval had followed. The rule that settlements be established only on State land is a government resolution taken after this judgment, not a holding inside it, and no settlement, settler or land-area total can be derived from the case.

The judgment was given on 22 October 1979, a date worth stating because the English translation in general circulation prints 10 October on its closing line.

The sentence that travels furthest is the one about the unknown fate of the territory. Israel's Supreme Court stated in 1979 that the ownership of the ground was an open question, and the agreement signed sixteen years later stated the same thing in its own final clauses. Two

instruments of very different kinds, a domestic judgment and a bilateral agreement, decline the question in almost the same words.

What does the 1933 treaty standard require of a state?

Four qualifications, and the Montevideo Convention of 1933 states them in a single article. Article 1 provides that a state “should possess the following qualifications: a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with the other states.”

Three features of that sentence are routinely misquoted and each changes what it asks. The Montevideo Convention states “should possess,” not “must.” The third qualification is “government,” bare, and the word “effective” appears nowhere in Article 1. The fourth is capacity to enter into relations with “the other states,” a definite article usually dropped in the quoting.

The Convention separates statehood from recognition. The Montevideo Convention states that “The political existence of the state is independent of recognition by the other states,” and that even before recognition a state may defend its integrity, organize itself and define the jurisdiction of its courts. Article 11 records “the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force.” How many states have extended recognition to Palestine, and when that changed, is a separate count, set out in the report on [the statehood votes](#).

Four limits belong with the four qualifications. The Convention names no organ to decide whether an entity satisfies Article 1. It is a regional treaty, signed at Montevideo by nineteen American republics, and binds each party only from the deposit of its own ratification. Its English and Spanish columns are both authentic and do not read identically. And on Article 11 the delegates of Brazil and Peru recorded “that they accept the doctrine in principle but that they do not consider it codifiable.”

Set against that second qualification, a defined territory, the instruments read above define jurisdictions, custodies, committees and clearance rules. What they do not define is the thing the qualification asks for.

Methodology

This report reads 5 primary instruments and states what each one says. Every quotation is from an enacted or signed text: the Israeli-Palestinian Interim Agreement of 28 September 1995 with its Annexes I and III, in the English version published by the Israeli Ministry of Foreign Affairs, one of the two signatories; Military Order 59 of 1967, published by the issuing authority in its own Collection of Proclamations, Orders and Appointments; the Protocol on Economic Relations of 29 April 1994 and its 1995 Supplement; the judgment in HCJ 390/79; and the Convention on Rights and Duties of States of 1933, read from the depositary's scan.

The frame is documentary: what the instruments provide, and what each leaves to a later negotiation. Nothing here weighs the historical claims the same territory attracts, and no quantity is derived that the texts do not print, which is why no area percentage, no water allocation total and no settlement count appears above.

Three translation limits bind the quotations. Military Order 59 has no official English text, so its provisions are described from the Hebrew rather than quoted in English; the 1979 judgment is quoted from the Cardozo Israeli Supreme Court Project translation, which is not the court's own English and misprints the judgment date; and the Montevideo Convention was signed in four languages, of which the English and Spanish columns differ in force on Article 1.

Two retrieval facts are worth recording because they affect who can check this. The Israeli government site returns an error to ordinary fetching and serves the Oslo and Paris Protocol pages as a JavaScript application, and the Supreme Court's own site resets automated connections. Both are obstacles to a machine and not to a human reader, who can open these texts in a browser.

One gap is real and is not filled here. These instruments govern the West Bank; Annex III leaves the prior water arrangements for the Gaza Strip unchanged, and no instrument governing jurisdiction in Gaza after 2005 was consulted. Nor does any source read here measure how the ownership framing relates to antisemitism, so that question is recorded as unanswered rather than answered thinly.

Conclusion

Everyone arguing about who owns this ground is arguing about documents, and the West Bank instruments answer the same way: by stating what they are not deciding. The Interim Agreement divides jurisdiction three ways and records in three consecutive final clauses that it prejudices nothing, waives nothing and permits neither side to change the status of the territory. It transfers land in two areas and, in the third, only powers not relating to territory. It lists the subjects the parties left for later, with a date attached to the conversation and nothing attached to the outcome.

The instruments underneath it behave identically across every kind of thing that can be owned. Land in Area C is held back from a transfer that moves land elsewhere. Property that was Jordan's on a fixed day in June 1967 went to a custodian with power to take possession and a clause protecting his transactions, which is a holding arrangement rather than a title. Water rights are recognized in one sentence and deferred in the next, with a parity committee deciding by consensus in place of an owner. Import revenue is divided by where the goods were going. And Israel's Supreme Court, sixteen years before the Agreement, described the fate of the territory as yet unknown.

The Montevideo Convention asks a state for a permanent population, a defined territory, government, and the capacity to enter into relations with other states. Four qualifications, and the second is the one every instrument here declines to supply. That is a strange result for a question people fight about with such certainty, and it leaves a plainer one behind. If the documents that actually govern this ground were drafted to avoid deciding who owns it, what is being asserted when someone says the answer is obvious?

Frequently Asked Questions

Why do these instruments cover the West Bank and not Gaza?

Because that is how they are scoped. Annex III states that water arrangements for the Gaza Strip remain unchanged, and Military Order 59 was issued by the commander of the West Bank area. The Interim Agreement does record that the two sides view the West Bank and the

Gaza Strip as “a single territorial unit,” which is a statement about status rather than a common set of operating provisions.

Does the Interim Agreement say what share of the West Bank Area C is?

No. The words “per cent” appear once in the main Agreement, in an article about appointments to the Executive Authority, and never in relation to territory. Article XI states that Areas A and B are defined by a red line and a colour on an attached map and that Area C is whatever lies outside them, so any percentage comes from a later measurement by another body.

Does the Elon Moreh judgment mean settlements are unlawful?

No, and the judgment says so directly. Israel’s Supreme Court held in HCJ 390/79 that taking possession of privately owned land for a civilian settlement “is potentially justified under Article 52 of the Hague Regulations,” and struck down the particular order of possession because it found the decision had been driven by the political level rather than by a military need.

Is there an official English text of Military Order 59?

There is not. The order is published in Hebrew and Arabic in the issuing authority’s Collection of Proclamations, Orders and Appointments, and no English version appears there. Every English wording in circulation is an unofficial rendering by whoever translated it, which is why this report describes its provisions rather than quoting them.

How large is a dunam, the unit used in the Elon Moreh judgment?

A metric dunam is 1,000 square metres, a tenth of a hectare. The petitioners’ registered plots in that case were about 125 dunams, roughly 0.125 square kilometres, inside an order of possession that covered about 700 dunams.

Does the Montevideo Convention bind states outside the Americas?

Not by its own terms. It was signed at Montevideo by nineteen American republics, and the Montevideo Convention states that ratifications are deposited with the Pan American Union and that it enters into force between the parties in the order in which they deposit them.

Whether Article 1 also states customary law binding beyond the parties is an argument made in the legal literature, not a claim the treaty makes about itself.

Sources

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

How Does AIPAC Influence Lawmakers? Four Registers, Four Statutes, and What Each One Records

AIPAC reported \$3,757,105 in lobbying income for 2025, about 0.07% of federal lobbying. Four disclosure regimes, and what each one does and does not record.

AIPAC

Lobbying Disclosure

Campaign Finance

FARA

Federal Records



The word people reach for to describe what the American Israel Public Affairs Committee does in Washington is lobbying, and it names the smallest and most fully itemized of four separate disclosure records: AIPAC reported **\$3,757,105** in lobbying income for calendar year 2025 across four quarterly reports filed with the Senate Office of Public Records under the Lobbying Disclosure Act of 1995, about 0.07% of the \$5.1 billion of federal lobbying OpenSecrets tabulates for that year. The larger sums that circulate in arguments about the organization's influence belong to two other statutes and a different filing office: \$3,037,900 in direct contributions to federal candidates and \$37,860,200 in independent expenditures, both for the 2023 to 2024 election cycle, and the second of those is uncoordinated with any campaign by the statutory definition that permits it. A fourth register, the Department of Justice list of registrants under the Foreign Agents Registration Act, records no AIPAC entry among 536 active and 6,540 terminated records. None of the four documents whether a lawmaker's position moved.

Key Findings

- AIPAC reported \$3,757,105 in lobbying income for calendar year 2025 on four quarterly reports filed with the Senate Office of Public Records: \$963,135.00, \$880,060.00, \$940,000.00 and \$973,910.00.
- The amount sits on the income line of the form and not the expense line. The Senate Office of Public Records records no outside-firm compensation for the year, so the whole reported total is in-house, across 10 named lobbyists on OpenSecrets' profile of the same filings.
- OpenSecrets' tabulation of Senate Office of Public Records filings puts federal lobbying at \$5.1 billion for calendar year 2025, across 13.7 thousand lobbyists, and publishes a ranked field of the 20 largest clients running from \$72.2 million down to \$13.5 million. AIPAC does not appear in it.
- Federal Election Commission filings record \$3,037,900 in direct contributions to 347 House candidates and 20 Senate candidates for the 2023 to 2024 cycle, capped at \$5,000

per candidate per election, and \$37,860,200 in independent expenditures for the same cycle, on OpenSecrets' tabulations.

- The Department of Justice register records no registrant named American Israel Public Affairs Committee among the 536 active or 6,540 terminated records under the Foreign Agents Registration Act, searched 19 August 2026.

What does AIPAC file under the word “lobbying”?

AIPAC reported **\$3,757,105** in lobbying income for calendar year 2025, filed with the Senate Office of Public Records in four quarterly reports under the Lobbying Disclosure Act of 1995. The register describes the registrant, in its own words, as a “Lobby focused on U.S. Middle East foreign policy,” and records AIPAC as its own client.

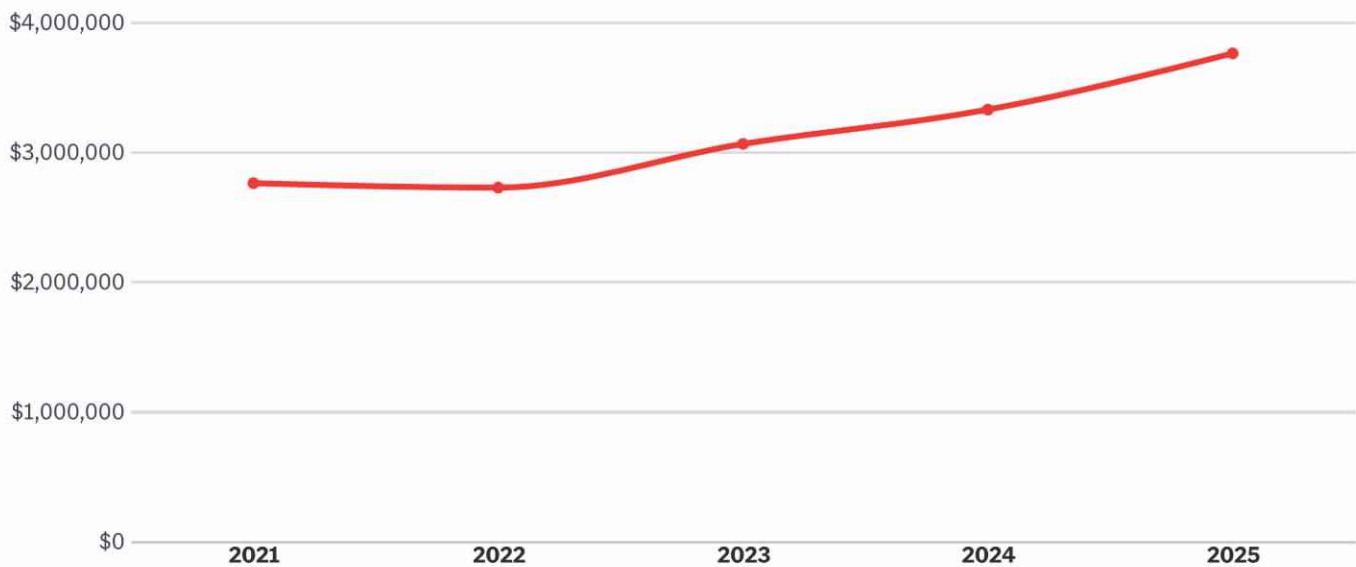
The Senate Office of Public Records publishes the four filings for the year as \$963,135.00 for the first quarter, posted 18 April 2025; \$880,060.00 for the second, posted 17 July 2025; \$940,000.00 for the third, posted 16 October 2025; and \$973,910.00 for the fourth, posted 15 January 2026. All four were digitally signed by the same filer.

The Senate register records the registrant under Senate ID# 2718-12, House ID# 310950000 and registrant record 2718, with a client effective date of 1 October 2015. Item 7 of the form, which identifies the client on whose behalf the registrant is lobbying, carries the “Self” checkbox and repeats the registrant’s own name. That is the structural fact about this register, and it governs how every figure in the next section reads: AIPAC is not a firm retained by a client, it is an organization filing for itself.

Read across five years on the same register, the reported total is \$2,757,247 for 2021, \$2,723,081 for 2022, \$3,059,885 for 2023, \$3,324,268 for 2024 and \$3,757,105 for 2025, the highest of the five and the fourth consecutive annual rise.

AIPAC reported lobbying income, 2021 to 2025

FOUR QUARTERLY REPORTS A YEAR, FILED UNDER THE LOBBYING DISCLOSURE ACT



Source: United States Senate, Office of Public Records, Lobbying Disclosure Act register.

The Lobbying Disclosure Act register records what was filed. It does not record what any filing achieved, and no line on the form asks.

Is the reported \$3.76 million money AIPAC spent or money it received?

The **\$973,910.00** AIPAC reported for the fourth quarter of 2025 sits on the income line of the form, not the expense line. The income line reads “INCOME relating to lobbying activities for this reporting period was:” and carries a checked box beside that amount. The expense line beneath it is blank on the same report, with neither box checked and the dollar field empty.

The form does not leave the choice open. Line 12 is headed “12. Lobbying” and collects income; line 13 is headed “13. Organizations” and collects expense; the instruction printed with them reads “INCOME OR EXPENSES - YOU MUST complete either Line 12 or Line 13.” AIPAC completes the income line in each of the four reports for 2025 and leaves the expense line empty.

The distinction changes the sentence a reader can defensibly write. What the register supports is that AIPAC reported \$3,757,105 in lobbying income for calendar year 2025, not that it spent that sum. A registrant filing as its own client reports on the income line what it received for the lobbying it did, and an organization reporting its own outlay would complete the other line instead.

Two further properties of the record travel with the number. A quarterly lobbying report is a good-faith estimate certified by the filer rather than an audited account, and the Senate Office of Public Records publishes it as filed, with nothing in the register checking the arithmetic before it posts. The form's own instruction asks for an estimate "rounded to the nearest \$10,000," and the amounts filed for the first and fourth quarters are \$963,135.00 and \$973,910.00.

No line on the form asks what the money bought, so the amount is the whole of what this register reports about it.

AIPAC reports 10 in-house lobbyists and \$0 to outside firms

AIPAC reports **10** named lobbyists, all working in house, and \$0 paid to outside firms for calendar year 2025, on OpenSecrets' profile of the same filings. The Senate register records the same thing from the filings themselves: no outside-firm compensation appears for the year, so the entire reported total is in-house.

The Lobbying Disclosure Act register records two kinds of registrant. A firm retained to lobby for someone else files for each client and reports what that client paid it. An organization lobbying for itself files once and reports its own lobbying income. AIPAC is the second kind, and the register shows nothing on the first side of that ledger for 2025.

That makes the record unusually clean and unusually narrow at once. Ten named individuals and one registrant account for the whole reported figure, and the four quarterly totals sit close together across the year, from \$880,060.00 at the low to \$973,910.00 at the high. There is no fluctuating roster of outside firms to reconcile, and no second registrant reporting payments from the same client.

What the record does not carry is a lawmaker. The filing names the registrant, the client, the amount and the lobbyists; no line on the quarterly form asks for the name of a member of Congress, and none appears in it. A reader who wants recipients by name has to leave this register entirely, and the campaign-finance filings covered further down are the only channel of the four that produces such a list.

The profile counts and the dollar figure come from two places for a reason. The Senate Office of Public Records holds the filing and is cited here for the amount; the aggregator is cited for the lobbyist count and the in-house and outside-firm split, which the register supports and does not itself tabulate.

The reported lobbying total is about 0.07% of federal lobbying

OpenSecrets' tabulation of Senate Office of Public Records filings puts federal lobbying at **\$5.1 billion** for calendar year 2025, against which AIPAC's reported \$3,757,105 is about 0.07%. That total is published rounded, so the share is approximate rather than exact, and AIPAC does not appear in the ranked field of the largest clients the same tabulation publishes.

The published field runs 20 deep. US Chamber of Commerce reported \$72.2 million, the largest of the twenty, and NCTA The Internet & Television Assn closes the field at \$13.5 million, with the National Assn of Realtors at \$54.4 million, Pharmaceutical Research & Manufacturers of America at \$38.2 million, Meta at \$26.3 million and Lockheed Martin at \$15.7 million among the entries between. The Senate Office of Public Records holds 88.7 thousand quarterly reports for the year, filed by 13.7 thousand lobbyists, on the same tabulation.

AIPAC's reported total is roughly a nineteenth of the top-ranked client's and about 28% of the twentieth-ranked client's. Because the published field stops at 20, no rank for AIPAC can be read off it, and none is stated here.

Reported federal lobbying, calendar year 2025

FIVE CLIENTS FROM THE PUBLISHED RANKED FIELD, AGAINST AIPAC



Source: OpenSecrets, 2026, tabulating Senate Office of Public Records filings.

The comparison is worth stating precisely, because the word lobbying carries most of the weight in public argument about this organization while naming the smallest of its reported channels. Two of the other three records in this report are larger, one of them by roughly ten times, and neither of those two is a lobbying report at all.

Which filing records money reaching a candidate directly?

\$3,037,900 in direct contributions to federal candidates in the 2023 to 2024 cycle is the one channel here whose filing names every recipient, on OpenSecrets' tabulation of Federal Election Commission records. It itemizes 347 House candidates and 20 Senate candidates, against a statutory ceiling of \$5,000 per candidate per election for a multicandidate committee.

AIPAC PAC reported the contributions to the Federal Election Commission as committee C00797670, and the ceiling is set at 52 U.S.C. 30116. A cap of that size produces a particular shape of record: many small entries rather than a few large ones. The largest single recipient total in the cycle was \$20,000.

Recipients are candidates, not office-holders. The 347 House candidates and 20 Senate candidates in the tabulation include people who were not members of Congress at the time,

so the count is not a count of sitting lawmakers and cannot be read as one.

Set beside the lobbying register, the contrast is the reason for putting the two records next to each other. The campaign-finance filing names every recipient, itemizes every amount and dates every transaction. The Lobbying Disclosure Act register records no recipient at all for the same organization over the same period, because a quarterly lobbying report is a report about a registrant rather than about the people it lobbies. The two documents answer different questions, and only one of them produces a list of names.

The donor side of this channel is itemized as well, and the separate question of where the chain of names stops is measured in the Institute's report on [donor disclosure in AIPAC's election spending](#).

Does the largest reported channel reach a campaign at all?

Federal Election Commission filings record **\$37,860,200** in independent expenditures by United Democracy Project for the 2023 to 2024 cycle, the largest of the three dollar totals here, and by the statutory definition that permits such spending it is uncoordinated with any campaign. It is money spent about a race rather than money given to one, and no candidate receipt corresponds to it.

The committee is Federal Election Commission committee C00799031. OpenSecrets' 2025 tabulation of its filings gives the directional split as \$14,067,863 supporting Democrats, \$20,786,780 opposing Democrats, \$0 supporting Republicans and \$3,043,662 opposing Republicans, with more than \$14.6 million in a single House race, New York's 16th District in 2024. What that spending did or did not do to the [candidates it ran against](#) is a separate question with its own record.

The four directional figures do not sum to the reported total. They add to \$37,898,305, about \$38,105 above the \$37,860,200 the same tabulation gives as the cycle total. The gap is stated here because a reader adding the four columns finds it in one addition.

United Democracy Project reported uncapped spending, and it is uncapped precisely because the spending is uncoordinated. So the largest figure in this report is also the one furthest from

a lawmaker. It enters no campaign account, it is received by no candidate, and there is no recipient for the filing to name. Federal Election Commission filings record the race, the direction, the amount and the date. What they do not record is any effect, and no line asks for one.

Why can the three reported totals never be added together?

The **\$3,757,105** in lobbying income AIPAC reported is a calendar-year figure filed under the Lobbying Disclosure Act of 1995. The \$3,037,900 in direct contributions and the \$37,860,200 in independent expenditures are election-cycle figures filed under campaign-finance law. Three statutes, three forms, two reporting clocks, and adding them produces a number that no filing reports.

The three are often combined into a single total for what the organization spends on influencing Congress. What the records support is narrower: each figure is a complete answer to the question its own statute asked, and none of them is a component of a larger one. The Senate Office of Public Records holds the first, and the Federal Election Commission holds the other two.

Channel	Statute and filing	Reporting period	What the filing itemizes
Lobbying income, \$3,757,105	Lobbying Disclosure Act of 1995, quarterly report to the Senate Office of Public Records	Calendar year 2025	Registrant, client, named lobbyists, amount
Direct contributions, \$3,037,900	52 U.S.C. 30116, capped per candidate per election, filed with the Federal Election Commission	Election cycle, 2023 to 2024	Every candidate recipient and every amount
Independent expenditures, \$37,860,200	Uncoordinated by the definition permitting them, filed with the Federal Election Commission	Election cycle, 2023 to 2024	Race, direction, amount and date

Source: United States Senate, Office of Public Records, Lobbying Disclosure Act register; OpenSecrets, 2025, tabulating Federal Election Commission filings.

The clocks alone defeat the addition, since a calendar year and a two-year election cycle are different windows over different months. The units defeat it more thoroughly. A dollar in the first row is income to an organization. A dollar in the second is a receipt in a candidate's account. A dollar in the third never reaches a candidate at all. Summing them treats three different things as one quantity, and the sum has no filing behind it.

Why can AIPAC's charitable affiliate fund longer trips than AIPAC?

The Guardian counted at least **15** American Israel Education Foundation delegations attended by 26 Democratic and 52 Republican representatives since 7 October 2023, at more than \$4.2 million, in its tabulation of House ethics filings. Under the 2007 congressional travel rules a lobbying organization may generally sponsor only single-day travel, while a 501(c)(3) may sponsor longer trips.

The rule turns on the sponsor rather than on the traveller. AIPAC is a registrant under the Lobbying Disclosure Act, which is what places it inside the single-day restriction. The Foundation is a separate charitable organization, it is the sponsor named on the delegations, and the restriction does not reach it.

The trips are disclosed, and not in any of the four registers above. The House Committee on Ethics holds the pre-travel approvals and the Clerk of the House records the post-travel disclosures, which is a different filing office again from the two that hold everything else in this report. The Guardian reported the total at more than \$4.2 million and the average above \$26,600 per member, in its analysis of 2 June 2026.

Both characterisations of what the delegations are for belong on the page. The American Israel Education Foundation states that its missions are educational. The Guardian's account describes the travel as lavish. The filings themselves record the sponsor, the destination, the dates, the cost and the traveller's name, which is a great deal more than the lobbying register records about any single activity, and still not an account of what any trip changed.

Is AIPAC registered under the Foreign Agents Registration Act?

The Department of Justice register records no registrant named American Israel Public Affairs Committee, and no record carrying the string AIPAC or American Israel, among the 536 active or 6,540 terminated records under the Foreign Agents Registration Act, searched 19 August 2026. The terminated list reaches back to a registration of 1 March 1943.

Israel-linked American organizations do appear on the same list, which is what makes the absence a measurement rather than an insinuation. The Department of Justice register records two active registrants at one New York address: World Zionist Organization - American Section, Inc., registration number 2278, registered 21 September 1971, and Jewish Agency - American Section, Inc., number 6191, registered 29 October 2013. Terminated entries include Israel Information Services, number 543, registered 1948 and terminated 1971, and the Israel Government Tourist Office, number 620, running from 1950 to 1988.

The two active comparators are American sections of parent bodies based abroad, which is a different structural relationship from AIPAC's, and the difference is worth stating rather than leaving to inference. An American section is an arm of an organization headquartered outside the United States. AIPAC is an American membership organization, and the Lobbying Disclosure Act register records its quarterly filings as its own client.

What the register establishes is narrow and exact. On the date searched, the list did not contain the name. It does not establish that registration was owed, sought, refused or resolved either way, because the records read here contain no determination of any kind about this organization. The disclosure that does exist for AIPAC is the Senate register in the earlier sections of this report, where it files quarterly under its own name.

What does the foreign-agent statute actually exempt?

22 U.S.C. 613(h) exempts from registration “Any agent of a person described in section 611(b)(2) of this title or an entity described in section 611(b)(3) of this title if the agent has engaged in lobbying activities and has registered under the Lobbying Disclosure Act of 1995 in connection with the agent’s representation of such person or entity.”

The cross-reference is what gives the exemption its shape, because the United States Code states the definition of a foreign principal at 611(b) in three paragraphs and the exemption

names only two of them. Paragraph (1) covers a government of a foreign country and a foreign political party. Paragraph (2) covers a person outside the United States, with stated exceptions for United States citizens domiciled here and for entities organized under United States law with their principal place of business here. Paragraph (3) covers a partnership, association, corporation, organization or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country.

Read together, the exemption reaches an agent of a principal described in paragraph (2) or paragraph (3), and it does not by its terms reach an agent of a principal described in paragraph (1). Registration under the Lobbying Disclosure Act is the condition it attaches, and the Senate Office of Public Records holds that registration, which is why the first register in this report and the fourth are connected by statute and not merely by subject.

That is where the text stops, and this section stops with it. The statute says which exemption exists and how far it reaches. It does not say which paragraph any particular principal falls under, whether any particular organization is an agent of a foreign principal at all, or whether the exemption applies to it. No court or agency determination on those questions appears in the records read for this report.

Do any of these registers measure whether a lawmaker moved?

A peer-reviewed study of AIPAC donations to members of Congress after the 2023 Israel-Hamas war (Küçük, 2025) finds that members who sponsor pro-Israel bills receive more campaign contributions, and that members facing stronger electoral competition attract more targeted donations. None of the four registers measures whether a lawmaker's position moved.

Two limits sit on that finding and the study states both. It measures bill sponsorship rather than roll-call votes, and sponsorship is a voluntary individual act with a different base rate from voting on a scheduled question, so a result about the one does not transfer to the other. Its design is correlational, and it cannot separate contributions that follow a position a member already held from contributions that shaped one.

The registers carry the same limit, not as a caveat about a method but as a property of the record. The Lobbying Disclosure Act register records what a registrant filed: a name, a client, an amount, a quarter. It records nothing about what any lobbying accomplished. Federal Election Commission filings record a race, a direction, an amount and a date, and they record no effect, which follows from what an independent expenditure is, since uncoordinated spending has no recipient whose behaviour a filing could track.

So the honest answer about the question these four records are most often asked to settle is that they are not instruments for it. They were built to make money visible, and they do that with unusual precision, down to the dollar and the quarter. Whether a lawmaker's position moved, and why, is measured by a different kind of study, and the one peer-reviewed study cited here measures sponsorship, correlationally, and says so.

Methodology and limitations

This report reads four disclosure records and one peer-reviewed study, and it measures the registers rather than influence.

The sources are, by type: the filings themselves, from the Lobbying Disclosure Act register the Senate Office of Public Records holds, read for the AIPAC registrant record and the four quarterly reports covering calendar year 2025; a campaign-finance and lobbying aggregator, OpenSecrets, used for the ranked field of 2025 lobbying clients, the in-house and outside-firm profile counts, and the tabulations of Federal Election Commission filings for the two campaign-finance channels; the active and terminated registrant records the Department of Justice FARA Unit publishes, searched 19 August 2026; enacted statute, quoted from the United States Code; a newspaper analysis of congressional ethics filings, which The Guardian published on 2 June 2026; and one peer-reviewed article (Küçük, 2025).

A quarterly lobbying report is a good-faith estimate certified by the filer and not an audited account, so the amounts here are reported figures rather than verified ones. 2025 is the most recent complete lobbying year, and every aggregator figure in this report covers a full calendar year rather than part of one.

This report cannot say which measures AIPAC lobbied on. The issue and bill detail from the quarterly filings was not read for it, and the aggregator's bill-mention counts for 2025 run to eight reports where only four quarterly filings exist for the year, so they are not cited.

The three dollar totals are never summed, because they sit under three statutes on two reporting clocks. The four directional figures in the independent-expenditure tabulation add to \$37,898,305, about \$38,105 above the \$37,860,200 the same tabulation gives as the cycle total.

The registrant finding under the Foreign Agents Registration Act is an absence from a list on a stated date. It is not a determination that registration was or was not required, and the register holds no such determination. That database also holds no record for the American Zionist Council, the body from which AIPAC's institutional history is often traced, so nothing here supports any claim about the 1960s.

Where a filing and an aggregator could disagree, the filing is cited. For calendar year 2025 they agree to the dollar.

Conclusion

So how does the American Israel Public Affairs Committee influence lawmakers? The question contains one word and the public record answers it with four, because four different filing regimes each hold a piece of it and none of them holds the piece the question is actually after.

The channel that carries the name, lobbying, is the smallest and the most completely itemized. AIPAC reported \$3,757,105 for calendar year 2025, entered as income rather than expense, with nothing paid to outside firms and ten named people doing the work, a figure of about 0.07% of all reported federal lobbying that year and too small to enter the published field of the twenty largest clients. Federal Election Commission filings record a much larger sum, \$37,860,200 in independent expenditures, which is uncoordinated by law and reaches no candidate's account at all. The one channel that does reach candidates directly is capped at \$5,000 per candidate per election and names every person who received a dollar of it. And

the register a reader might expect a foreign-agent filing to sit in contains no entry, alongside two active registrations by American sections of organizations based abroad.

Each of these four records was written by a different Congress worried about a different thing: who is paid to talk to legislators, who gives money to a candidate, who spends money about a candidate, and who acts for a foreign principal. Somebody asking how a lawmaker came to hold a position is asking a fifth question, and none of the four filing offices was ever assigned to it. Is the answer people want out of these forms one that any of them was built to contain?

Frequently Asked Questions

Who holds the federal lobbying register?

The Senate Office of Public Records holds the register created by the Lobbying Disclosure Act of 1995. Each registrant record carries a Senate identification number and a House identification number; AIPAC's are 2718-12 and 310950000, with a client effective date of 1 October 2015.

What does it mean that AIPAC files as its own client?

Item 7 of the quarterly report identifies the client on whose behalf the registrant lobbies. AIPAC checks the "Self" box and repeats its own name, which is the filing pattern of an organization lobbying for itself rather than a firm retained by someone else. It is also why the register carries an income figure for it rather than an expense figure.

Why do reported lobbying figures differ from campaign-finance figures?

They are produced by different statutes, filed with different offices, and cover different periods. Lobbying is reported quarterly by calendar year to the Senate Office of Public Records, while contributions and independent expenditures are reported to the Federal Election Commission by election cycle. Neither total is a component of the other.

What is the cap on a political action committee contribution to a federal candidate?

\$5,000 per candidate per election for a multicandidate committee, under 52 U.S.C. 30116. That ceiling is why the direct-contribution record for the 2023 to 2024 cycle holds hundreds of modest entries rather than a few large ones, with the largest single recipient total at \$20,000.

Does an independent expenditure go to a candidate?

No. By the statutory definition that permits it, an independent expenditure is uncoordinated with any campaign, so it is spending about a race rather than a payment into a candidate's account. Federal Election Commission filings record the race, the direction, the amount and the date, and there is no recipient to name.

Which office holds the records of congressional travel to Israel?

The House Committee on Ethics holds the pre-travel approvals and the Clerk of the House records the post-travel disclosures. The Guardian counted at least 15 American Israel Education Foundation delegations since 7 October 2023, at more than \$4.2 million, in its analysis of 2 June 2026.

Are any Israel-linked organizations registered as foreign agents?

Yes. The Department of Justice register records World Zionist Organization - American Section, Inc., registered 21 September 1971, and Jewish Agency - American Section, Inc., registered 29 October 2013, both active. Both are American sections of parent bodies based abroad, a different structure from a domestic membership organization.

Can the lobbying register show which bills an organization worked on?

Not from the record read for this report. The figures here come from the registrant record and the reported amounts, and the aggregator's bill-mention counts for 2025 run to eight reports where only four quarterly filings exist for the year, so they are not used.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

Are 72% of Gaza's Dead Women and Children? Reading What Each Share Counts

A Lancet study reports 16,699 of 28,257 recorded Gaza deaths, 59.1%, as women, children under 18 and people 65 and over. Each share counts a different base.

Gaza Death Toll

Casualty Counting

Denominators

Contested Statistics

Source Provenance



The nearest measured figure in the peer-reviewed record is **59.1%**, and it does not count what the claim counts. Jamaluddine and colleagues, in a capture-recapture study published in *The Lancet* in 2025, report 16,699 of the 28,257 Gaza deaths for which age and sex data were available as women, children under 18 and older people 65 and over, over 7 October 2023 to 30 June 2024 and for traumatic injury alone. The figure that explains why any such share moves sits in the same paper: 9,692 decedents in the Gaza Ministry of Health's own 30 June 2024 update, 26% of its cumulative total, carried no identity, and a decedent recorded without an identity carries no recorded age and no recorded sex. It is often said that 72% of those killed in Gaza are women and children; that claim names two groups, while the published figures name other combinations, over other windows, on other bases, which is why the shares in circulation disagree.

Key Findings

- Jamaluddine and colleagues report 16,699 of 28,257 deaths, 59.1%, as women, children under 18 and older people 65 and over, in a peer-reviewed *Lancet* capture-recapture study covering 7 October 2023 to 30 June 2024 and traumatic injury only.
- The *Lancet* study records 9,692 unidentified decedents in the Gaza Ministry of Health's 30 June 2024 update, 26% of that ministry's cumulative total, plus 930 people reported missing from the survey list; neither group can enter a demographic share in either direction.
- The study's central estimate of deaths from traumatic injury in that window is 64,260, with a 95% confidence interval of 55,298 to 78,525, against the 37,877 decedents the Gaza Ministry of Health had reported by 30 June 2024, of whom 28,185 were identified (Jamaluddine and colleagues, 2025).
- Crawford's 2025 *Costs of War* paper records 67,075 killed and 169,430 injured in Gaza as of 3 October 2025 as the Gaza Ministry of Health's own count rather than an independently verified one, and states that the ministry publishes no combatant-noncombatant breakdown at all.

- The Israel Defense Forces stated on 29 February 2024 that it had eliminated over 13,000 people it describes as terrorists in Gaza, its own reported count on its own classification, written as a floor rather than a total.

What is the closest measured figure to the 72% claim?

59.1% is the closest checkable figure, and it does not measure the same quantity the claim names. Jamaluddine and colleagues, in a peer-reviewed capture-recapture study published in The Lancet in 2025, report 16,699 of the 28,257 Gaza deaths for which age and sex data were available as women, children and older people, over the window from 7 October 2023 to 30 June 2024.

It is often said that 72% of those killed in Gaza are women and children, and the question people ask is whether that figure is accurate. The nearest measurement in the peer-reviewed literature is the study above, and the two are not accounts of the same thing.

Jamaluddine and colleagues built their estimate by capture-recapture, a method that compares separate lists of the dead and uses their overlap to estimate how many deaths none of the lists caught. The three lists were the Palestinian Ministry of Health's hospital morgue records, carrying 22,368 identified decedents; the same ministry's rolling online mortality survey, launched on 1 January 2024, carrying 5,817 individual decedents; and obituary pages scraped by hand from social media. The Lancet paper reports a London School of Hygiene and Tropical Medicine ethics reference, publishes its analysis code and anonymised data, and declares no funding.

The scope is narrower than the question usually assumes. The Lancet study estimates deaths due to traumatic injury only, and its authors state that it excludes deaths from healthcare disruption, food insecurity, water and sanitation failure, and disease. The window runs from 7 October 2023 to 30 June 2024 and stops there, so nothing in it describes the composition of the dead after that date.

Two of the three input lists are self-reported, and the hospital list comes from the health ministry of a party to the war, so this is an independent academic estimate built on those inputs rather than an independent count of the dead. The 59.1% is a share of the deaths inside

the study for which age and sex were recorded. It is a real, checkable, peer-reviewed figure, and it answers a question about a wider category, a narrower cause of death and a shorter window than the claim it is usually set against (Jamaluddine and colleagues, 2025).

Which three groups does the peer-reviewed share actually combine?

The study's category holds three groups, not two: women, children defined as under 18, and older people defined as 65 and over. Jamaluddine and colleagues publish no women-and-children-alone share anywhere in the result, so the 59.1% cannot be restated as one, and a reader setting it against a claim about women and children is setting a three-category share against a two-category claim.

The Lancet paper reports the category as a single combined group and publishes no breakdown inside it. There is no women-only figure, no children-only figure and no older-people-only figure in the reported result, so the share cannot be split, and it cannot be narrowed to the two groups the claim names.

The definitional choices inside the category govern what the share means. Children are defined as people under 18, which places 16-year-olds and 17-year-olds inside the category. Older people are defined as those 65 and over, a group the claim about women and children does not mention at all. Men aged 18 to 64 form the complement, and the paper does not report them separately either.

The denominator governs as much as the category does. The 59.1% is a share of 28,257, the deaths in the study for which age and sex data were available. It is not a share of the study's own central estimate of the toll for the same window, and multiplying that estimate by 59.1% produces a figure that appears nowhere in the paper (Jamaluddine and colleagues, 2025).

So a reader who sets 59.1% beside a claim about women and children is not comparing a lower estimate with a higher one. The comparison runs between a three-category share, computed over deaths with age and sex recorded in a window of just under nine months, and a two-category claim whose own base is usually unstated. Two figures built that differently can

disagree without either being an account of the other, and neither becomes the other's correction.

How many of the dead carried no recorded age or sex?

9,692 decedents carried no identity. Jamaluddine and colleagues record that number in the Gaza Ministry of Health's own 30 June 2024 update, 26% of that ministry's cumulative total at the date, and exclude them from the hospital list used in the analysis. A decedent recorded without an identity carries no recorded age and no recorded sex.

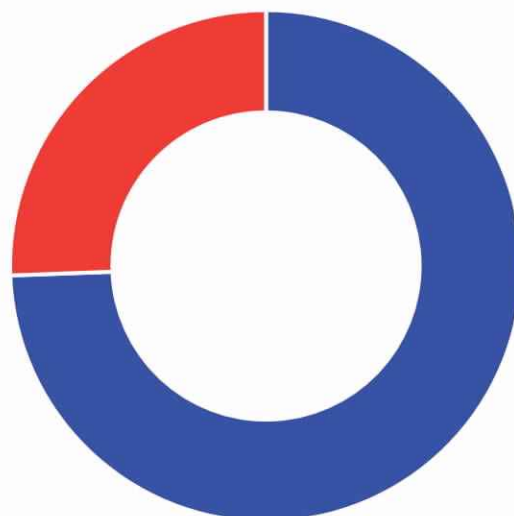
The Lancet paper records 930 people reported missing from the survey list, likewise excluded. Neither exclusion is a comment on the ministry's record-keeping; both are a property of what a death record can hold. A decedent entered without a name has no date of birth attached and no sex attached, so that death cannot be placed on either side of a demographic share.

The consequence is arithmetic, and it is the Institute's own arithmetic on the study's published figures rather than a finding of the study. Any share of women and children is computed over the identified portion of a count. When the identified portion changes, whether because more bodies are identified, because a reporting body changes what it publishes, or because the record for an earlier period is completed late, the share computed over it changes without anything about the dead having changed.

That is why a composition share for Gaza is a moving quantity rather than a fixed one, and why two shares published months apart can differ without either being a revision of the other. The split below is the one the ministry's own update recorded at the end of June 2024.

The ministry's own count, identified and not

**DECEDENTS REPORTED BY THE GAZA MINISTRY OF HEALTH AS OF 30 JUNE 2024, THE MINISTRY'S OWN COUNT.
THE UNIDENTIFIED GROUP CARRIES NO AGE AND NO SEX.**



■ Identified decedents ■ No identity recorded

Source: Jamaluddine and colleagues, 2025, The Lancet, peer-reviewed.

Both parts of that split are the ministry's own categories in the ministry's own update, not an independently verified classification, and the study takes them as it finds them. A quarter of the cumulative total sits in the part that no demographic share can reach (Jamaluddine and colleagues, 2025).

How much of the estimated toll does that share cover?

64,260 is the study's own central estimate of deaths from traumatic injury over the window, with a 95% confidence interval of 55,298 to 78,525. Jamaluddine and colleagues set that estimate against the 37,877 decedents the Gaza Ministry of Health had reported by 30 June 2024, the ministry's own count.

The 28,257-death base under the 59.1% is therefore smaller than the study's own central estimate for the same window, and smaller than the count the ministry itself had published by the same date. All three numbers are printed here; any ratio between them is the Institute's own arithmetic and is labelled as such.

The gap between the estimate and the reported count is 26,383 deaths, and The Lancet paper puts that gap at 41% under-reporting. The 41% is a share of the 64,260 estimate. It is not a multiplier on the 37,877 the ministry reported, and the same gap read against the ministry's figure is 70% of it, so the two ways of stating one gap are not interchangeable.

The estimate's own bounds are wide. The interval runs from 55,298 to 78,525, a span of more than 23,000 deaths, and The Lancet paper reports the point estimate with that interval rather than as a settled total.

Three different quantities for one window

GAZA, 7 OCTOBER 2023 TO 30 JUNE 2024. AN ESTIMATE, A REPORTED COUNT AND A BASE WITH AGE AND SEX RECORDED: NOT ONE SERIES.



Source: Jamaluddine and colleagues, 2025, *The Lancet*, peer-reviewed. Estimate carries a 95% confidence interval of 55,298 to 78,525.

And the estimate covers traumatic injury alone. Deaths from healthcare disruption, from food insecurity, from water and sanitation failure and from disease sit outside it entirely, which means the toll it estimates is narrower than the toll most readers have in mind when they ask what share of the dead were women and children.

How does the ministry's own count reach a reader?

67,075 killed and 169,430 injured in Gaza as of 3 October 2025 is the figure Crawford's 2025 Costs of War paper records, and it is entered there as the Gaza Ministry of Health's own count rather than a measurement of the project's own.

The Costs of War footnote records the route the pair travelled: the ministry published it, a United Nations casualties dashboard carried it, and the paper compiled it. The body that produced the figure is the Gaza Ministry of Health, a party to the war, and the dashboard and the paper carried it forward without measuring it.

A second relayer carries a later figure. The Palestinian Central Bureau of Statistics reports 70,942 deaths in Gaza by the end of December 2025 in its brief on the status of the Palestinian people, attributed to the Palestinian Ministry of Health and not measured by the Bureau. Two publishers, one reporting body, and both label the figure as the ministry's own rather than as an independently verified one.

One reporting body, two relayers, two dates

DEATHS IN GAZA ATTRIBUTED TO THE GAZA MINISTRY OF HEALTH, THE MINISTRY'S OWN COUNT, AS CARRIED BY TWO PUBLISHERS ABOUT THREE MONTHS APART.



Source: Crawford, 2025, Costs of War, Brown University; Palestinian Central Bureau of Statistics, 2025.

The two counts are about three months apart and differ by 3,867. Neither publisher measured either figure, and neither presents it as verified. What a reader receives from either is the same object: a count kept by a health ministry during a war, carried forward by a body that names where it came from (Crawford, 2025).

Crawford also relays a reading of that count which is not his project's own. He writes that "Recent analysis by public health experts suggests that the number of fatalities reported by the Gaza Ministry of Health, which faces many obstacles to making a full account of the deaths, may be a significant undercount of the violent deaths." The sentence is a report of what other work suggests, and the paper states it that way rather than as a finding of its own; the argument over whether the registry [undercounts or overcounts the dead](#) runs on a different set of figures from the ones read here.

Does the ministry publish a combatant or civilian breakdown?

The Gaza Ministry of Health publishes no combatant-noncombatant breakdown at all, in the words of Crawford's 2025 Costs of War paper, so a demographic share is not a civilian share and cannot be converted into one. The about-80% civilian figure printed in that paper's own Table 1 is not measured there.

What the ministry publishes is a running toll of deaths and injuries. What it does not publish is any division of that toll into combatants and noncombatants, which the Costs of War paper states in terms.

The civilian share in the paper's table is therefore not a measurement of the paper's own. Crawford derives it from a newspaper's reading of Israeli military data, a party's own data, and he flags the assumption in his own footnote (Crawford, 2025). A combatant-civilian split belongs to that reporting and to the military data underneath it, not to this paper, and the paper is not the place to cite one from.

The distinction bears directly on the claim, because a demographic share and a civilian share are different quantities that are routinely read as one. A count of women, children and older people is a count by age and sex, taken from a death record. A count of civilians is a count by status, and status is not recorded on a death certificate. Nothing in the age-and-sex data published for Gaza assigns status to anyone, and nothing in the status figures that circulate is broken down by age and sex.

So the 59.1% is not a civilian share, a claim about women and children is not a claim about civilians, and the body publishing the toll publishes no civilian share at all. A reader who converts one into the other has crossed between two categories that no published body in this record maps onto each other, and has done so without a bridge that any of them supplies.

What does the other party count, and by whose classification?

Over 13,000 people it describes as terrorists is what the Israel Defense Forces stated on 29 February 2024 it had eliminated in Gaza since the beginning of the war. That is the force's

own reported count on its own classification, not independently verified, and the page writes it as over, so it is a floor rather than a total.

The classification is that party's own characterisation rather than a neutral or verified one, and combatant and civilian counts in this war are contested. Nothing in the figure records age or sex, and nothing in it distinguishes the people counted from any of the people counted in the ministry's toll.

Two properties keep the figure separate from the Lancet study's base. Its window ends on 29 February 2024, four months before the study's window closes on 30 June 2024, so the two describe different periods of the war. And its category is one the Gaza Ministry of Health does not publish, so neither the ministry's record nor the study's demographic share is its complement.

That is why the complement of a demographic share cannot be derived by subtraction. Taking one party's count of the people it classifies as combatants, subtracting it from another body's cumulative total, and reading the remainder as women, children and civilians combines counts from bodies with different definitions, different universes and different closing dates, and produces a number neither body published.

The Israel Defense Forces published no age or sex breakdown alongside that figure, and the Gaza Ministry of Health publishes a running toll with no status breakdown. The two records were built for different purposes by parties on opposite sides of the same war, and neither is the other's remainder. Any percentage that treats them as complements has assumed the bridge rather than found it.

Does any primary record count the children killed in Gaza?

The peer-reviewed paper closest to this subject in the record read here counts nothing itself (Hamamra, Mahamid and Mayaleh, 2025): every figure in it is relayed and belongs to the body that produced it. No primary record read for this report counts the children killed by military violence in Gaza.

The study is qualitative. Its authors conducted 30 semi-structured interviews with displaced adult caregivers of children under 18 in the Rafah displacement camps, 15 women and 15 men, analysed by thematic content analysis, with thematic saturation reported at the 25th interview. They report six themes: widespread malnutrition, diseases and epidemics in shelters, unsafe environments, weak immune systems and growth, inaccessibility of healthcare, and daily struggles for basic needs (Hamamra, Mahamid and Mayaleh, 2025). They examine no patients, sample no population and report no clinical series.

The one figure in it that touches child mortality belongs to another body. The paper attributes to the Palestinian Central Bureau of Statistics a count of 28 children who died due to malnutrition and dehydration in the first 6 months of the war. That is a statistical office's figure carried by the paper, it counts deaths from malnutrition and dehydration rather than from military violence, and it covers a six-month period rather than the war.

The authors' stated conclusion, that the crisis is a deliberate outcome of Israeli policies designed to undermine civilian survival, is their reading of interview themes rather than a measured attribution of cause, and the characterisation in the paper's own title is likewise theirs.

So the published work read here yields no child-death total for Gaza, and this report gives none. That absence is not an argument that no children have been killed, and it is not a claim about the size of any figure in circulation. It is a statement about what this record contains, which is a study of caregivers, running tolls with no age breakdown attached to them, and one peer-reviewed demographic share in which children are one of three groups counted together.

Which published body reports women and children as one category?

Jamaluddine and colleagues combine three age-and-sex categories, women, children under 18 and people 65 and over, and publish no two-category share; Crawford relays the ministry's totals with no demographic breakdown at all. None of the bodies read for this report publishes women and children as one share of the Gaza dead.

The Palestinian Central Bureau of Statistics carries a total attributed to the ministry and measures something different itself: a net demographic change for Gaza. It reports a decline of approximately 254,000 people, which it states is a decrease of 10.6% against pre-aggression population estimates, and attributes that change to war-related deaths, missing persons, reduced births and forced out-migration. It is a population accounting rather than a casualty count, and it cannot be converted into one.

So the quantity the question names, women and children as a single share of the Gaza dead, is published by no body in the record read for this report. The nearest peer-reviewed figure combines three groups. The running tolls carry no demographic breakdown. The population brief measures a different thing entirely, and says so in its own text.

That absence is worth recording plainly, because it accounts for much of the disagreement. When a widely repeated share has no publishing body behind it, every version of it is somebody's arithmetic on somebody else's base, and two people quoting different percentages can each be quoting accurately from a different denominator over a different window. The same property runs through every casualty figure for Gaza, where [what each body counts](#) differs before any two of them disagree. Not all of the disagreement is about the dead. A great deal of it is about what each number was a share of, and that part of it is settled by reading the base rather than by arguing about the total.

Methodology and limitations

This report reads what each published body counted, on what base and over what window, and it draws on five source types, each labelled where it is used.

One peer-reviewed journal article supplies the composition figure: Jamaluddine and colleagues in The Lancet, a three-list capture-recapture estimate. Its three inputs were the Palestinian Ministry of Health's hospital morgue records, the same ministry's rolling online mortality survey, and manually scraped social media obituary pages. Two of the three are self-reported and the hospital list comes from the health ministry of a party to the war, so the result is an independent academic estimate built on those inputs, not an independent count. The window closes on 30 June 2024, which means nothing here speaks to the composition of the dead after that date, including anything after the ceasefire.

Three arithmetic limits travel with that study. The 59.1% has a denominator of 28,257 and never of 64,260, so applying it to the estimate yields a figure the paper does not report. The 41% under-reporting figure is a share of the 64,260 estimate and never a multiplier on the ministry's 37,877. And the estimate covers traumatic injury only.

One university research-project report, the Costs of War paper (Crawford, 2025), is not peer-reviewed and compiles casualty counts rather than measuring them; its Gaza figures are the Gaza Ministry of Health's own. One national statistical office publication, the Palestinian Central Bureau of Statistics brief for the end of 2025, relays a ministry total and separately measures a net population change. One official record was published by a party to the conflict: the Israel Defense Forces stated its figure at a briefing of 29 February 2024, that force's own count on its own classification, given as a floor. One further peer-reviewed article, the Rafah caregiver study (Hamamra, Mahamid and Mayaleh, 2025), is qualitative and relays every figure it carries.

Two absences are stated rather than filled. No source read here gives Gaza's own age structure, so this report cannot say what share of the living population is under 18, which is the baseline against which any composition share should be read: the Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Gaza Strip on 1 December 2017 in the most recent full census, and no age breakdown from it is carried here. And no source read here publishes women and children as a single category.

Counts from bodies with different definitions, universes and dates are not summed or subtracted anywhere in this report. Where two figures are placed side by side, the comparison is stated as the Institute's own arithmetic.

Conclusion

So is 72% accurate? The peer-reviewed record does not contain that quantity to be accurate or inaccurate about. What it contains is 16,699 of 28,257, 59.1%, for women, children under 18 and older people 65 and over, over a window that closed on 30 June 2024, for deaths from traumatic injury alone, computed over a base from which 9,692 unidentified decedents and 930 people reported missing were absent by construction (Jamaluddine and colleagues, 2025).

The rest of the record is a set of counts that do not line up, and each one says plainly what it is. The Costs of War paper records 67,075 dead and 169,430 injured to 3 October 2025 as the ministry's own count, and states that the ministry publishes no combatant-noncombatant split at all. The Palestinian Central Bureau of Statistics carries 70,942 to the end of December 2025, attributed to the same ministry and measured by nobody else, and measures a population decline of about 254,000 that it does not present as a death toll. The Israel Defense Forces stated over 13,000 killed in a category of its own definition, four months before the study's window even closes. Not one of these bodies publishes women and children as a single share, and the closest peer-reviewed figure covers three groups on a base that leaves out a quarter of the ministry's own cumulative total.

A percentage is a promise about a denominator. Every share of Gaza's dead that travels through public argument arrives with the denominator stripped off, and the denominator is where most of the disagreement actually lives: which deaths, over which months, identified by whom, and recorded by a body with what stake in the recording. When a quarter of a cumulative total carries no name, no age and no sex, what is actually being handed over when a single percentage is handed over, and who decided what it was a share of?

Frequently Asked Questions

Which deaths does the Lancet estimate leave out?

Jamaluddine and colleagues estimate deaths due to traumatic injury only. The Lancet paper states that deaths from healthcare disruption, food insecurity, water and sanitation failure and disease sit outside the estimate, so 64,260 is not a figure for all war-related mortality in the window.

What does the 41% under-reporting figure actually measure?

It measures the gap between the study's estimate and the Gaza Ministry of Health's reported count as a share of the estimate. Jamaluddine and colleagues estimate 64,260 deaths against 37,877 reported by 30 June 2024, a gap of 26,383, which is 41% of the estimate and 70% of the ministry's figure.

How fast were people dying, on the study's own rate?

Jamaluddine and colleagues report an annualised crude death rate of 39.3 per 1,000 people, with a 95% confidence interval of 35.7 to 49.4. They put that at a rate ratio of 14.0, with a confidence interval of 12.8 to 17.6, against all-cause mortality in 2022.

Where did the study's three lists come from?

The first was the Palestinian Ministry of Health's hospital morgue records, carrying 22,368 identified decedents. The second was the same ministry's rolling online mortality survey, launched on 1 January 2024, carrying 5,817 individual decedents. The third was obituary pages scraped by hand from social media.

How many people were injured in Gaza on the ministry's own count?

Crawford's 2025 Costs of War paper records 169,430 injured as of 3 October 2025 alongside 67,075 killed, both attributed to the Gaza Ministry of Health as that ministry's own count. Crawford compiled the pair rather than measuring it.

How many people did the last census count in the Gaza Strip?

The Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Gaza Strip on the reference date of 1 December 2017, in the third round of the Palestinian census. It is the most recent full census, so every later total for the territory is a projection off that measured base.

What did the Rafah caregiver study actually measure?

The Rafah caregiver study conducted 30 semi-structured interviews with displaced adult caregivers and coded six themes by thematic content analysis (Hamamra, Mahamid and Mayaleh, 2025). It reports no prevalence of its own, and the figures inside it, including a count of 28 child deaths from malnutrition and dehydration, belong to the bodies it relays them from.

Does the Palestinian statistical office measure the death toll itself?

No. The Palestinian Central Bureau of Statistics reports 70,942 deaths in Gaza by the end of December 2025 and attributes that figure to the Palestinian Ministry of Health. What the

Bureau measures itself is a population decline of approximately 254,000 people, 10.6% against pre-aggression population estimates, which it attributes to deaths, missing persons, reduced births and out-migration.

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COGAT recorded **1,778,363 metric tons** of food entering the Gaza Strip between 10 October 2025 and 7 June 2026, a count the Israeli Ministry of Defense unit that coordinates the crossings built from tonnages self-declared to it rather than weighed, and one that is not independently verified. At the far end of the same delivery chain, the Site Management Cluster counted 136,000 households in Gaza's displacement sites, 38% of all households it enumerated, that had received no shelter assistance in the six months before its data extraction of 16 May 2026. It is often said that Israel prevents Palestinians in Gaza from accessing humanitarian aid. The United States Congress put a test for that conduct on the statute book in 1996, and the executive assessment applying it was transmitted to Congress on 10 May 2024 and cannot be read on any United States government host.

Key Findings

- **United States law already names the conduct.** The Foreign Assistance Act states, at section 620I, that no assistance shall be furnished under that Act or the Arms Export Control Act to any country when it is made known to the President that its government “prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.”
- **The bar carries an unconditioned waiver and names no adjudicator.** Subsection (b) lifts it wherever the President determines that furnishing assistance “is in the national security interest of the United States,” and subsection (c) asks only for notice of the intention, the effective date and the reasons.
- **The assessment that applies the standard is not published.** A White House memorandum of 8 February 2024 states that a written report shall go to six congressional committees within 90 days and once every fiscal year after that; the first was transmitted on 10 May 2024, and a search on 19 August 2026 found no copy on state.gov or on the archived 2021-2025.state.gov.
- **136,000 households in displacement sites, about 680,000 people and 38% of all households counted, had received no shelter assistance in the six months before the**

survey. The Site Management Cluster counted them across 1,591 active sites, on data extracted 16 May 2026.

- **7,700 households, about 38,500 individuals, were sleeping outdoors with no shelter at all,** a condition the Site Management Cluster records in 19% of the sites it surveyed; about 1.5 million residents were living in roughly 246,000 tents, about six people to a tent designed for five.

What does United States law count as restricting humanitarian access?

Section 620I of the Foreign Assistance Act bars United States assistance to any country when it is made known to the President that the government of that country “prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.” The United States Congress put that sentence on the statute book on 30 September 1996.

The Foreign Assistance Act states the rule in one subsection: “No assistance shall be furnished under this chapter or the Arms Export Control Act to any country when it is made known to the President that the government of such country prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.” The Law Revision Counsel publishes it at 22 U.S.C. 2378-1, added by Public Law 104-208 and printed at 110 Stat. 3009-121, where the section runs to three subsections.

Three phrases carry the weight. “Prohibits or otherwise restricts” reaches conduct short of a formal ban. “Directly or indirectly” reaches conduct short of an order to whoever carries the goods. And “United States humanitarian assistance” fixes the object, so a restriction on a consignment funded by another government falls outside the words Congress used.

What the section leaves out is equally specific. It says nothing about international humanitarian law, nothing about civilian harm and nothing about proportionality. Its subject is the movement of goods, and its test is whether a government prohibited or restricted that movement.

That is the enacted definition of the conduct behind this report's title, and the United States Code records it as reaching both the assistance channel and the arms channel, decades before the current war.

Who decides whether that standard has been crossed?

Section 620I names one decider and supplies no threshold. Its trigger is the phrase "when it is made known to the President," and subsection (b) lifts the bar wherever the President determines that furnishing assistance "is in the national security interest of the United States." Subsection (c) asks only for notice of the intention, the effective date and the reasons.

That notice runs to named congressional committees. The Foreign Assistance Act still names the Committee on International Relations, and the United States Code records that the House renamed it the Committee on Foreign Affairs by House Resolution 6 of 5 January 2007, carrying the change as an editorial note rather than a revision of the enacted words.

Read together, the three subsections describe a closed circuit. The section does not say what makes a restriction known. It names no agency to find facts, no court to review a finding and no standard of proof, and defines no term. The bar operates when the President treats the condition as met, the waiver when the President determines the national security interest requires it, and the committees receive notice afterwards.

The section therefore generates a visible artefact only when a determination is made or a waiver notice filed, and this report located neither, for any country, among these sources.

An absence of that kind is a fact about what has been published and nothing more. It is not evidence that the standard was met, and not evidence that a determination was avoided. The statute is drafted so that silence is its ordinary state, which is why the instrument alone cannot answer the question people ask of it.

What written assurance did the United States require in 2024?

A White House memorandum of 8 February 2024 states that the Secretary of State shall obtain written assurances that a recipient of United States defence articles will "facilitate and

not arbitrarily deny, restrict, or otherwise impede, directly or indirectly, the transport or delivery of United States humanitarian assistance.” The memorandum places that requirement “in furtherance of supporting section 620I of the Foreign Assistance Act of 1961.”

The instrument is National Security Memorandum 20, and the Government Publishing Office records its official text in the Daily Compilation of Presidential Documents at DCPD-202400098. Section 1(a)(i) requires a second assurance, that transferred articles will be used “in accordance with international humanitarian law and, as applicable, other international law.”

The wording of the access assurance is close to the statute’s without being identical. Where the Foreign Assistance Act states “prohibits or otherwise restricts,” the memorandum states “arbitrarily deny, restrict, or otherwise impede,” and adds a positive duty to facilitate, covering both United States humanitarian assistance and government-supported international efforts to provide it.

What kind of instrument this is matters more than its wording. A national security memorandum is a presidential directive, not a statute. It imposes no obligation on any recipient country, creates no cause of action, and can be rescinded by a later President without any act of Congress.

The assurances are the recipient government’s own written representations about its own future conduct, so a report resting on them reports what a government undertook to do, not a measurement of what it did. The assurance is the input; the assessment described next is where the executive branch was to say what happened.

Where is the assessment that applies the standard?

Section 2(a) of the same memorandum states that a written report shall go to six named congressional committees “Not later than 90 days after the date of this memorandum, and once every fiscal year thereafter.” The Department of State transmitted the first such report on 10 May 2024. A search conducted on 19 August 2026 found no copy of it on state.gov or on the archived 2021-2025.state.gov.

Section 2(a)(ii) states that it shall carry “an assessment of any credible reports or allegations that such defense articles... have been used in a manner not consistent with international law,” and shall include “any determinations, if they can reasonably be made,” about whether the recipient country “has pursued appropriate accountability.” That is the executive branch applying its own standard to its own transfers, on a fixed schedule.

The memorandum does not require publication. Its duty runs to the six committees, so the absence of a public copy is consistent with the instrument rather than a departure from it. The unclassified text in circulation was posted by a third-party law-and-policy publication, not by the body that wrote it, and no later annual edition was located.

For that reason this report describes the May 2024 report and does not quote it. A document not read from its issuing body’s own host is described, dated and left unquoted, because quoting a text through a relay is how a wording drifts.

The gap has a particular shape. The standard is enacted and public, the assurance requirement is quotable to its clause numbers, and the one document applying both to a named recipient reaches the public through somebody else’s posting, or not at all.

Israel recorded 1,778,363 metric tons of food entering during the ceasefire

COGAT recorded 1,778,363 metric tons of food entering the Gaza Strip between 10 October 2025 and 7 June 2026, alongside 18,000 tons of medical supplies since the ceasefire began. Both are its own reported counts, published by a party to the events and not independently verified.

The method travels with the figure, because the report carrying it states the method. COGAT publishes tonnages that rest on self-declaration by the humanitarian organisations and private-sector providers moving the goods, rather than on weighing at the crossings, so the total is a compilation of what carriers declared rather than a measurement taken by the recording body. That is a property of the count, not a complaint about it: no body publishes a weighed series for the same window.

What the figure measures is entry. It counts material that crossed into the Strip over a defined period, at the point of crossing, and it does so to the ton. It does not count distribution, and COGAT publishes no distribution series. It does not count what any household received, and it does not count losses between the crossing and the recipient, whether to damage, diversion, spoilage or the roads.

That distinction is the whole of the measurement problem here. A figure of this size answers a question about entry with precision and answers nothing about receipt. Reading it as an answer about access asks a crossing-point count to speak for a distribution system no single body measures end to end.

COGAT does set its own entry figure against a requirement benchmark published by another organisation, which is the subject of the next section.

Does Israel's own report claim the entries met the need?

COGAT's report makes one sufficiency claim: that recorded food entry over the same window ran at "nearly threefold" the World Food Programme's monthly food requirement benchmark, alongside an approximately 72% decline in the Gaza food consumer price index between September 2025 and May 2026. It is published by a party to the events, and only the numerator of that ratio is its own.

The denominator belongs to another organisation. A monthly food requirement benchmark estimates how much food a population needs, on the estimating agency's own method, so the ratio pairs one body's count of entry with another's estimate of need and moves with either. COGAT states the ratio without publishing the arithmetic behind it.

The price series carries a different limitation. A 72% decline in a food consumer price index is a market signal, and COGAT's report identifies no source for the price data, so the collection method, the basket of goods and the geographic coverage are all unstated. Prices fall where supply reaches functioning markets, which makes such a series informative about market conditions and silent about households outside them.

This is the only sufficiency claim in the record assembled here. No other body among these sources assesses whether the volumes entering Gaza met the population's requirement over the ceasefire window, in either direction.

That is worth stating plainly, because "is enough getting in" is the question most often asked about Gaza and the one the record answers least. A party to the events answers it, in its own terms, against a benchmark it did not set, and nobody else answers it at all.

What did Israel record entering before the ceasefire?

The Israeli Foreign Ministry reported more than 106,000 aid trucks carrying over two million tons of food, water, medicine and equipment entering Gaza since 7 October 2023, in a statement current to 14 September 2025, and more than 12,000 trucks since May 2025, 80% of them carrying food. Every figure is written as a floor, and every one is as reported by Israel.

The series has earlier points. The Israeli Ministry of Foreign Affairs recorded over 70,000 tons of aid and over 6,500 tons of medical supplies entering as of 16 December 2023. The Israel Defense Forces states, on a page date-stamped 19 August 2025, that over 1.9 million tons had been delivered since the start of the war, a figure written as a floor and one that cannot be restated as an exact 1,900,000.

These readings are not a time series and cannot be treated as one. They are separate statements by three arms of a single party, on different cut-off dates, in different units, some counting trucks and some counting tons, none defining categories the same way. Placing them on one axis would produce a trend nobody published and no method supports.

What they establish is narrower and still substantial. The party controlling the crossings has published its own dated running counts of entry throughout the war, and has pointed readers to its own aid-data site for detail. Those are the fullest entry-side record for the period before the ceasefire, and they share the property of the ceasefire-window figure: trucks and tons are units of entry, and a count of them is a count of what crossed a line.

How many people were counted living in displacement sites?

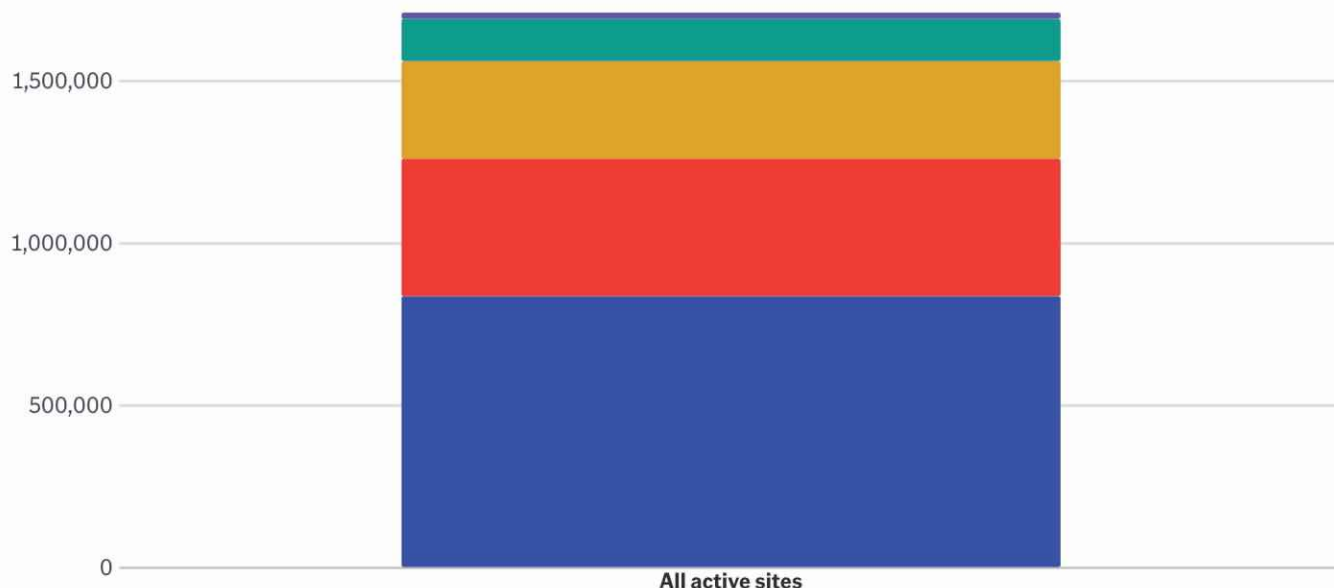
The Site Management Cluster counted 1,591 active displacement sites across the Gaza Strip, holding an estimated 1,708,822 individuals, on data extracted from its platform on 16 May 2026. Its enumerators visited every site on the cluster's master list between 3 February and 19 April 2026, in a baseline verification rather than a point-in-time snapshot.

Fieldwork ran through 165 trained enumerators from twelve partner organisations across 116 neighbourhoods, targeting 1,856 sites and confirming 1,591 as active. The Site Management Cluster puts the population of those sites at 354,550 households. Makeshift sites, meaning informal, open-air and tented, are 83% of the total; about 11% are collective centres in schools and public buildings; the rest are scattered sites of fewer than ten households.

Two properties of the count travel with it. The Site Management Cluster states that the 1,591 “should be understood as a social count: A measure of how many organised displaced communities were identified and reached rather than a census of discrete physical locations.” And household size is imputed at five wherever disaggregated data was unavailable, which makes the household total derived rather than enumerated. Sex- and age-disaggregated data exist for only 253 of the sites.

Where the displacement-site population was counted

INDIVIDUALS IN ACTIVE SITES, 16 MAY 2026 EXTRACTION



■ Khan Younis ■ Deir Al-Balah ■ Gaza ■ North Gaza ■ Rafah

Source: Site Management Cluster in the Occupied Palestinian Territory, Gaza Displacement Site Verification Assessment, 2026. All population figures are estimates by the cluster.

The distribution is uneven, and the assessment publishes it by governorate: Khan Younis 834,547 people across 572 sites, Deir Al-Balah 424,125 across 430, Gaza 300,638 across 427, North Gaza 130,334 across 141 and Rafah 19,178 across 21. Those five figures sum to the reported total, which makes the breakdown a partition of the counted population rather than five independent estimates. A separate report covers [the counts each body publishes for Gaza](#).

38% of households in displacement sites received no shelter assistance

In Gaza's displacement sites, **136,000 households**, about 680,000 people and 38% of all households counted, had received no shelter assistance in the six months before the Site Management Cluster's field survey. That is a count of assistance received, taken at the site, at the opposite end of the delivery chain from a tonnage recorded at a crossing.

The Site Management Cluster counted 7,700 households, about 38,500 individuals, sleeping outdoors with no shelter at all, a condition present in 19% of the sites it surveyed. About 1.5 million residents were living in roughly 246,000 tents or tent-like shelters, an average of about six people to a tent against a standard emergency tent designed for five, and about 59,000 shelters housed more than eight people.

The cluster publishes all of this as estimates and states the limits itself. Household size is imputed at five where disaggregated data was unavailable. A single interview per site means the figures for persons with disabilities and for female-headed households are underestimates. The earliest data were about four months old at publication, and the Site Management Cluster states that its correlations are not causal.

Shelter status of households in displacement sites

THOUSANDS OF HOUSEHOLDS, OF 354,550 COUNTED ACROSS 1,591 SITES

No shelter assistance in six months



136

Sleeping outdoors, no shelter

7.7

Source: Site Management Cluster in the Occupied Palestinian Territory, Gaza Displacement Site Verification Assessment, 2026. Household counts are derived, with household size imputed at five where disaggregated data was unavailable.

It is worth being exact about what this measurement establishes. It records what households in enumerated sites reported having received across a six-month window. It identifies no cause and names no party, and it does not distinguish between assistance never funded, never sent, never cleared or never distributed.

Set beside a crossing-point tonnage, it establishes one thing firmly: the two ends of the delivery chain were measured by two bodies, using two methods, on two universes. Neither count is evidence about the other.

What is measured about water reaching households?

The WASH Cluster measured water insecurity in 82% of 342 assessed households, in a phone survey conducted between 2 and 15 March 2026 whose authors state that its findings “cannot be considered representative of the population in Gaza.” The share is widely relayed as a share of families in Gaza, and that relay overstates its base.

UNICEF relayed it in a mid-year 2026 humanitarian situation update, in the words “An estimated 82 per cent of families are water insecure,” which states a population share where the exercise assessed 342 households reachable by telephone.

The correction is the finding here, rather than the share itself. The number is real and was properly measured on the base it had. That base is small and selected by reachability, and its authors state that the results cannot be read as representative of Gaza’s population. A share of 342 assessed households and a share of Gaza’s families are two different quantities, and only the first was measured.

On the supply side, COGAT states that more than 70,000 cubic metres of water per day are facilitated into the Strip through external water lines and desalination facilities, excluding local wells, as at its July 2026 report. That is a party's own count, published by a party to the events, and it measures water made available at the point of entry.

The two figures are not two readings of one quantity, and the difference runs through this whole report. One counts cubic metres entering a territory; the other classifies households by whether they can reliably obtain water. Between them sits a distribution network whose measured condition is the subject of the next section.

What condition are the systems that aid moves through in?

The Gaza Strip Rapid Damage and Needs Assessment reported more than 371,888 housing units destroyed or damaged and more than 50% of hospitals non-functional. The World Bank, the European Union and the United Nations published it jointly, covering October 2023 to October 2025 and combining remote sensing with ground-verified data validated by all three publishers.

The assessment puts three separate financial quantities and combines none of them. Physical infrastructure damages stand at US\$35.2 billion and economic and social losses at US\$22.7 billion, both backward-looking. Recovery and reconstruction needs over the next decade stand at US\$71.4 billion, of which US\$26.3 billion is required in the first eighteen months. The World Bank assessment puts the contraction of the economy at 84%.

What the joint assessment priced

BILLIONS OF US DOLLARS; EACH FIGURE MEASURES A DIFFERENT THING AND NONE MAY BE SUMMED



Source: World Bank, European Union and United Nations, Gaza Strip Rapid Damage and Needs Assessment, 2026. Needs are forward-looking estimates of what rebuilding would cost, never money spent or pledged.

The needs figure and the damage figure are not two readings of one loss. Damages price what has already been destroyed; needs price what rebuilding would cost over the decade ahead. Neither figure records money spent or money pledged, and the assessment never sums the two, because they answer different questions about different periods.

Why the condition of the system belongs in a report about access is a matter of plumbing. Aid arrives by road, is stored in warehouses, moves through clinics, bakeries, water points and schools, and ends in housing. When the assessment records more than 371,888 housing units damaged or destroyed and more than half of hospitals non-functional, the network that would carry a ton of flour from a crossing to a family is itself among the objects being measured.

What does peer-reviewed research measure about household access?

Hamamra and colleagues (2025) conducted 30 semi-structured interviews with displaced adult caregivers in the Rafah displacement camps, evenly split between women and men, reporting thematic saturation at the 25th interview. It is the only peer-reviewed study among these sources that asks households directly about access, and it carries no prevalence measurement of its own.

The study is qualitative by design. It codes interview transcripts into six themes, among them widespread malnutrition, disease in shelters, inaccessibility of healthcare and daily struggles for basic needs. It examines no patients, samples no population and reports no rate, so it is evidence about what a set of caregivers described, not about how common any of it was.

Every figure inside it belongs to another body, and the paper says so. UNICEF measured the under-two acute-malnutrition series it carries, and the Palestinian Central Bureau of Statistics counted 28 child deaths from malnutrition and dehydration in the first six months

of the war. Neither is the authors' own measurement, and neither should be re-attributed to the paper relaying it.

The authors state a causal conclusion of their own, that the crisis is "a deliberate outcome of the Israeli policies designed to undermine civilian survival," and their title places the events during a genocide in Gaza. Both are the authors' characterisations, drawn from interview themes rather than from a measured attribution of cause.

The finding this section records is an absence. No peer-reviewed study among these sources measures the prevalence of aid receipt among Gaza households, which is why the receipt half of this question rests on a humanitarian coordination body's field enumeration and not on the academic literature.

Methodology and limitations

This report assembles four kinds of source and states what each measures.

The first is enacted United States law and a presidential directive, quoted from the United States Code and from the Daily Compilation of Presidential Documents. Those are instruments: they establish what a standard says, never how it was applied. The second is the published record of a party to the events, COGAT and two other Israeli government bodies, whose counts are their own, self-reported and not independently verified; where a publisher states its method, the method is carried with the number. The third is a humanitarian coordination body's field enumeration of assistance received at enumerated sites, alongside a second cluster's household survey. The fourth is one peer-reviewed qualitative study and one damage assessment co-published by the World Bank, the European Union and the United Nations.

Counts from different bodies are not summed or compared. A tonnage recorded at a crossing and a household count at a site measure different objects on different universes, so each is reported with what it covers.

Three limitations are stated rather than resolved. The report transmitted to Congress on 10 May 2024 is described and never quoted, because a search on 19 August 2026 found no copy

on a host belonging to the issuing body. No determination and no waiver notice under section 620I was located, in either direction, so the section is described from its own text. And these sources reach back only to the current war, so the period before October 2023 sits outside this report.

One further absence is recorded because a reader may look for it: nothing among these sources measures how the humanitarian-access framing circulates in public discourse, so no section here addresses that question.

Conclusion

So does Israel prevent Palestinians in Gaza from accessing humanitarian aid, in the sense the United States Congress defined in 1996? The test it wrote is broad enough to reach a restriction that is indirect and short of a formal ban, and it handed the answer to a single office. That office produced its assessment in May 2024, and the assessment cannot be read on any government host. The standard is public; its application is not.

What is public is two counts of two different objects. At the crossings, a party to the events publishes tonnage compiled from what carriers declared: 1,778,363 metric tons of food across the ceasefire window, more than 106,000 trucks across the war, precise to the ton and silent on receipt. At the sites, enumerators who walked 116 neighbourhoods publish what households said they had received: 136,000 of them nothing in six months, 7,700 sleeping outdoors, 1.5 million people under roughly 246,000 tents built for five. Between those ends lies a network with more than 371,888 housing units damaged or destroyed and more than half its hospitals non-functional, and no body measures the passage end to end.

A supply chain has two ends and a middle. The record measures the ends carefully, by different hands and to different purposes, and the one document built to judge the middle went to six committees and reaches everyone else, if at all, through another party's posting. When the answer to a question is written into law, produced on schedule and published nowhere by the body that produced it, what is a reader left to weigh the question with?

Frequently Asked Questions

Which United States statute names humanitarian access as a condition on assistance?

Section 620I of the Foreign Assistance Act, which the Law Revision Counsel publishes at 22 U.S.C. 2378-1, bars assistance under that Act or the Arms Export Control Act to a country whose government “prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.” It carries a national security waiver.

Does the February 2024 presidential memorandum bind the countries that receive United States weapons?

It does not. National Security Memorandum 20 is a presidential directive addressed to United States officials, and the assurances it requires are the recipient government’s own written representations about its future conduct. A later President can rescind it without an act of Congress.

Why is a tonnage recorded at a crossing not a measure of what households received?

Because it counts material at the point of entry. COGAT recorded 1,778,363 metric tons of food for the ceasefire window as its own count, compiled from tonnages the carrying organisations declared, and no figure in Israel’s series follows a consignment to a household.

Who counted Gaza’s displacement sites, and how?

The Site Management Cluster deployed 165 trained enumerators from twelve partner organisations across 116 neighbourhoods between 3 February and 19 April 2026, visiting every site on its master list and confirming 1,591 of 1,856 as active.

What does the cluster mean when it calls a site makeshift?

Makeshift is a site type, not a shelter type: informal, open-air and tented, as distinct from a collective centre in a school or public building and from a scattered site of fewer than ten households. The Site Management Cluster records them as 83% of the 1,591 confirmed.

Why does the widely quoted water figure rest on 342 households?

The WASH Cluster measured the 82% water-insecurity share on a phone survey of 342 assessed households conducted between 2 and 15 March 2026, whose authors state that its findings “cannot be considered representative of the population in Gaza.” Relayed as a share of families, it states a population share the exercise did not measure.

Are the damage and needs figures in the joint assessment two versions of one number?

They are not. The World Bank assessment puts US\$35.2 billion in physical infrastructure damages already incurred and US\$71.4 billion in recovery and reconstruction needs over the next decade. Damages are backward-looking, needs estimate a future cost, and the two are never summed.

Has any body determined that the section 620I standard was crossed?

This report located no published determination under section 620I, and no waiver notice, in either direction. The section produces a public artefact only when the President makes a determination or files notice of an intention to waive, so silence points in neither direction.

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The Hanover Institute for Public Policy studies the inputs fueling antisemitism in the United States and publishes what the evidence shows. Its work is content analysis, computational social science, and other data-driven research, and its reports take no policy positions.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

What Do UN Reports Find About Children in Gaza? Reading the Documents Named, the Peer-Reviewed Analyses and Where Each Figure Was Produced

Naming the documents behind “UN reports say” on children in Gaza: 68.2% of 475 schools damaged in 46 days, and where each relayed figure was produced.

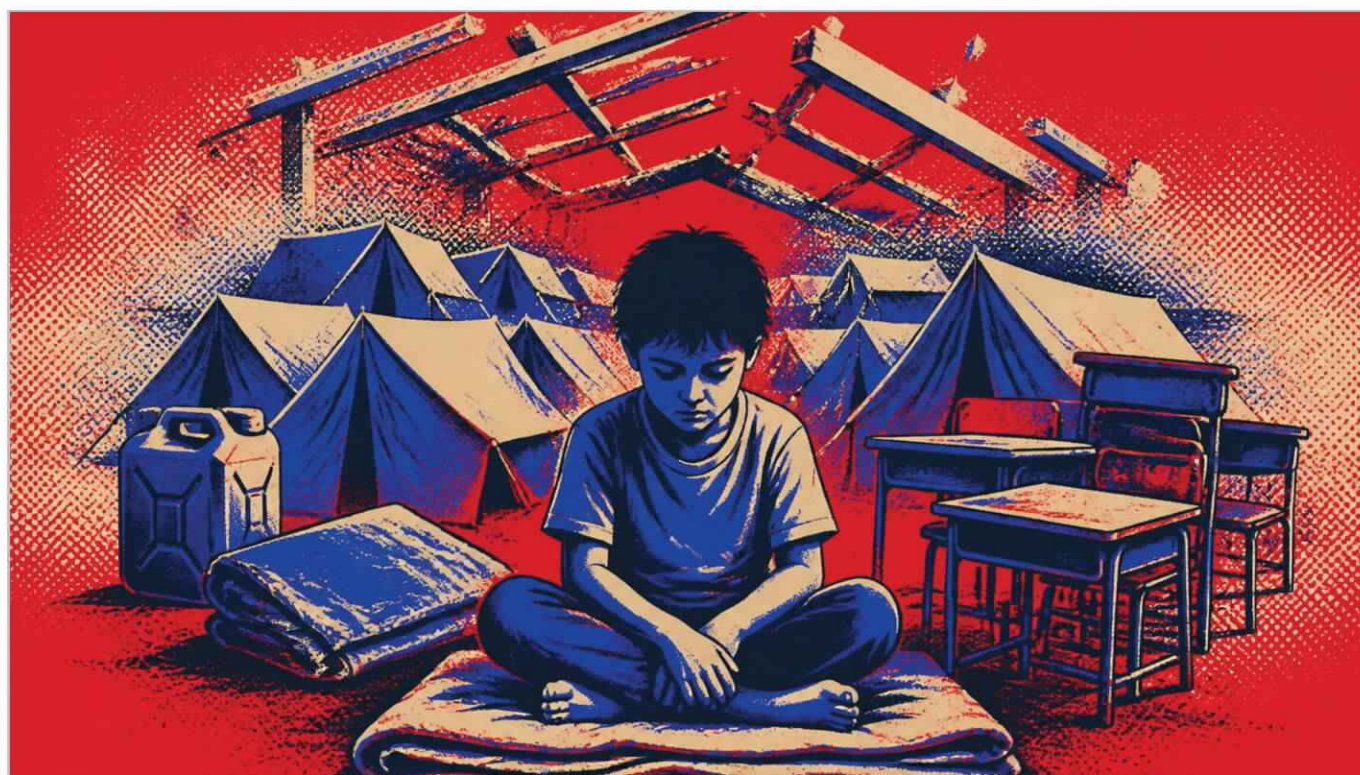
Gaza

Children

Displacement

Casualty Counts

Provenance



The most precisely measured finding about children in Gaza comes from a peer-reviewed satellite analysis rather than from any United Nations document: 68.2% of the Strip's 475 education facilities sustained damage during the campaign's first 46 days, 7 October to 22 November 2023, and 40.2% were functionally destroyed (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024, Conflict and Health, peer-reviewed). Public answers to the question rest almost entirely on the phrase "UN reports say," which stands in for several bodies publishing several classes of document across three years, and the figures those documents carry are largely relayed rather than measured by them. This report names the documents, dates them, and reads the independently measured record behind them.

Key Findings

- **68.2% of Gaza's 475 education facilities sustained damage in 46 days**, and 40.2% met the study's threshold for functional destruction, on multi-temporal radar imagery covering 7 October to 22 November 2023 (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024, peer-reviewed). The figures are satellite-only, carry no ground truth, and cover the campaign's first phase alone.
- **Sex- and age-disaggregated data exist for 253 of the 1,591 active displacement sites** the Site Management Cluster verified in Gaza between 3 February and 19 April 2026, and data on female children for 15.5% of sites, so every demographic share in the largest field enumeration of the displaced rests on a subsample.
- **The 82% water-insecurity share is a share of 342 assessed households**, measured by the WASH Cluster in a phone survey conducted 2 March to 15 March 2026 whose authors state that its findings "cannot be considered representative of the population in Gaza." It reached readers written as a share of families.
- **The most rigorous published casualty estimate carries no child-alone share.** The Lancet reports 16,699 of 28,257 deaths with age and sex recorded, 59.1%, as women, children under 18 and older people counted together as one composite (Jamaluddine and colleagues, 2025).

- **UNICEF’s mid-year update of 17 July 2026 attaches no source, no date and no denominator to its 90% water-and-sanitation figure**, and footnotes its displacement figure to “a UN estimate in 2025,” a cumulative construction relayed from an unnamed estimate of a prior year.

How many of Gaza’s schools were damaged in seven weeks?

68.2% of the Gaza Strip’s 475 education facilities sustained damage between 7 October and 22 November 2023, the first 46 days of the Israeli military campaign, in a peer-reviewed satellite analysis published in Conflict and Health (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024).

The Conflict and Health analysis measured that damage by multi-temporal coherent change detection applied to Sentinel-1A synthetic aperture radar imagery, which registers change in the radar signature of a building footprint between satellite passes. Of the same 475 facilities, 191, or 40.2%, met the study’s threshold for what it calls functional destruction: a damage area of 50% or more, read off the imagery.

Functional destruction in this study is a subset of damage rather than a second population, and the two may not be added. It is a threshold on an image, not a verified loss of service, and the analysis does not establish that any particular school stopped teaching. The denominators come from open-source humanitarian building inventories cross-checked against mapping data rather than from an official facility register, so the percentages move with the inventory rather than with a fixed list.

The Conflict and Health team states its own principal limit plainly: the lack of ground-truth data prevents the ability to quantify the accuracy of satellite radar-based damage assessments. The window is the first phase of the campaign alone. These are not war-total figures, and they describe nothing about any later period.

An education facility is a building where children are, and that is the whole of what the figure measures. Nothing in the evidence assembled here counts pupils, attendance, or how long a school stayed shut, and the humanitarian category for improvised classrooms, the

Temporary Learning Space, is enumerated nowhere as an outcome. The most precise number available about children's schooling in Gaza is a number about roofs.

School damage ran highest north of Wadi Gaza, at 83.4%

83.4% of Gaza governorate's 199 education facilities sustained direct damage over the same window, against 47.1% in the three southern governorates below Wadi Gaza that the evacuation order of 13 October 2023 designated as the evacuation zone (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024).

Conflict and Health recorded North Gaza between the two, at 79.3% of its 87 education facilities. In the southern zone, 89 facilities showed direct damage and 24, or 12.7%, met the functional-destruction threshold, against 40.2% for the Strip as a whole.

Education facilities with direct damage, by area

SHARE OF EACH AREA'S FACILITIES, 7 OCTOBER TO 22 NOVEMBER 2023



Source: Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024, Conflict and Health, peer-reviewed. Shares of 199, 87 and 189 education facilities respectively.

The Conflict and Health analysis also reports a global spatial-autocorrelation statistic, whose result the authors describe as indicating under a 1% likelihood “that this amount of clustering would occur by random chance, regardless of the degree of damage.” That is a statement about how detected damage is distributed across the map. The conclusion the author team draws from it, an allegation that international humanitarian law was violated, is the team's own inference and appears in the paper as such; it is a legal argument rather than a measurement, and the two are kept apart here.

The southern figure is the one a reader is most likely to want and least likely to be given. The three governorates below Wadi Gaza are the area the 13 October order named as the destination, and close to half of their education facilities registered damage inside the same 46 days. That is a distribution of detected damage and nothing more: the study measures where damage appears, not who moved, not why, and not whether any instruction was followed.

The facility inventory the paper works from covers all five governorates and holds 97 health, 475 education and 152 water facilities. Every share in this section is a share of the education column of that inventory.

Which body measured the figures these reports carry?

The 90% water-and-sanitation figure in the mid-year humanitarian update UNICEF published on 17 July 2026 carries no source, no date and no denominator anywhere in the document, which is a three-page gap analysis and funding appeal for children in Gaza rather than a statistical release.

UNICEF states the same document's displacement figure in its own footnote: "An estimated 1.9 million out of the total 2.1 million people in the Gaza Strip have been displaced, many of them several times (UN estimate in 2025)." That is a cumulative construction, counting people displaced at any point rather than people displaced now, relayed from an unnamed estimate of a prior year and carried forward into a 2026 document.

A gap analysis exists to state unmet need and ask for money, and reading one as a statistical release is where the provenance chain breaks. The figures at the front of such a document are context, gathered from elsewhere to frame an appeal. What UNICEF publishes as its own measurement is the shortfall in its own response, which is what the document was written to report.

Two other kinds of body sit behind the phrase. A commission of inquiry reported in June 2026, and a United Nations human rights office published on Gaza through 2026; each holds a position on contested questions, each is dated, and this report carries no figure from either. The compiled case material about children shot in areas described as safe is set out separately,

in the Institute's report on [the compiled shooting cases](#), which records what that record contains and what it lacks.

So the answer to the heading, for the document most often invoked, is that the publisher measured none of the three context figures it prints. Two of the three name no measuring body at all. The third does, and that body is the subject of the next section.

Where does the 82% water-insecurity figure come from?

82% is a share of 342 assessed households. The WASH Cluster measured it in a phone survey conducted between 2 March and 15 March 2026, and its authors state that the findings “cannot be considered representative of the population in Gaza.” It reached readers written as a share of families.

UNICEF reports the finding this way: “An estimated 82 per cent of families are water insecure, and up to 70 per cent cannot access 6 litres per person per day.” Families in Gaza number in the hundreds of thousands. Assessed households in this instrument number 342, contacted by telephone across a fortnight, and the distance between those two bases is the whole of the claim.

The measuring body is named in the record and is not the relayer, which is why this report attributes the figure to the cluster that ran the survey. That is not a technicality about attribution. A reader who knows the figure is a cluster's telephone sample can weigh it; a reader who receives it as a share of families in Gaza cannot, because the sentence as relayed implies a population measurement the survey's own authors decline to claim.

The second half of the relayed sentence carries the same shape. Up to 70% is a ceiling rather than a point estimate, and the 6 litres per person per day it is measured against is a threshold the sentence states without saying whose it is or where it comes from, so the threshold is doing work the sentence does not explain.

Neither figure is a figure about children. A household is a unit containing adults and children in unrecorded proportion, and the WASH Cluster publishes no child-level water share from this instrument at all. For a question specifically about children in Gaza, the most-quoted

water figure in circulation measures households, on a sample of 342, in a survey that says it does not represent the population.

What did the field enumeration record inside the displacement sites?

About 1.5 million residents were living in approximately 246,000 tents or tent-like shelters, an average of about six people per tent against a standard emergency tent designed for five, in the Site Management Cluster's verification of every displacement site on its master list, with fieldwork from 3 February to 19 April 2026.

The Site Management Cluster reported 1,591 sites as active out of 1,856 targeted, holding an estimated 1,708,822 individuals across 354,550 households at the data extraction of 16 May 2026. Twelve partner organisations deployed 165 trained enumerators across 116 neighbourhoods to produce it, which makes this the largest primary field enumeration of Gaza's displaced population on the record.

The shelter findings underneath that headline are the specific ones. About 59,000 shelters held more than eight people. 7,700 households, roughly 38,500 individuals, were sleeping outdoors with no shelter at all, and they were present in 19% of the sites surveyed. 136,000 households, about 680,000 people and 38% of all households in sites, had received no shelter assistance in the six months before the survey.

The cluster records 83% of the 1,591 sites as makeshift, meaning informal, open-air and tented. About 11% are collective centres in schools and public buildings, and scattered sites of fewer than ten households make up the remainder. That 11% is where this section meets the first: the buildings sheltering displaced families in the collective-centre category are in substantial part the same class of building the damage analysis counted, which is why a school-damage share and a shelter share describe one physical stock from two directions.

Makeshift here is a site type rather than a shelter type, and its counterparts are a collective centre and a scattered site, never a permanent building. The population figures are estimates throughout, and the assessment presents itself as a baseline rather than a point-in-time snapshot, with the earliest data about four months old at publication.

Age was recorded at 253 of the 1,591 displacement sites

Sex- and age-disaggregated data exist for 253 of the 1,591 active displacement sites the Site Management Cluster verified in Gaza, and data on female children for 15.5% of sites, so every demographic share in the largest field enumeration of the Strip's displaced rests on a subsample.

The household count is derived rather than enumerated. Where disaggregated data were unavailable, the cluster applies a standard household size of five, so no per-household figure in the assessment is a count of households, and any figure expressed per household inherits that assumption rather than measuring it.

The Site Management Cluster states what the site count is, in its own words. The 1,591 “should be understood as a social count: A measure of how many organised displaced communities were identified and reached rather than a census of discrete physical locations.” A single interview per site also means the figures for persons with disabilities and for female-headed households are underestimates, which the assessment says of itself.

Two figures for displacement circulate and they may not be subtracted from one another. The roughly 1.7 million counted in sites is a count of people in sites at a stated date; the 1.9 million relayed elsewhere is cumulative, covering people displaced at any point since October 2023, many of them repeatedly. No publisher reconciles the two, and a residual produced by subtracting one from the other would belong to whoever performed the subtraction.

What that leaves, for a question about children, is this. The Site Management Cluster recorded the ages of the people it found at fewer than one site in six, and the ages of girls at fewer than one in six again. The enumeration is real, the enumerators were trained, the coverage was near-total by site, and the demographic answer still rests on a subsample the cluster names precisely.

Does any casualty estimate publish a child-alone share?

59.1% of the deaths for which age and sex were recorded, 16,699 of 28,257, were women, children and older people counted as one composite category, in a peer-reviewed capture-

recapture analysis published in The Lancet (Jamaluddine and colleagues, 2025). No child-alone share appears anywhere in it.

The Lancet analysis reports three groups in that one number: women, children under 18, and people aged 65 and over. Nothing in the paper separates the middle category, so the figure a reader wants, the share of the dead who were children, cannot be recovered from it by any arithmetic the paper supports.

The denominator matters as much as the composite. 28,257 is the count of deaths for which age and sex data were available, and it is not the study's estimate of total mortality. That estimate is 64,260 deaths due to traumatic injury between 7 October 2023 and 30 June 2024, with a 95% confidence interval running from 55,298 to 78,525. Applying 59.1% to 64,260 produces a figure that appears nowhere in the paper, built by multiplying a share from one base against a total from another.

The estimate is also narrower than the word casualty suggests. It covers traumatic injury only, and the authors state that it excludes deaths from healthcare disruption, food insecurity, water and sanitation failure and disease, which is the category most likely to bear on the very young.

The Lancet study documents three input lists: a hospital morgue record holding 22,368 identified decedents, a rolling online mortality survey launched on 1 January 2024 holding 5,817, and manually scraped social media obituary pages. Two of the three are self-reported, and the first belongs to the health ministry of a party to the war, reported here as that ministry's own record. The estimate is independent academic work built on those inputs, and it publishes no figure for children alone.

Why do published shares of women and children killed differ?

9,692 unidentified decedents sat in the Gaza Ministry of Health's 30 June 2024 update, 26% of its cumulative total, and were excluded from the hospital list the analysis worked from, along with 930 people reported missing from its survey list (Jamaluddine and colleagues, 2025).

That is the mechanical answer. The Gaza Ministry of Health reported 37,877 decedents as of that date, of whom 28,185 were identified, and age and sex were available for 28,257 deaths in the analysis. So four different denominators are in circulation for the same event, and each produces a different share: all reported deaths, identified deaths, deaths with age and sex recorded, and a modelled estimate of total traumatic-injury mortality.

The study's under-reporting figure carries the same trap. Its 41% is a share of its own 64,260 estimate, never a multiplier on the ministry's 37,877. The gap between the two is 26,383 deaths, which is 41% of 64,260 and 70% of 37,877, so a reader who applies the percentage to the ministry figure arrives at a number the paper does not contain.

One further absence explains more of the divergence than any of the above. The Gaza Ministry of Health publishes no combatant and noncombatant breakdown at all, and the Costs of War compilation at Brown University records that absence (Crawford, 2025, university research project, not peer-reviewed). Every civilian share in circulation is therefore somebody's construction from other inputs rather than a category the registry itself keeps.

Set together, the published shares differ because the bodies producing them count different populations over different windows on different definitions, and because the composite categories they publish were not built to answer a question about children. The distinctions between the counting bodies are set out at greater length in the Institute's report on [what each body counts](#).

How did the schools finding change as it left the journal?

42.1% of Gaza's 152 water facilities sustained damage in the same 46 days, and the announcement of the study wrote "more than half of healthcare, education, and water facilities," a sentence that holds only of the pooled total and not of water taken alone (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024).

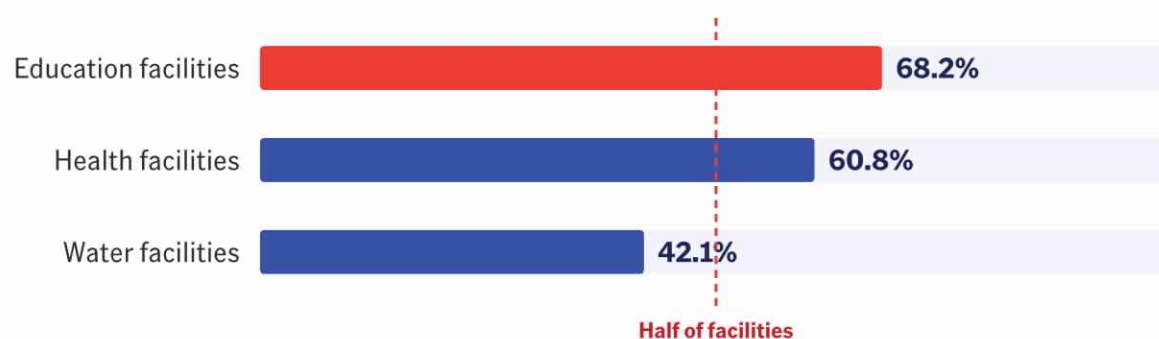
The Harvard FXB Center published that announcement on 9 April 2024. The arithmetic behind it is one division: pooled across the three classes, 447 of 724 facilities showed damage, which is 61.7% and above half. Taken separately the three shares are 60.8% of health

facilities, 68.2% of education facilities and 42.1% of water facilities, and the third does not clear half by any reading.

The Conflict and Health Discussion states it in the authors' own words: over half of health and education facilities, and over a third of the water facilities.

Three facility classes, three different shares

DAMAGED SHARE OF EACH CLASS, 7 OCTOBER TO 22 NOVEMBER 2023



Source: Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024, Conflict and Health, peer-reviewed. Shares of 475 education, 97 health and 152 water facilities.

A parallel limit sits on the health column. The paper's denominator is 97 health facilities, a category that includes clinics and primary-care centres, against 36 hospitals in the Strip. So 60.8% is a share of health facilities of every kind and is never a share of hospitals, however often the two are written as though they were one.

This is the same mechanism the earlier sections describe, running once more and in a place a reader can check in a single division. A telephone survey of 342 households became a share of families. A cumulative estimate of people ever displaced became a description of people displaced now. Three separately reported shares became one sentence about more than half.

None of these relays invents a number. Each takes a real figure produced by a named body and widens the thing it is a figure about, and the widening is what travels, because the widened version is the shorter sentence.

Methodology

This report assembles published figures about children in Gaza and traces each one to the body that produced it. Every figure is labelled by source type and dated, and where a document relays a figure rather than measuring it, the measuring body is named instead of the relayer.

Peer-reviewed research supplies the two measured spines. Conflict and Health published a spatial analysis of Sentinel-1A radar imagery over 97 health, 475 education and 152 water facilities across all five governorates for the 46 days from 7 October to 22 November 2023; it is satellite-only, has no ground truth, and its authors state that this prevents quantifying the accuracy of the damage assessment. The Lancet published a three-list capture-recapture estimate of traumatic-injury mortality from 7 October 2023 to 30 June 2024, with a point estimate of 64,260 and a 95% confidence interval of 55,298 to 78,525.

Primary field enumeration by humanitarian coordination clusters supplies the shelter and water figures. The Site Management Cluster ran its displacement-site verification from 3 February to 19 April 2026, extracting data on 16 May 2026; its population figures are estimates, its household counts apply a standard size of five where disaggregated data were unavailable, and it describes the 1,591 sites as a social count rather than a census of locations. The WASH Cluster measured its March 2026 light-touch monitoring on 342 assessed households by telephone, and states that it cannot be considered representative of the population in Gaza.

An official statistical record supplies the population base. The Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Gaza Strip in its 2017 census, the most recent enumeration, so every later population total for the territory is a projection off that measured base.

Two documents are read here for provenance rather than for their figures: the mid-year humanitarian update UNICEF published on 17 July 2026, a gap analysis and funding appeal, and the announcement the Harvard FXB Center published on 9 April 2024 relaying the education-damage study. Costs of War at Brown University is used for one recorded absence, and it is not peer-reviewed.

Three limits bind everything above. No independent enumeration of Gaza's population or its dead has been possible since the war began, so every count is a registry, a projection, a satellite reading or a modelled estimate. The shares here have different bases, and each is stated with its own: 68.2% is of education facilities, 82% is of assessed households, 59.1% is of deaths with age and sex recorded. And no source assembled here publishes a child-alone count of deaths or injuries in Gaza; that absence is recorded rather than filled.

Conclusion

So what do these reports find about children in the Gaza Strip? Read one by one, with their dates and denominators attached, they find less than the phrase promises and more than a summary can carry. The strongest measured findings are a satellite reading of 475 school buildings over 46 days, a field enumeration of 1,591 displacement sites in which age was recorded at 253 of them, and a mortality estimate whose only demographic figure puts women, children and older people into a single composite on a partial denominator.

Around those, the record thins fast. The most-relayed water figure was measured on 342 households by telephone and states in its own methodology that it does not represent the population. The most-quoted displacement figure is cumulative, relayed, and a year older than the document carrying it. The most-quoted damage sentence pools three facility classes to clear a threshold that one of them does not clear alone. Every one of those figures is real, every one has a named producer, and every one describes something narrower than the sentence it arrives in.

What is missing is the simplest thing anyone would ask for. There is no register in this evidence base that counts Gaza's children as children: not their deaths, not their injuries, not their schooling, not their ages inside the sites they live in. The composite exists because the categories were built for something else, and the subsample exists because an enumerator with one interview per site cannot ask everything.

A figure that has been widened once travels better than the figure it came from, because the widened version is shorter and answers the question people actually asked. Households become families, sites become the displaced, three shares become more than half. If the

public record about the youngest people in a war is assembled almost entirely out of numbers that were widened on the way, what exactly is it that the public knows?

Frequently Asked Questions

Which satellite method produced the education-damage figures?

Multi-temporal coherent change detection applied to Copernicus Sentinel-1A synthetic aperture radar imagery, overlaid on facility locations drawn from open-source building footprints (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024). Radar registers change in a building footprint between satellite passes, so it detects structural change rather than confirming what happened inside a building.

Is the 60.8% health-facility figure a share of Gaza's hospitals?

No. The denominator is 97 health facilities including clinics and primary-care centres, against 36 hospitals in the Strip (Asi, Mills, Greenough, Kunichoff, Khan and colleagues, 2024). A share of health facilities of every kind and a share of hospitals are different quantities, and the study reports only the first.

Why can the two displacement figures not be subtracted from one another?

The roughly 1.7 million counted by the Site Management Cluster is a count of people in displacement sites at a stated date; the 1.9 million UNICEF relays is cumulative, covering people displaced at any point and many of them more than once. No publisher reconciles them, so a difference between them would be the subtractor's own number.

What does the Site Management Cluster mean by a makeshift site?

An informal, open-air, tented site, which is one of three site types alongside collective centres in schools and public buildings and scattered sites of fewer than ten households. It describes the site, not the shelter, and 83% of the 1,591 verified sites fall into it.

Does the Lancet estimate include deaths from hunger and disease?

No. The Lancet estimates deaths due to traumatic injury only, and its authors state that it excludes deaths arising from healthcare disruption, food insecurity, water and sanitation failure and disease (Jamaluddine and colleagues, 2025). Its point estimate is 64,260, with a 95% confidence interval of 55,298 to 78,525.

Does the Gaza Ministry of Health publish a combatant and noncombatant breakdown?

It publishes none, and Costs of War at Brown University records the absence (Crawford, 2025, not peer-reviewed). Every civilian share in public circulation is therefore built from other inputs, and the ministry's own registry is a party's own count of deaths reported through health facilities.

What population base do shares about Gaza rest on?

The Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Gaza Strip on a reference date of 1 December 2017, in the most recent census conducted in the territory. Every population total published since is a projection off that measured base, adjusted for war-related mortality and out-migration rather than enumerated.

Is there a published count of school attendance in Gaza during the war?

None appears in the evidence assembled here. The damage study counts buildings, the displacement assessment counts sites and shelters, and the humanitarian category for improvised classrooms, the Temporary Learning Space, is not enumerated as an outcome anywhere in that record. The absence is recorded rather than estimated.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

How Has Israel's Occupation Affected Palestinian Freedom of Movement? Reading the Permit Instrument and the Quotas It Publishes

COGAT's own permit instrument sets a standing quota of 74,300 for construction work in Israel, publishes no total, and records no count of anyone who crossed.

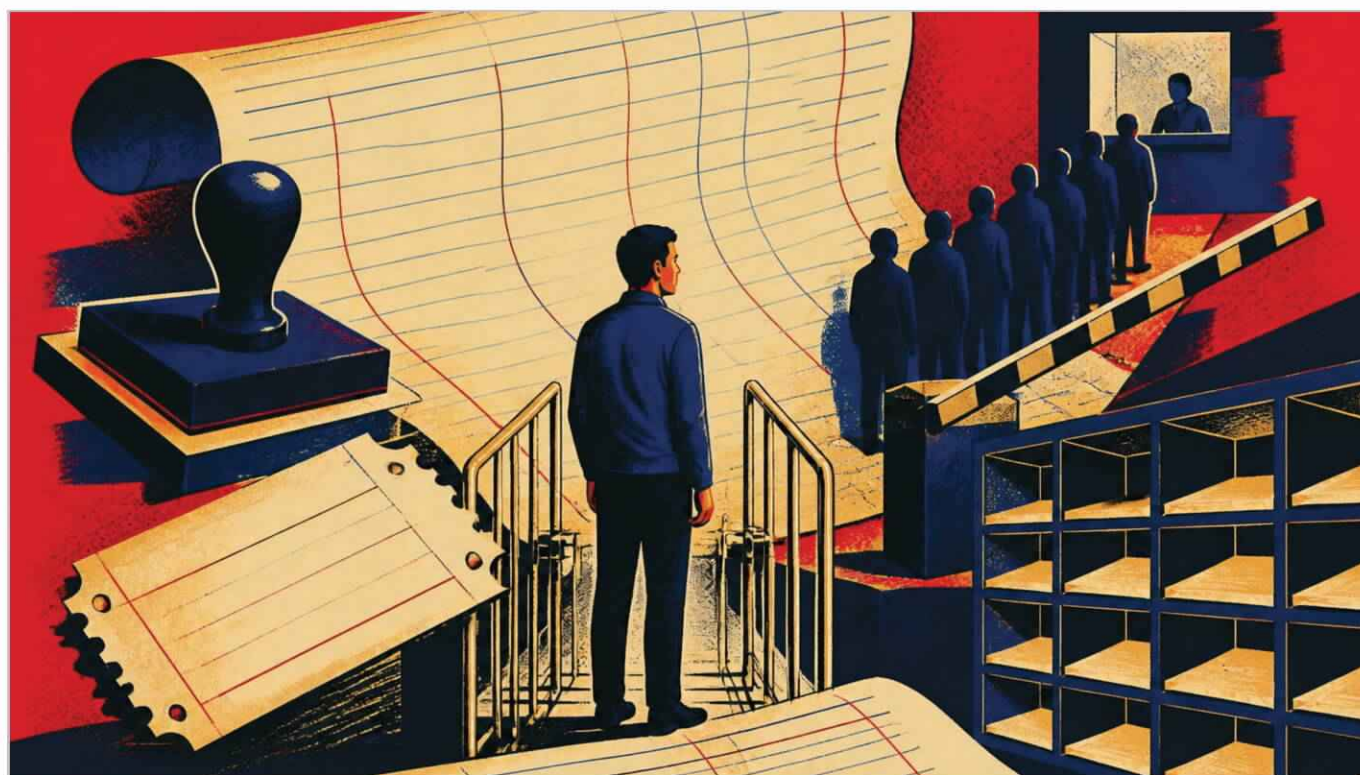
Freedom of Movement

Permit Regime

COGAT

West Bank

Gaza



COGAT publishes the answer in its own words, and it publishes it as permissions and ceilings rather than as counts. The Israeli Ministry of Defense unit that administers Palestinian movement out of the West Bank records a 68-page Status of Authorizations, current to 8 February 2022, which opens by stating that Judea and Samaria is “a closed military area and not to be entered or exited without a permit issued on behalf of the military commander,” then sets a standing quota of **74,300** for Palestinians working in home construction in Israel, attaches the criterion “Age 22, married” to nearly every standing employment row, caps departures abroad from Gaza through Ben Gurion Airport at a monthly quota of 20, and leaves exactly one category with no quota at all. What the instrument never publishes is a count. Not a permit issued, not a person who crossed, not a person refused, and no total anywhere in its 68 pages.

Key Findings

- COGAT records a standing quota of 74,300 for Palestinians employed in home construction in Israel, the largest single row in its own permit table, in an edition current to 8 February 2022. A quota is a ceiling the unit authorises itself to issue, and the document states no total for the table it sits in.
- The instrument opens on the rule it administers: under the Order Concerning Closed Areas (West Bank Area) (Amendment) (No. 34), 1967, the area of Judea and Samaria is “a closed military area and not to be entered or exited without a permit issued on behalf of the military commander.”
- The Civil Administration reports the issued figure separately: “As of March 1, 2020, the number of valid work permits for Palestinian employees working in Israel stood at 87,000,” with a companion 35,000 for permits to work in Judea and Samaria. Those are permits held on a stated date, not ceilings, and not a count of anyone crossing.
- One category in COGAT’s own instrument carries no ceiling at all: employment in the industrial zones and in the Israeli communities of Judea and Samaria, approved within the Seam Zone “from age 22 and up, with no quota,” and outside it “from age 18 and up, with no quota and with no restriction regarding personal status.”

- No Israeli official body was found publishing a count of obstacles inside the West Bank, on searches of gov.il, idf.il, cogat.mod.gov.il and mevaker.gov.il run on 10 September 2026. The 68-page permit instrument holds no checkpoint count, no obstacle count and no crossing count.

What rule governs a Palestinian leaving the West Bank?

COGAT records the governing rule on page 3 of its own permit instrument, in an edition current to 8 February 2022: under the Order Concerning Closed Areas (West Bank Area) (Amendment) (No. 34), 1967, the area of Judea and Samaria is “a closed military area and not to be entered or exited without a permit issued on behalf of the military commander.”

That sentence is the frame every later row sits inside. It is not a description of conditions on the ground and not an independently verified account of anything: COGAT states the rule it administers, under its own name, on a government host.

The document is titled Status of Authorizations for entry of Palestinians into Israel; for their passage from Judea and Samaria into the Gaza Strip; and for their departure abroad. The title names three classes of authorisation, and COGAT builds the instrument in matching parts: a section on the population of Judea and Samaria, a section on the Gaza Strip, a section on transit between the two, and permit tables running to the end of its 68 pages.

The tables have a fixed shape. Each row records the purpose of the permit, who it applies to, the quota, the term, the age restriction and the issuing authority. A row is not a report of what happened. It is a standing authorisation: this many permits, for this purpose, to people meeting these criteria, from this office.

The instrument is also narrower than the question usually asked of it. By its own construction it governs movement out of the West Bank into Israel, into the Gaza Strip and abroad, and states that it is not a document about movement inside the West Bank. Bypass roads, road gates and internal closure therefore appear nowhere in this reading.

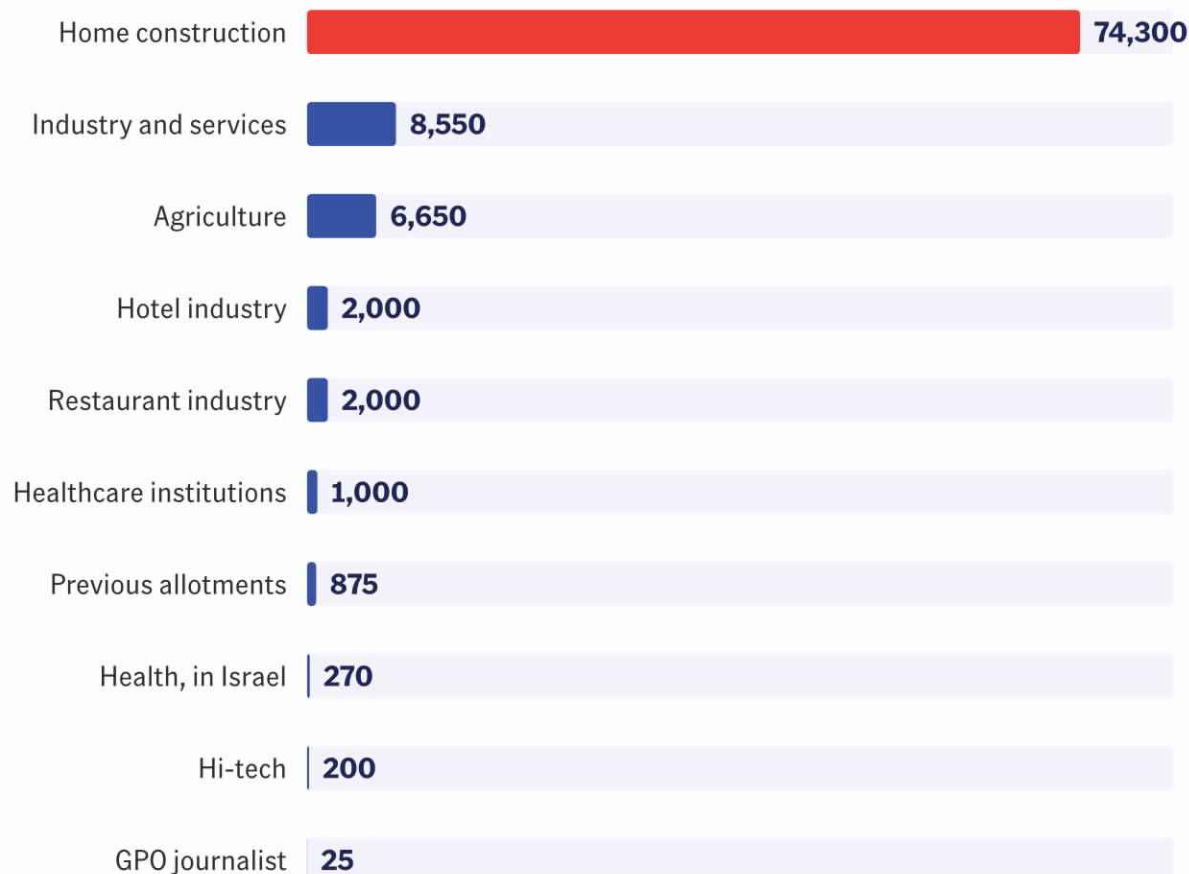
How many Palestinians may work in Israel under the standing quotas?

74,300 is the largest single row in COGAT's own standing employment table: the quota for Palestinians working in home construction in Israel, in the edition current to 8 February 2022. A quota is a ceiling the unit authorises itself to issue, never a person who worked and never a person who crossed.

COGAT records the rest of the table on page 32, running from thousands to tens. Industry and services stands at 8,550; agriculture at 6,650; the hotel industry and the restaurant industry at 2,000 each; healthcare institutions at 1,000; arrangement of previous allotments at 875; health, in Israel, at 270; hi-tech at 200; and a Government Press Office journalist permit at 25.

Standing employment quotas for work in Israel

PERMITS COGAT AUTHORISES ITSELF TO ISSUE, BY PURPOSE



Source: COGAT, Status of Authorizations, edition current to 8 February 2022, page 32. Ceilings COGAT records for itself, not counts of anyone employed. The document states no total for this table.

Three further rows sit outside that table for particular places: the Atarot Industrial Zone at 3,600, physicians at hospitals in East Jerusalem at 2,680, and the East Jerusalem hotel industry at 300. Seasonal agriculture carries a quota of 12,500, which COGAT is authorised to administer and to change on a request from the Ministry of Agriculture, each change requiring separate approval from the head of the unit.

No sum of any of this may be presented as published, because COGAT states no total anywhere in its 68 pages. Two rows defeat simple addition in any case. The seasonal sub-quotas of 9,500 for fruit and vegetables and 3,000 for the almond or olive harvest sit inside the 12,500 rather than beside it, and the hi-tech row of 200 sits inside an allotment of 500. A column added down the page is wrong twice over before it reaches the bottom.

Does a quota mean a permit was issued?

87,000 is the issued figure, and it comes from a different page and a different office. The Civil Administration reports that “As of March 1, 2020, the number of valid work permits for Palestinian employees working in Israel stood at 87,000,” with a companion figure of 35,000 for permits to work in Judea and Samaria.

Those two numbers are permits held on a stated date. They are not ceilings, not authorisations, and not a count of anyone who crossed a line on any given morning. The Employment Unit publishes them on a page whose own date stamp is null, so the figures date the page rather than the other way round.

Set beside the permit instrument, they answer a different question about a different year. COGAT records its quotas as current to 8 February 2022; the Civil Administration reports valid permits as at 1 March 2020, two years earlier. Both are the Israeli administration’s own account of its own arrangements, and neither has been independently verified.

The distinction matters because it is the most common way this evidence is misread. A sentence reading that 74,300 Palestinians worked in construction in Israel inverts the

instrument: COGAT states how many permits it authorised itself to issue for that purpose, not how many people the permits reached, not how many were refused, and not how many travelled. A ceiling can sit unfilled for a year and the row will read the same.

The gap runs the other way too. The 87,000 covers valid permits across every purpose, not construction alone, so it cannot be set against any single row. Comparing an issued total for one date with a purpose-specific ceiling for another produces an arithmetic a reader can falsify, which is why the two figures are stated here separately and never as a ratio.

Which employment category does the instrument leave with no quota?

At page 6, COGAT records an employment category with no ceiling at all: work in the industrial zones and in the Israeli communities of Judea and Samaria, approved within the Seam Zone “from age 22 and up, with no quota,” and outside the Seam Zone “from age 18 and up, with no quota and with no restriction regarding personal status.”

The Civil Administration states the same thing on its own page, in one line: “Employment of Palestinian workers in Judea and Samaria is not limited by quota.” Two Israeli bodies, publishing separately, report the same absence of a ceiling.

The observation is descriptive and stops where the record stops. COGAT caps ten categories of employment inside Israel, itemises three more for particular places, and caps none of this one. The table says nothing about how many people work under it, because it says nothing about how many people work under anything.

Two limits belong beside it. The phrase Seam Zone appears exactly twice in the whole 68-page instrument, both on the page carrying this clause, so the document supports no wider account of that area. And the age rule inverts here: the uncapped category outside the Seam Zone opens at 18 with no personal-status requirement, where the standing rows for work inside Israel start at 22 and mostly require marriage.

This is also where the record runs out on the settlement question. COGAT shows how the Israeli communities of Judea and Samaria enter the permit regime, as an employment

category with no quota attached. The instrument holds nothing about roads and nothing about who may drive on them, so the half of the question that concerns settler road networks cannot be answered from this document. The Interim Agreement's division of the West Bank into [areas of separate jurisdiction](#) is where that boundary was drawn.

What does a permit require of the person, beyond the job?

“Age 22, married” is the criterion COGAT attaches to nearly every standing employment row in its own table, unless otherwise noted. Each row records purpose, applicability, quota, term of permit, age restriction and issuing authority, so what the instrument regulates is a person's age and marital status as much as the work they are going to do.

The variants fix the pattern rather than break it. COGAT reports healthcare institutions and health in Israel at ages 21 and up, physicians at hospitals in East Jerusalem at 21 and up on a quota of 2,680, and the East Jerusalem hotel industry at “ages 25 and up, or 22 if married,” on a quota of 300.

Category	Age and status criterion	Quota
Standing employment rows, unless noted	Age 22, married	Per row
Healthcare institutions	Ages 21 and up	1,000
Health, in Israel	Ages 21 and up	270
Physicians, East Jerusalem hospitals	Ages 21 and up	2,680
Hotel industry, East Jerusalem	Ages 25 and up, or 22 if married	300
Industrial zones and Israeli communities, in the Seam Zone	Age 22 and up	No quota
The same, outside the Seam Zone	Age 18 and up, no personal-status restriction	No quota

Source: COGAT, Status of Authorizations, edition current to 8 February 2022, pages 6, 32 and 33. Criteria COGAT publishes for itself; the table records authorisations, not people.

Read down that column, the criteria do something the quota column does not. A ceiling limits how many permits exist; an age and marital threshold limits who may hold one, before any employer, job or quota comes into it. An unmarried man of 21 is outside most of the table whatever the ceiling says.

Business travel is scoped the same way. COGAT puts the permit for senior Palestinian businesspeople at an overall quota of 4,600 with 1,267 vehicular permits inside it, and an assistant permit at three per holder. Again these are permissions, and again the document reports no issuance against them.

How may someone in Gaza leave for another country?

A monthly quota of **20**. COGAT records in its Gaza section that departure abroad “shall be through the Allenby Bridge Crossing, solely in escorted groups (shuttles),” and that “As a rule, Palestinians are not granted departure through Ben Gurion Airport, with the exception of BMC permit holders and extremely exceptional unique humanitarian cases (monthly quota of 20).”

Two things travel with that clause. COGAT states it at page 17, inside its own Gaza part, so it is a Gaza clause and may not be moved onto the West Bank, where departure abroad is treated separately. And it is dated February 2022 like everything else in this edition, so it describes an authorisation standing at that date rather than an arrangement in force now.

The clause is unusually explicit about form as well as number. The route, the mode and the exception are all named: departure runs through one land crossing, in escorted groups, and the airport is closed as a rule with two stated exceptions, one a permit class and the other a humanitarian category with a monthly ceiling of twenty people.

What the section never does is report a single departure. COGAT publishes no figure for applications, none for approvals, none for refusals and none for people who travelled. The twenty is the size of the exception the unit wrote for itself, and it would read identically in a month when nobody used it.

The Gaza part of the instrument is one strand of a wider record. Restrictions on the movement of goods and people into and out of the Strip, and what each body publishes about them, are treated in the Institute's report on [the blockade of Gaza](#), which reaches a different set of sources on the same territory.

What governs travel between the West Bank and Gaza?

Passage from Judea and Samaria into the Gaza Strip is its own authorisation class in COGAT's own instrument, named in the document's title and given a four-page section to itself. The one figure this report takes from that section runs the other way: a cap of up to 500 merchants at any given time, which COGAT applies to Israeli Arabs entering Gaza rather than to Palestinians travelling from the West Bank.

That is the shape of the record and its limit in one sentence. Transit between the two territories is administered as a separate class of permission, alongside entry into Israel and departure abroad. COGAT runs that section from page 22 to page 25, and the single quota carried out of it is scoped to a different population moving in a different direction.

Two dated lines sit around it. The Interim Agreement records, at Article XXXI(8), that the two sides "view the West Bank and the Gaza Strip as a single territorial unit"; Israel and the Palestine Liberation Organization signed it at Washington on 28 September 1995, and it is quoted here from the English text published by a party to it. The World Bank reported the same pair of territories differently in September 2023: "Two million Palestinians live in Gaza, which has been under a near-blockade and effectively cut off from the West Bank since 2007."

The two statements are not in conflict, and neither is a measurement. One is a clause both parties signed about how the territory is to be regarded; the other is an economic institution's characterisation of the arrangement twenty-eight years later.

Between them sits the instrument, which treats the journey from one territory to the other as a permit class with an issuing authority and a term. Whether anyone made that journey, and how often, is not a quantity the permit class reports.

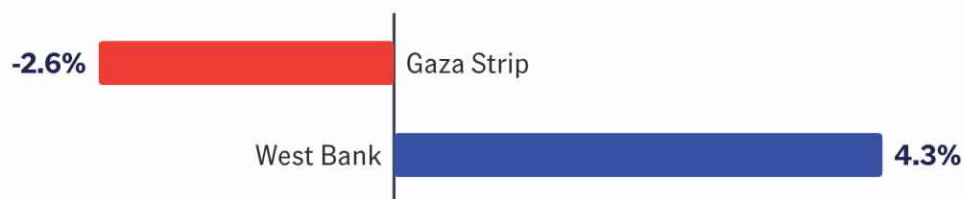
Gaza's farming and fishing output fell almost 30% after one restriction

Agriculture, forestry and fishing in Gaza “shrank by almost 30 percent after the GoI restricted the sale of Gazan fish in the West Bank in August 2022,” the World Bank reported in September 2023, giving it as the chief driver of Gaza’s 2.6% year-on-year contraction in the first quarter of 2023 against 4.3% growth in the West Bank.

Two labels travel with that sentence and neither is optional. The Palestinian Central Bureau of Statistics measured the underlying quarterly national accounts, a national statistical office that is a party to the events, and the Bank relayed them on its own source lines. The attribution of the contraction to the August 2022 restriction is the Bank’s reading, not the Bureau’s.

Year-on-year GDP change, first quarter 2023

CONSTANT 2015 PRICES, THE TWO TERRITORIES REPORTED SEPARATELY



Source: World Bank, Racing Against Time, September 2023, relaying the Palestinian Central Bureau of Statistics' own national accounts. The attribution to the August 2022 restriction is the Bank's.

What makes the figure worth stating plainly is how rare its shape is. It is the only measured consequence of a single named movement restriction anywhere in the record read for this report. Everywhere else the evidence is a permission, a threshold or a ceiling; here one restriction on where a product could be sold is followed, in a published national accounts series, by a fall of almost 30% in the sector that produced it.

The restriction itself is not a permit clause. It concerns the sale of Gazan fish in the West Bank, so it operates on goods rather than on people, and COGAT records nothing about it. That is why the two records sit in one report without being merged: one governs who may move, the other measures what happened to an industry when a market closed.

Who counts the obstacles inside the West Bank?

No Israeli official body was found publishing a count of obstacles inside the West Bank, on searches of gov.il, idf.il, cogat.mod.gov.il and mevaker.gov.il run on 10 September 2026. COGAT's own 68-page permit instrument holds no checkpoint count, no obstacle count and no crossing count.

The absence is recorded here as a finding rather than a gap, because a search was actually run, on named hosts, on a stated date, and it returned nothing. What the government record holds on this question is the rule, the permit classes and the ceilings set out above. What it does not hold is an inventory.

Underneath the missing number sits a definitional problem that decides most public arguments on the subject, and it is not itself in dispute. Three different objects are counted under words that sound interchangeable. A crossing is a fixed terminal on the barrier between the West Bank and Israel. A checkpoint, in the Israel Defense Forces' own usage, is a manned position activated in response to a security warning. An obstacle, in the counts that circulate publicly, is any physical impediment inside the West Bank: an earth mound, a road gate, a trench or a roadblock included.

Those three are not the same thing and do not have the same order of magnitude. A figure in the tens and a figure in the hundreds can both be accurate at once, because one counts terminals and the other counts impediments of every kind. A report that sets one against the other, and treats the difference as a contradiction, has manufactured the contradiction it then explains.

So this section prints no obstacle figure, because no Israeli official body was found publishing one, and because a figure lifted from a source counting a different object would answer a question nobody asked.

Which line governs movement inside Gaza now?

The Security Council adopted Resolution 2803 on 17 November 2025 by 13 votes in favour, none against and 2 abstentions, and the resolution and the Comprehensive Plan annexed to it

record only that “Israeli forces will withdraw to the agreed upon line to prepare for a hostage release.” The words yellow line appear nowhere in either text.

The Israel Defense Forces page dated 19 February 2026 turns on that line in entry after entry. It describes people who “crossed the yellow line,” and applies the army’s own stated threshold that such activity “constitute[s] a clear violation of the understandings of the ceasefire.” Both labels are required in the same breath: this is one party’s characterisation of another party’s conduct, published by that party, and it applies its own test rather than any threshold in the resolution, which sets none.

Three properties of that page belong with anything taken from it. It publishes no total, so the entries are a list and not a tally. Its dates do not run forward: nineteen of its November entries carry the year 2026 on a page dated before November 2026 existed. And it records only conduct it attributes to the other side, which is what a party’s own log of violations is for.

The finding here is about the record rather than about anyone’s conduct. The line that determines where a person in Gaza may go is an implementation artefact of the parties. One party names it constantly in its published entries; the Security Council did not define it in the text it adopted; the annexed plan does not map it; and no instrument read for this report defines or maps it anywhere.

That is a different situation from the permit regime above, and harder to check. A quota at least states a rule and a ceiling that can be read against a later edition; a line that governs movement while appearing in no adopted text leaves nothing at all to read.

The published permit record stops in February 2022

8 February 2022 is the date of the only current edition of COGAT’s own instrument, and no later one was located on gov.il on 10 September 2026. That edition predates the suspension of Palestinian work permits after 7 October 2023 entirely, so nothing in it can be read in the present tense.

Only one predecessor was found, dated 2 August 2020 and running to 82 pages. The two editions are not one series, and the construction rows prove it. COGAT recorded two rows in

2020, Construction at 26,000 and Home construction at 39,300, and a single row at 74,300 in 2022. Reporting the later figure as a near-doubling of the earlier one compares one row against two, and the earlier document is falsifiable on its own terms in any case, since it puts 39,300 in one column against 39,100 in another and gives seasonal agriculture as 10,500 in its body text against 9,250 in its own table.

That is the first absence: the rule is published, the ceilings are published, and the edition carrying them is more than four years old with no successor located on the government host.

A second and separate absence sits on the other side of the same question, and the two are not to be merged. The Palestinian Central Bureau of Statistics publishes an annual unemployment series for Gaza from its Labour Force Survey, a household survey counting people aged 15 and above who did not work at all in the reference period, were available for work and had actively sought a job in the previous four weeks, with discouraged jobseekers excluded. That series ends at 45.3% for 2022 and prints a dash in the Gaza column for 2023, 2024 and 2025.

So the two bodies whose records bear most directly on this question both stop within months of each other, one at a permit edition and one at a survey year. Neither publishes anything for the period a reader is most likely to be asking about.

Methodology and limitations

This report reads published instruments and official series, each labelled by type. Party records, cited as each party's own and never as neutral or independently verified: COGAT records the Status of Authorizations in its editions of 8 February 2022 and 2 August 2020; the Civil Administration reports valid work permits on its Employment Unit page, dated by the figures of 1 March 2020 inside it; the Israel Defense Forces page of 19 February 2026 states that party's own characterisation of another party's conduct; and the Palestinian Central Bureau of Statistics publishes the Labour Force Survey and the quarterly national accounts, a national statistical office and a party to the events. Primary instruments: the Interim Agreement of 1995, quoted from the English text published by a party to it, and Security Council Resolution 2803 with the Comprehensive Plan annexed to it, cited for its text and its

recorded vote. Compiled statistical reporting: the World Bank reported Racing Against Time in September 2023.

Six limits bear on the reading. A quota is a ceiling an office authorises itself to issue, never a count of permits, crossings or refusals, and COGAT states no total anywhere in its 68 pages, so no sum here is presented as published. The seasonal sub-quotas sit inside the seasonal quota and the hi-tech row inside a larger allotment, so the table does not add down. The 2020 and 2022 editions are separate documents and are never set against each other. The Gaza departure clause belongs to the Gaza section and is not applied to the West Bank. The transit section running from page 22 to page 25 is not read in full here, so only its existence, its scope and the single figure carried out of it are recorded. And the Bureau measured the Gaza economic figures the World Bank relayed, while the attribution of the contraction to the August 2022 restriction is the Bank's own.

Two absences are part of the finding rather than gaps in the reading. No Israeli official body was found publishing a count of obstacles inside the West Bank, on searches of four named government hosts run on 10 September 2026. And no instrument read here defines or maps the line now governing movement inside Gaza. The permit instrument governs movement out of the West Bank and states so about itself, so movement inside the West Bank is outside this reading entirely.

Conclusion

So how has the occupation affected Palestinian freedom of movement out of the West Bank, and what does the published record actually say? The restricting authority answers in its own voice, in the grammar of permission. Movement runs on a permit, because a 1967 order made the area closed; the permit exists in a numbered class with a ceiling; and the ceiling is a figure the issuing office wrote for itself.

Read across, the instrument is more specific than any summary of it. COGAT puts home construction at 74,300 and a Government Press Office journalist at 25. Nearly every standing row requires a person to be 22 and married before an employer or a quota comes into it, while the one category with no ceiling at all is work in the industrial zones and Israeli communities of Judea and Samaria. Someone in Gaza may leave for another country through one land

crossing in escorted groups, with a monthly quota of twenty for the airport exception. The Civil Administration reports 87,000 valid work permits held on a date two years before that edition was written. The World Bank recorded one measured consequence of one named restriction, a fall of almost 30% in Gaza's agriculture, forestry and fishing, on the Bureau's own accounts. And the government record holds no count of obstacles inside the West Bank at all.

What the whole record has in common is that it describes what is permitted and never what occurred. Ceilings without issuance, criteria without applicants, a route named without a traveller, a line that decides where a person in Gaza may walk and appears in no adopted text. Anyone asking how many people moved, or were turned back, will find every rule and no arithmetic. If a state publishes the terms of movement in this much detail and publishes no measurement of it, so that the impact on the people living under those terms goes unrecorded on the official side, what would have to change for that number to exist, and which body would be the one to publish it?

Frequently Asked Questions

Who issues a Palestinian work permit for entry into Israel?

COGAT records an issuing authority for every category in its permit tables, alongside the purpose, applicability, quota, term and age restriction. The Civil Administration publishes separately on Palestinian employment through its Employment Unit and reports the figures for valid permits held.

Does the permit instrument say anything about movement inside the West Bank?

No. COGAT states that it governs entry into Israel, passage into the Gaza Strip and departure abroad, which is what its title names, and that it is not a document about movement inside the West Bank. Internal roads, gates and closures are outside it.

What is the Seam Zone in this document?

It is the area COGAT uses to split one employment category into two age rules: inside it, work in the industrial zones and Israeli communities is approved from age 22 with no quota;

outside it, from age 18 with no quota and no personal-status restriction. The phrase appears exactly twice in the 68-page instrument.

What is a BMC permit?

It is the permit class for senior Palestinian businesspeople. COGAT records an overall quota of 4,600 with 1,267 vehicular permits inside that, and an assistant permit at three per holder. It is also one of two stated exceptions to the rule closing Ben Gurion Airport to departures from Gaza.

Why do published counts of West Bank checkpoints and obstacles differ so widely?

Because they count different objects. A crossing is a fixed terminal on the barrier, a checkpoint in the Israel Defense Forces' own usage is a manned position activated on a security warning, and an obstacle is any physical impediment inside the West Bank. A figure in the tens and a figure in the hundreds can both be accurate.

Does the Interim Agreement treat the West Bank and Gaza as one place?

The Interim Agreement records, at Article XXXI(8), that the two sides "view the West Bank and the Gaza Strip as a single territorial unit." COGAT administers passage between them as a separate class of authorisation with its own section, its own quotas and its own issuing authority.

Sources

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

Has Israel Violated the Gaza Ceasefire Agreement? Reading the Resolution, the Mandated Report and Each Party's Own Count

Security Council resolution 2803 uses the word violation zero times. What the one mandated report and each party's own count actually record.

Gaza

Ceasefire

Resolution 2803

Primary Records

Measurement



The document universally called the October 2025 Gaza ceasefire is United Nations Security Council resolution 2803 (2025), and a case-insensitive search of its full 4-page text returns the word “violation” zero times, along with zero occurrences of “breach,” “enforce” and “sanction,” verified 10 September 2026. A reader asking how many times the ceasefire has been violated is asking a question in three parts, and the record answers none of them the way the question expects: the instrument defines no violation, the force given its one monitoring clause had not deployed seven months in, and the Board of Peace reported in May 2026 only that violations “continue to occur on a near daily basis, some of which are serious.” Each party publishes its own count instead, on its own threshold, and the two do not date the ceasefire from the same day.

Key Findings

- **The endorsed instrument uses the word “violation” zero times.** A case-insensitive search of the full 4-page text of United Nations Security Council resolution 2803 (2025), covering the 11 operative paragraphs and its annex, returns zero occurrences of “violation,” zero of “breach,” zero of “enforce” and zero of “sanction,” verified 10 September 2026. The annexed Comprehensive Plan states no threshold either.
- **13 in favour, none against, 2 abstaining.** The Security Council recorded that tally when it adopted resolution 2803 (2025) on 17 November 2025 at its 10046th meeting, with China and the Russian Federation abstaining, 38 days after the ceasefire entered into force.
- **4 signatories, 0 belligerents.** The Trump Declaration for Enduring Peace and Prosperity, signed at Sharm el-Sheikh on 13 October 2025, carries the names of the heads of state of the United States, Egypt, Qatar and Türkiye. The Office of the Federal Register published it as a joint statement, and Israel, Hamas, the Palestinian Authority and every other Palestinian body are absent from the signature block.
- **The one mandated report gives a phrase and no figure.** The Board of Peace reported in S/2026/418 of 15 May 2026, the only report resolution 2803 (2025) requires and the only one filed, that “violations continue to occur on a near daily basis, some of which are

serious,” with no total, no rate, no denominator and no attribution to a party. It is that body’s own account of its own implementation.

- **Each party publishes its own count, and neither counts violations.** The Israel Defense Forces published 61 dated entries and no total on the page read on 10 September 2026, Israel’s own characterisation of the other party’s conduct on Israel’s own test; the Gaza Ministry of Health recorded 1,359 martyrs and 4,571 injuries since the ceasefire in its daily report of the same date, that ministry’s own registry count as a party to the war and not independently verified.

What document is the Gaza ceasefire agreement?

The Security Council recorded 13 votes in favour, none against and 2 abstaining, China and the Russian Federation, when it adopted resolution 2803 (2025) on 17 November 2025, endorsing the Comprehensive Plan of 29 September 2025 in full as its annex. The ceasefire itself had entered into force 38 days earlier.

The Council put the endorsement in one sentence. Operative paragraph 1 reads, verbatim: “Endorses the Comprehensive Plan, acknowledges the parties have accepted it, and calls on all parties to implement it in its entirety, including maintenance of the ceasefire, in good faith and without delay.” The Security Council recorded the tally in the verbatim record of its 10046th meeting, where the President stated that the draft “received 13 votes in favour, none against and 2 abstentions.”

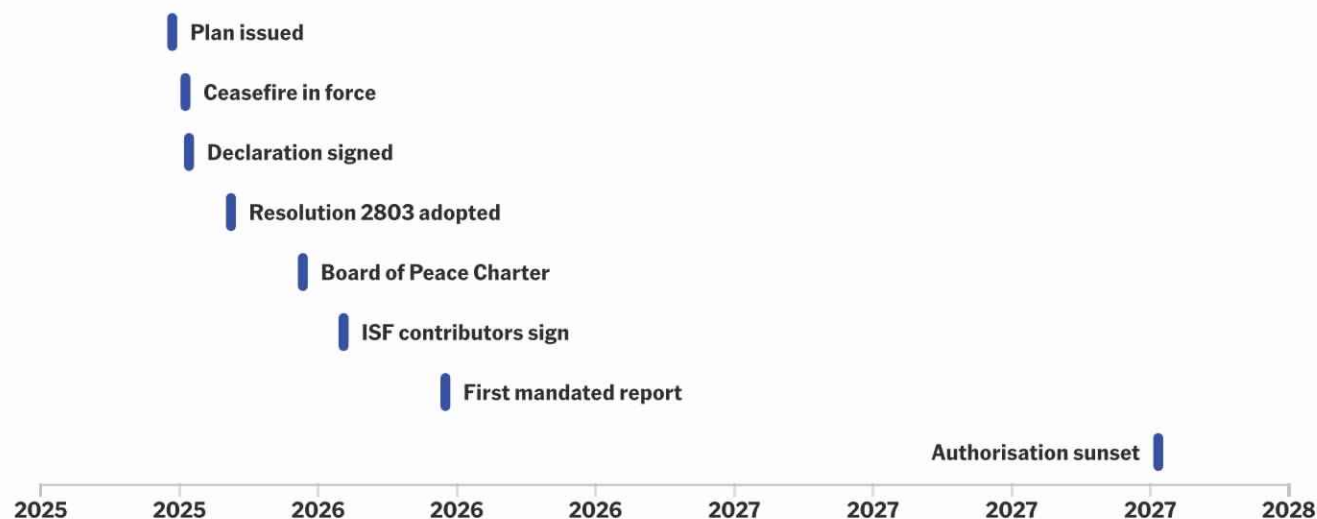
Denmark stated in that same record that “the ceasefire entered into force on 10 October.” The instrument carrying the ceasefire’s only international endorsement was adopted five weeks after the ceasefire took effect, and the Plan it endorses was published seven weeks before that.

The resolution runs to 11 operative paragraphs and one annex, 4 pages in all, and the annexed Comprehensive Plan states 20 numbered points. Paragraph 2 establishes the Board of Peace “as a transitional administration with international legal personality.” Paragraph 7 authorises a temporary International Stabilization Force. Paragraph 8 decides that both “shall remain authorized until Dec. 31, 2027,” printed in that abbreviated American form.

Two texts sit inside one document and they do not read alike. Paragraph 2 restates points 9, 19 and 20 of the Plan and changes their wording, so which of the two is being quoted is a question every sentence about this instrument has to answer.

The dated events of the Gaza ceasefire instrument

FROM THE PLAN OF 29 SEPTEMBER 2025 TO THE AUTHORISATION SUNSET PRINTED IN THE RESOLUTION



Source: Security Council resolution 2803 (2025) and its annexed Plan; Board of Peace report S/2026/418, 15 May 2026.

Did either side at war sign anything?

4 signatories, and not one of them a party to the war. The Trump Declaration for Enduring Peace and Prosperity, signed at Sharm el-Sheikh on 13 October 2025, carries the names of the heads of state of the United States, Egypt, Qatar and Türkiye. Israel is not a signatory, and neither is Hamas, the Palestinian Authority nor any Palestinian body.

The Trump Declaration states no ceasefire term, names no monitoring body, creates no enforcement provision, defines no violation and carries no figure of any kind. It runs to 11 short paragraphs, about 480 words, and its nearest thing to an operative clause commits the signatories to “the resolution of future disputes through diplomatic engagement and negotiation rather than through force or protracted conflict.”

The Security Council recorded what the four states did, in the preamble of resolution 2803 (2025): they played “the constructive role” of “having facilitated the ceasefire in the Gaza

Strip.” Facilitation is what the record credits them with. A signature by the belligerents appears nowhere this report could locate.

Two official United States texts of the Declaration exist and they differ. The Office of the Federal Register published the permanent record, package DCPD-202501008 in the Daily Compilation of Presidential Documents, and titles it a joint statement; the White House posting files the same text under Presidential Actions and types it a presidential memorandum. The two also print the fourth signatory’s name differently. This report quotes the Federal Register package.

The Office of the Federal Register states its own caveat beneath that text, verbatim: “NOTE: An original was not available for verification of the content of this joint statement.” The note travels with every quotation taken from it.

What does the Plan require the parties to stop?

The word “ceasefire” appears 3 times in the operative paragraphs of resolution 2803 (2025) and 0 times in the Plan annexed to it. The Comprehensive Plan states instead, at point 3, that “all military operations, including aerial and artillery bombardment, will be suspended, and battle lines will remain frozen” once both sides accept the proposal.

The full clause is the obligation, so it is quoted rather than summarised. Point 3 reads: “If both sides agree to this proposal, the war will immediately end. Israeli forces will withdraw to the agreed upon line to prepare for a hostage release. During this time, all military operations, including aerial and artillery bombardment, will be suspended, and battle lines will remain frozen until conditions are met for the complete staged withdrawal.”

Three things follow from that wording. The obligation is a suspension of operations and a frozen line, not a defined state called a ceasefire. It is conditional on both sides agreeing to the proposal. And it runs only until a further condition is met, the complete staged withdrawal, whose conditions the point does not enumerate.

The line the clause turns on is “the agreed upon line,” and the Comprehensive Plan states neither where it lies nor who draws it. So the document that ended the fighting describes an

end to operations, and the document that endorsed it describes a ceasefire. The word entered the record through the Council's endorsement seven weeks after the Plan was published, which is why quoting the Plan for the terms and the resolution for the characterisation is a matter of accuracy rather than style.

How often does the endorsed instrument use the word violation?

Zero occurrences of "violation" appear anywhere in resolution 2803 (2025), on a case-insensitive search of its full 4-page text verified 10 September 2026, alongside zero of "breach," zero of "enforce" and zero of "sanction," in the 11 operative paragraphs and in the annexed Plan alike.

Four consequences follow, and each is a property of the text rather than a finding about conduct. The instrument defines no violation. It sets no threshold at which conduct becomes one. It names no body to find that one has occurred. And it attaches no consequence to one having occurred.

The words the instrument does use are hortatory. Operative paragraph 1 "calls on all parties to implement it in its entirety, including maintenance of the ceasefire, in good faith and without delay." The Comprehensive Plan states at point 14 that "a guarantee will be provided by regional partners to ensure that Hamas, and the factions, comply with their obligations," and states at point 15 that "a deconfliction mechanism will be agreed upon by the parties." A guarantee still to be provided and a mechanism still to be agreed are future undertakings, and neither is a test anyone can apply to an incident.

The only date the instrument fixes for itself is its own expiry, printed as "Dec. 31, 2027." It sets no reporting date for compliance, no register of incidents, no format and no addressee for a complaint.

That is not the answer the question anticipates. Asking how many times an agreement has been violated is asking for a count produced by applying a rule to a set of events. The rule is the part that is not in the document.

Who is named to find a violation?

One clause in resolution 2803 (2025) names anybody to watch the ceasefire at all. Operative paragraph 7(A) provides that the International Stabilization Force shall “assist the BoP in monitoring the implementation of the ceasefire in Gaza,” with no duty to count, classify, attribute or publish, and that force had not deployed 7 months in.

The Board of Peace reported the force’s status itself. It records at paragraph 37 of S/2026/418 that “preparations for deployment are well advanced” and that the force “operates under the unified command of the United States,” and records at paragraph 38 that it “supports ceasefire monitoring” while “efforts are ongoing in force generation and deployment.” The Board of Peace records at paragraph 39 that the Declaration of Founding Contributors was signed on 19 February 2026 by 5 Member States, Albania, Indonesia, Kazakhstan, Kosovo and Morocco, and that a pre-deployment site survey by troop contributors was completed in late April 2026.

An authority is not an activity: paragraph 7(A) creates a monitoring mandate, and the body holding it was still being assembled at the six-month mark.

The only “independent monitors” anywhere in the instrument are pointed somewhere else entirely. The Comprehensive Plan states both occurrences at point 13, and both attach to weapons decommissioning: there is to be “a process of demilitarization of Gaza under the supervision of independent monitors,” with weapons placed “permanently beyond use” and the process “verified by the independent monitors.” It does not say who they are, who appoints them, what they publish or to whom, and it does not point them at the ceasefire.

So the monitoring architecture is one assisting clause for the ceasefire and a supervisory role for disarmament, and neither produces a public finding that a given incident was a violation of anything.

What did the only required report say about violations?

S/2026/418, the only report resolution 2803 (2025) requires and the only one filed, quantifies violations in a phrase with no figure in it: “violations continue to occur on a near

daily basis, some of which are serious.” The Board of Peace published it on 15 May 2026, covering 17 November 2025 to 14 May 2026.

The sentence is quoted whole because a paraphrase invites a reader to supply arithmetic the source refuses. Paragraph 7 reads: “Seven months into the ceasefire, the guns have largely fallen silent across Gaza for the first time in two years. This is a remarkable achievement that must be preserved. Nevertheless, violations continue to occur on a near daily basis, some of which are serious, and their human consequences, civilians killed, families living in fear, and continued impediments to humanitarian access, cannot be minimized.”

There is no total in it, no rate, no denominator, no period breakdown and no attribution to a party, and “civilians killed” carries no number either. The Board of Peace states at paragraph 11 that “every violation, from whatever quarter, risks unraveling what has been painstakingly built.” From whatever quarter is as close as the document comes to naming who.

Operative paragraph 10 requests “a written report on progress” every six months, so the absence is the instrument working as drafted rather than anything withheld.

The Board of Peace is the transitional administration resolution 2803 (2025) created, chaired by the President of the United States, and the report reached the Council as the annex to a letter from the Permanent Representative of the United States, one of the four guarantors. It is that body’s own account of its own implementation, not a neutral or independently verified assessment. A second report fell due around 15 November 2026 and does not yet exist, so no trend across reporting periods can be drawn from one filing.

Israel’s own violation page carries 61 entries and no total

61 dated entries and no total sit on the Israel Defense Forces page titled A broken record on repeat: Major Ceasefire Violations, dated 19.02.26 and read on 10 September 2026, running from 19 October 2025 to 14 February 2026. That is a count of the headings on one page on one date, and it is Israel’s own characterisation of the other party’s conduct.

The Israel Defense Forces published it as a compilation rather than a tally. The page states that the entries below “are IDF press releases addressing each ceasefire violation by Hamas

since the start of the agreement.” It states no monthly rate, no denominator and no casualty figure, and it makes no claim to be complete.

Its threshold is the publisher’s own, stated in a single sentence: “All these activities constitute a clear violation of the understandings of the ceasefire, and the IDF has been responding in accordance with the ceasefire agreement.” The understandings of the ceasefire is not a phrase in resolution 2803 (2025) or in the annexed Plan, neither of which sets any test, so the page applies a test of its own making.

The entries record incidents attributed to Hamas and Palestinian armed groups and record none by Israel. The Israel Defense Forces reported on 20 October 2025, in a representative entry, that “the IDF identified several terrorists who crossed the yellow line and approached IDF troops operating in the Shejaiya area, posing an immediate threat to them.” The words terrorists, eliminated and immediate threat are the publisher’s own, quoted here and not adopted.

One defect bears on anything built from the page. Nineteen entries in the November block are stamped 2026 while sitting between entries stamped October 2025 and December 2025, which is before November 2026 existed, so no November date here can be quoted with its printed year and no chronology should rest on it.

Does any Palestinian government host publish a violation count?

0 series located. A search run on 10 September 2026 covered moh.gov.ps, the Official Document System for every document issued under resolution 2803 (2025), centcom.mil, war.gov and defense.gov, and gov.il, mfa.gov.il and idf.il, and found no ceasefire-violation series published on any Palestinian government host.

The Gaza Government Media Office published the totals most often quoted, 1,244 violations in the first phase and roughly 2,400 over six months, and AlJazeera, Middle East Eye and The New Arab report them onward. No publication of either figure on a Palestinian government host was located on the search date, and neither is carried here as a measured or independently verified count.

The Gaza health ministry's own portal is the clearest case. Its media library was paged in full on 10 September 2026 and holds 2,536 documents, the newest dated 21 October 2023, and its page of cumulative statistics is an empty shell dated 10 May 2023. The Ministry of Health publishes daily, but not there.

Publishing body	What it publishes, and on what threshold	Publishes a total?
Board of Peace, S/2026/418, 15 May 2026	Violations occurring "on a near daily basis, some of which are serious," in its own account of its own implementation	No number of any kind
Israel Defense Forces, page dated 19.02.26	Dated incidents attributed to Hamas and Palestinian armed groups, on the publisher's own test that they "constitute a clear violation of the understandings of the ceasefire"	No total; 61 entries as read
Ministry of Health, Gaza, daily report of 10 September 2026	Martyrs and injuries in its own registry as a party to the war, with no threshold, classification or attribution alongside	No violation total; 1,359 martyrs since the ceasefire

Read down the rows: three bodies counting three different objects on three thresholds, none of them the one the question assumes, and no fourth body counting what it asks for.

What does Gaza's health ministry count during the ceasefire?

1,359 martyrs and 4,571 injuries since the ceasefire appear in the Gaza Ministry of Health's daily statistical report of 10 September 2026. That is the ministry's own registry count as a party to the war, self-reported and not independently verified, and it is a count of deaths and injuries rather than of violations: it publishes no threshold, no classification and no attribution alongside it.

The Gaza Ministry of Health recorded in the same report the scale the figure sits inside: 73,670 cumulative martyrs and 174,682 cumulative injuries, with 831 of the post-ceasefire deaths recovered from the rubble.

The ministry's own exclusions travel with the number, because it published them itself and has never withdrawn them. The Ministry of Health stated five on 7 January 2024: the missing and the bodies trapped under rubble are not counted; the unidentified who reached hospitals

are not counted; the unidentified whose bodies Israel handed over are not counted; those buried by their families without passing through a hospital are not counted; and the dead in Gaza and North Gaza after the information system stopped in November 2023 are not counted. What the series is not is a violation series. A death entered in a hospital register is a death. Whether it followed conduct that breached an agreement is a separate determination, and this publisher does not make it, publishes no threshold for making it, and classifies none of the deaths it records by any such cause.

Nor can the two parties' publications be added or divided into one another: one publishes dated incidents attributed to a single party on a test of its own, the other deaths and injuries on a hospital-arrival and family-notification registry carrying the five exclusions above. The wider set of figures for the territory, and who measures each, is treated in the Institute's report on [the counts each body publishes](#).

Do the parties date the ceasefire from the same day?

1 day apart, in the parties' own records. The Israel Defense Forces page states that a ceasefire agreement "came into effect" on "Friday, October 10th, 2025, at 12:00 PM," Israel's own dating; the Gaza Ministry of Health records its post-ceasefire series from "the ceasefire of 11 October," its own.

Three of the four datings in the record agree. COGAT counts "from the start of the ceasefire on 10 October 2025" in its report on the humanitarian situation during the ceasefire. Denmark put entry into force on 10 October in the Security Council's verbatim record. The Israel Defense Forces page fixes it to the hour on that same day. The Gaza Ministry of Health records its series from a day later.

A day is not a rounding difference when a rate is being computed. Any per-day figure derived from one series would carry a denominator one day different from a per-day figure derived from the other, and the numerators count different objects to begin with. Setting two such quotients side by side would produce a comparison neither publisher's method supports.

The gap is also a reminder of who is doing the dating. Each of these is a party's own record of when an obligation it accepted began to run, published by that party: Israel's own dating in

two Israeli publications, the health ministry's own dating in its own daily report. Neither is wrong on its own terms, and no body reconciles them, because no instrument asked anyone to.

Where a record holds two start dates, an aggregate has to pick one, and picking one is a determination no publisher here has made, which is why every figure in this report carries the body that produced it and the date that body used.

Does the agreement set a quantity of aid?

No tonnage, no truck figure and no delivery schedule appears anywhere in resolution 2803 (2025) or in the Plan annexed to it. The only quantity in the record is 4,200 trucks a week, and it sits not in the instrument but in the Board of Peace's own report of 15 May 2026, at paragraph 13, where it is labelled a commitment rather than a delivery count.

The Board of Peace reports that during the ceasefire, aid distributed by United Nations agencies and humanitarian partners "increased by over 70 per cent from pre-ceasefire levels, with nearly 300,000 metric tons of aid delivered to people in Gaza," and that relief and commercial supplies "were scaled up significantly in line with the commitment for 4,200 trucks to enter Gaza on a weekly basis." The 4,200 is what was committed to. The Board of Peace states nowhere how many entered.

Inside the instrument the humanitarian language is qualitative throughout. Operative paragraph 12, as the Board of Peace records it, "underscores the importance of the full resumption of humanitarian aid." The one place the operative text sets any standard is paragraph 7, where the stabilization force is to act "consistent with international law, including international humanitarian law." No tonnage, no truck count, no calorie figure, no schedule.

So a question asking whether enough aid is entering as per the ceasefire agreement has no benchmark inside the agreement to measure against. What exists is a pledge in a progress report, and separate entry counts published by a party at its own crossings, treated at length in the Institute's report on [the enacted aid standard](#).

A commitment is a statement of intent by the bodies that made it; a delivery count is an enumeration of what crossed. The record holds one of each, from different bodies on different dates, and the instrument the question invokes holds neither.

Methodology

This report reads a record rather than assessing conduct. The questions it answers are what the endorsed instrument defines, who it names, what the report filed under it says and what each publishing body publishes, so every finding is a property of a document rather than a determination about an event.

Three kinds of record are used and no other kind is. The first is the primary instrument and the Council's own verbatim record of adopting it: resolution 2803 (2025), the Comprehensive Plan annexed to it, and the vote recorded at the 10046th meeting. The second is the report filed under the instrument, S/2026/418 of 15 May 2026, which is the Board of Peace's own account of its own implementation, transmitted by one of the four guarantors, and labelled that way wherever it is cited. The third is the parties' own publications: the Israel Defense Forces compilation of ceasefire incidents, the COGAT report on the humanitarian situation during the ceasefire, and the Gaza Ministry of Health daily statistical report, each a party to the war publishing its own count, self-reported and not independently verified, and labelled as such beside its figure.

Nothing is summed across those bodies and nothing is divided by days: they apply different thresholds to different objects over windows beginning on different dates, so any aggregate would be an artefact of the arithmetic.

Where a figure does not exist, the absence is stated with the date the search was run and the hosts it covered, and only where a search was actually run, on 10 September 2026.

Three limitations bear on the reading. The single mandated report is the only one filed, so no trend across reporting periods is available. The Israel Defense Forces page carries nineteen November entries stamped with the wrong year, so no chronology is built on it here. And the Trump Declaration exists in two official United States texts differing in the fourth signatory's

spelling and in document class; the permanent record published by the Office of the Federal Register is the one quoted.

Conclusion

So has Israel violated the October 2025 Gaza ceasefire agreement? The agreement is resolution 2803 (2025), and it does not contain the term the question turns on: no definition of a violation, no threshold, no body named to find one, no consequence attached to one, and the word itself appearing zero times across the operative paragraphs and the annexed Plan alike.

What the record holds is dense, and it points one way. A resolution adopted 13 to none with 2 abstentions, five weeks after the ceasefire took effect. A declaration signed by four heads of state, none of them a belligerent, with nothing in it to breach. A cessation clause that suspends operations and freezes a line the text never draws. A single assisting clause of monitoring, held by a force still being generated at the six-month mark. One mandated report, describing violations on a near daily basis and printing no number. And two parties publishing their own counts of two different objects, on two thresholds, from two start dates a day apart.

A war can be ended by a document that never writes down what breaking it would look like, and this one was. The question typed into a search box asks for a scoreboard; what the record keeps is an endorsement, a pledge, a list and a registry, each maintained by a body with its own reason for maintaining it. When a public question demands a number and no instrument ever created a duty to produce one, whose arithmetic ends up standing in the vacancy, and on whose threshold?

Frequently Asked Questions

Who chairs the Board of Peace, and what is it?

Operative paragraph 2 of resolution 2803 (2025) establishes the Board of Peace “as a transitional administration with international legal personality.” That the President of the

United States heads and chairs it is stated in point 9 of the annexed Plan, which the Council endorsed, and in no paragraph the Council wrote. The Board of Peace records that its Charter was signed by its Chairman on 16 January 2026 and launched on 22 January 2026, with 28 Heads of State as Members.

When is the next report on the ceasefire due?

Operative paragraph 10 requires a written report on progress every six months. The Board of Peace published S/2026/418 on 15 May 2026, covering 17 November 2025 to 14 May 2026, so the next fell due around 15 November 2026, and as of 10 September 2026 no second report has been filed.

How long does the Security Council authorisation run?

Operative paragraph 8 decides that the Board of Peace and the international civil and security presences “shall remain authorized until Dec. 31, 2027, subject to further action by the Council.” It is the only date the instrument fixes for itself.

Which states have committed troops to the International Stabilization Force?

The Board of Peace records that the Declaration of Founding Contributors was signed on 19 February 2026 by 5 Member States, Albania, Indonesia, Kazakhstan, Kosovo and Morocco. The same report records that a pre-deployment site survey by troop contributors was completed in late April 2026, with force generation still under way.

Why does the yellow line not appear in the agreement?

The instrument says only that “Israeli forces will withdraw to the agreed upon line.” The yellow line, which governs almost every incident in the Israel Defense Forces’ own compilation, appears nowhere in resolution 2803 (2025) or in the annexed Plan. It is an implementation artefact of the parties, and no published instrument defining or mapping it was located.

What does the mandated report say about the hostages?

The Board of Peace records that of 251 people taken captive on 7 October 2023, 168 were returned alive, that the last living hostage was returned to Israel on 13 October 2025 and the

last deceased hostage on 26 January 2026, and that Israel released 250 prisoners serving life sentences and some 1,700 Gazans detained after 7 October 2023. Those are that body's own figures in its own report.

Which body coordinates the day-to-day civil and military work?

The Board of Peace records at paragraph 28 of S/2026/418 that the Civil-Military Coordination Centre, established on 17 October 2025, "has served as the principal operational mechanism for this function during the reporting period, involving 50 partner nations and organizations." The instrument itself does not name that centre.

Where can the text of the Plan be read?

Annex 1 of resolution 2803 (2025) carries the complete text of the 20-point Comprehensive Plan of 29 September 2025, and the machine-readable full text is served by the Official Document System at the symbol S/RES/2803(2025). It is the only address on an official host where the Plan text and the Council's endorsement sit on the same record.

Sources

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METHOD BY THE HANOVER INSTITUTE SEPTEMBER 10, 2026

Does the Gaza Health Ministry Undercount or Overcount Deaths? Reading the Registry's Two Channels and the One Test Run Against It

One peer-reviewed test estimated 64,260 traumatic-injury deaths against 37,877 reported; a research institute puts a civilian ceiling at 41,000.

Gaza

Casualty Counting

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Ministry of Health

Measurement



64,260 deaths due to traumatic injury in the Gaza Strip between 7 October 2023 and 30 June 2024, with a 95% confidence interval of 55,298 to 78,525, is the only peer-reviewed estimate ever produced against the Gaza Ministry of Health's registry, published by Jamaluddine and colleagues in The Lancet in 2025. The ministry reported 37,877 decedents for the same window, of whom 28,185 were identified. That study was built out of the ministry's own hospital records, the ministry's own online mortality survey and manually scraped social media obituaries, so it measures the completeness of a record rather than counting the dead independently, and it covers violent injury alone. Pushing the other way, the Jerusalem Center for Security and Foreign Affairs published a ceiling of at most 41,000 civilian war-related deaths in 2025, reached by subtracting estimated natural deaths and Israel's count of 21,000 fighters killed from the ministry total, and stating on the same page that neither input has been independently confirmed.

Key Findings

- The registry runs on two channels, both belonging to the same body: hospital morgue records carrying **22,368 identified decedents**, and a rolling online mortality survey the Palestinian Ministry of Health launched on 1 January 2024 carrying 5,817 individual decedents (Jamaluddine and colleagues, The Lancet, 2025).
- The ministry publishes the size of its own unresolved fraction. Its update of 30 June 2024 carried **9,692 unidentified decedents**, 26% of its cumulative total at that date, as reported in The Lancet by Jamaluddine and colleagues (2025).
- The gap between the estimate and the reported figure is **26,383 deaths**, which is 41% of the 64,260 estimate but 70% of the count it was measured against, so the study's under-reporting share is not a multiplier on the ministry's published total.
- **60.8% (n = 59)** of the Gaza Strip's 97 health facilities sustained damage during the first phase of the Israeli military campaign and 35.1% (n = 34) were functionally destroyed on a satellite damage-area threshold, on the analysis Asi and colleagues published in Conflict and Health in 2024.

- The Jerusalem Center for Security and Foreign Affairs published a ceiling of **at most 41,000** civilian war-related deaths in 2025, its own arithmetic on the ministry total and Israel's count of 21,000 fighters killed, and states that neither input has been independently confirmed.

How does a death get onto the ministry's list?

22,368 identified decedents reached the Palestinian Ministry of Health's cumulative list through hospital morgue records, and a second channel, a rolling online mortality survey the ministry launched on 1 January 2024, carried 5,817 individual decedents. Both are the records of a health ministry that is a party to the war, and both counts were published in The Lancet (Jamaluddine and colleagues, 2025).

A death enters through one of two doors. The first is the morgue ledger: a body reaching a health facility, identified there, and entered on the cumulative list the ministry publishes. That is the channel behind the 22,368 identified decedents used as one of three input lists in the capture-recapture analysis The Lancet published in 2025, whose authors worked under the London School of Hygiene and Tropical Medicine ethics reference 31101 and published their code and anonymised data on GitHub.

The second door opened on 1 January 2024, almost three months into the war, when the ministry began a rolling online survey through which members of the public could report a death directly. By 30 June 2024 that list held 5,817 individual decedents (Jamaluddine and colleagues, 2025). A survey that begins in January cannot register the first twelve weeks of deaths on the same terms as the weeks that follow, and a channel that depends on a relative with a working phone and a connection is a different instrument from a hospital record.

Both lists belong to the same body, and that body is the health ministry of a party to the war. Neither channel audits the other, and it is the overlap between them that makes them usable as inputs to a statistical test: the analysis The Lancet published averaged alternative models over the three lists' overlap structure, so the size of the overlap is the arithmetic it runs on. What neither channel reaches is a death that never arrived at a health facility and was never reported on a form.

The two channels the registry runs on

DECEDENTS ON EACH MINISTRY LIST, TO 30 JUNE 2024

Hospital morgue records  **22,368**

Ministry online survey  **5,817**

Source: Jamaluddine and colleagues, 2025, The Lancet, peer-reviewed; both lists are the ministry's own.

How much of the ministry's own record carries no identification?

9,692 unidentified decedents sat in the Palestinian Ministry of Health's own update of 30 June 2024, 26% of its cumulative total at that date, on the count The Lancet published in 2025 (Jamaluddine and colleagues). The ministry publishes the size of its own unresolved fraction, and the figure is its own count rather than an outside estimate of it.

Those records were excluded from the hospital list used in the analysis, along with 930 people reported missing from the survey list. The reason is mechanical rather than editorial. A capture-recapture test works by matching the same person across lists, and a decedent carried without an identifier cannot be matched to a second record. Entries that cannot be matched are removed before the estimation begins (Jamaluddine and colleagues, 2025).

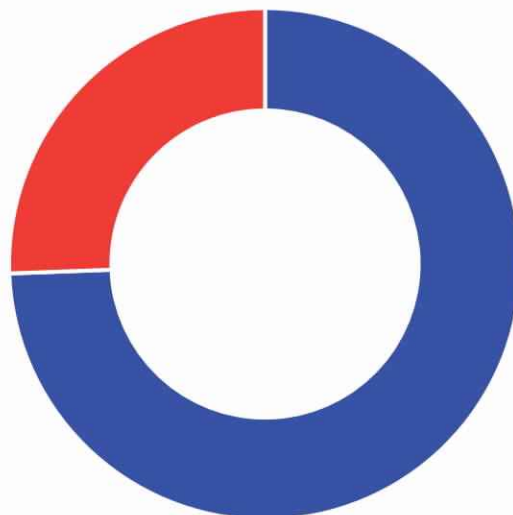
The consequence is that the estimate was built from a narrower base than the ministry's own published cumulative total, and the excluded entries did not vanish from the record. They remain on the ministry's list as deaths it reported and could not resolve. Of the 37,877 decedents the Palestinian Ministry of Health reported for the window, 28,185 were identified and the remainder were not.

A registry that publishes its own unmatched share is disclosing something specific about itself: not that the deaths did not occur, and not that they are duplicates, but that its keeper could not attach a person to them. That is a different property from the completeness question, which asks how many deaths never reached the list at all. The first is visible on the

face of the ministry's own publication. The second is only reachable by comparing the list to something outside it.

Identified and unidentified in one ministry total

37,877 DECEDENTS REPORTED TO 30 JUNE 2024



■ Identified decedents ■ Unidentified decedents

Source: Jamaluddine and colleagues, 2025, The Lancet, peer-reviewed, reporting the ministry's own count.

What happened to the hospitals the count depends on?

60.8% (n = 59) of the Gaza Strip's 97 health facilities sustained damage during the first phase of the Israeli military campaign, and **35.1% (n = 34)** were functionally destroyed, on the satellite radar analysis of Asi and colleagues, which Conflict and Health published in 2024.

The window is narrow and stated: 7 October to 22 November 2023, forty-six days. The method is multi-temporal coherent change detection run on Sentinel-1A radar imagery and overlaid on facility locations drawn from open-source humanitarian inventories.

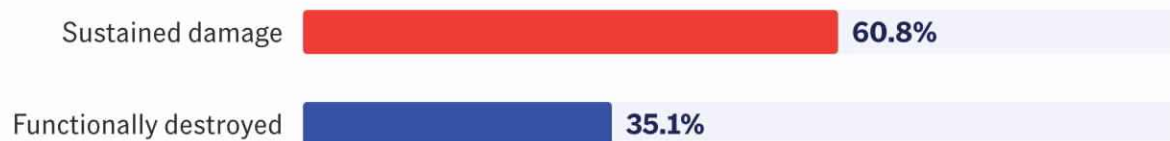
Functionally destroyed is not a verified loss of service but a threshold, applied where the detected damage covered half or more of a facility's area (Asi and colleagues, 2024).

Two limits travel with those figures. Health facilities here means 97 clinics and primary-care centres, not the Strip's 36 hospitals, so 60.8% may not be restated as a share of hospitals. And the detection is satellite-only: the authors state plainly that the absence of ground-truth data prevents them from quantifying the accuracy of radar-based damage assessment (Asi and colleagues, 2024). The denominators come from humanitarian inventories rather than an official facility register, so the percentages move with the inventory.

The relevance to counting is structural and is not a measured link. The first channel of the ministry's registry is the hospital record, so the condition of health facilities is the condition of one of the two doors through which a death is entered. No published work joins facility damage to registry completeness, and this report sets the two records side by side rather than deriving one from the other. Asi and colleagues also state an allegation of international humanitarian law violation in their own conclusion (Asi and colleagues, 2024); that is their inference from the spatial distribution of damage, distinct from the damage figures themselves.

Health facilities damaged in the first phase

97 FACILITIES, 7 OCTOBER TO 22 NOVEMBER 2023



Source: Asi and colleagues, 2024, Conflict and Health, peer-reviewed; satellite radar detection, no ground truth.

What happened when the registry was tested against two other lists?

64,260 deaths due to traumatic injury, 95% confidence interval 55,298 to 78,525, is the estimate a three-list capture-recapture analysis produced for the Gaza Strip from 7 October 2023 to 30 June 2024, which The Lancet published in 2025 (Jamaluddine and colleagues). Its three input lists were the ministry's hospital records, the ministry's own online survey and manually scraped social media obituaries.

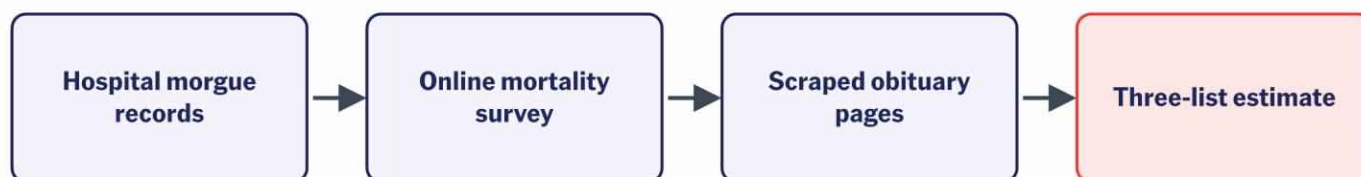
Set against it is the ministry's own figure for the identical window: the 37,877 decedents the Palestinian Ministry of Health reported as of 30 June 2024, of whom 28,185 were identified. The method, which the paper also calls multiple systems estimation, works from the overlaps. If three lists of the same population share members, the pattern of sharing implies how many members appear on none of them. The authors averaged alternative generalised linear models over the overlap structure, worked under London School of Hygiene and Tropical Medicine ethics reference 31101, published code and anonymised data on GitHub, and record no funding (Jamaluddine and colleagues, 2025).

The provenance of the inputs is what fixes the claim's size. Two of the three lists are the health ministry's own, and the third is obituary pages scraped by hand from social media. This is an academic estimate of how complete a party's record is, built from that party's record, and it is not an independent enumeration of the dead. The wide interval says the same thing in numbers: the lower bound sits below 56,000 and the upper above 78,000.

One figure often attached to this study is not its estimate. The frequently quoted total above 70,000 comes from the Research in context box of the same paper (Jamaluddine and colleagues, 2025), where the authors applied the same under-reporting rate to the ministry's October 2024 figure of 41,909 and wrote that the toll probably exceeded 70,000. That is an extrapolation stated as such, not the capture-recapture result.

The three lists the estimate was built from

CAPTURE-RECAPTURE INPUTS, 7 OCTOBER 2023 TO 30 JUNE 2024



Source: Jamaluddine and colleagues, 2025, The Lancet, peer-reviewed.

Does 41% mean the ministry's count was 41% too low?

26,383 deaths separate the estimate from the reported figure, and that gap is 41% of the estimate but 70% of the count it is measured against. The under-reporting share The Lancet reported is a share of the study's own estimate, so it is not a multiplier on the ministry's published total.

The arithmetic is short enough to check. The estimate is 64,260 and the reported figure is 37,877, so the difference is 26,383. Divided by the estimate, that difference is 41%. Divided by the reported figure, the same difference is 70%. Both are true of one gap, and which one a sentence carries decides what the sentence claims (Jamaluddine and colleagues, 2025).

The distinction is not pedantry, because the two readings produce different numbers when a reader acts on them. Multiplying 37,877 by 1.41 yields a total near 53,400, which is neither the point estimate nor anywhere inside the interval the paper published. That product appears nowhere in the paper The Lancet published. The 41% is a statement about how much of the estimated total the registry did not carry, not a correction factor to be applied to what it did carry.

The interval moves the share as well. Against the lower bound of 55,298 the implied unrecorded share is smaller; against the upper bound of 78,525 it is larger. A single percentage quoted without its denominator and without the interval The Lancet published behind it has compressed three published quantities into one, and the compression runs in the direction that makes the claim sound sharper than the paper does.

One gap, two denominators

26,383 DEATHS EXPRESSED AGAINST EACH FIGURE



Source: Jamaluddine and colleagues, 2025, The Lancet, peer-reviewed; the paper's own arithmetic.

Which deaths does that estimate leave outside it?

64,260 counts deaths due to traumatic injury and nothing else. Jamaluddine and colleagues exclude deaths from healthcare disruption, food insecurity, water and sanitation failure and disease, and state in The Lancet that their rate ratio holds even when non-injury excess mortality is ignored (Jamaluddine and colleagues, 2025).

That scope decision is deliberate, and The Lancet study records it in its own scope statement. A capture-recapture estimate needs lists that record the same defined event, and a violent death entered in a morgue ledger is such an event. A death from an untreated chronic condition, from contaminated water, or from the collapse of a maternity service is not recorded that way by any of the three lists, so it cannot be estimated from them.

The consequence is that the study answers a narrower question than the public argument usually attaches to it. It measures how many violent deaths a registry of violent deaths failed to carry. It does not measure how many people died because of the war.

The separate category has a named compiler rather than a measurer. Brown University published Crawford's paper for the Costs of War project at its Watson School in 2025, a university research project report and not peer-reviewed, and it sets direct against indirect death and describes what a health-facility registry does not capture. On the completeness question Crawford relays rather than measures, writing that "Recent analysis by public health experts suggests that the number of fatalities reported by the Gaza Ministry of Health, which faces many obstacles to making a full account of the deaths, may be a significant undercount of the violent deaths" (Crawford, 2025). The paper makes no indirect-death estimate of its own; the ranges printed in it are relayed from a preprint and belong to its authors. So the two challenges pointing in the same direction are different claims with different evidence: one is a modelled estimate for a closed window, the other a statement about a class of death the instrument was never built to record.

How far above pre-war mortality did the tested period run?

39.3 traumatic-injury deaths per 1,000 people per year is the annualised rate The Lancet published for the Gaza Strip across the tested window in 2025 (Jamaluddine and colleagues). That is a rate ratio of 14.0 against all-cause mortality in Gaza in 2022, so the multiple is measured against the territory's own pre-war experience and not against any other place.

Both figures carry intervals the paper publishes and a citing sentence should carry with them (Jamaluddine and colleagues, 2025). The rate's 95% confidence interval runs from 35.7 to 49.4, and the rate ratio's from 12.8 to 17.6. A crude death rate of this kind states deaths per 1,000 people per year, so it can be compared across periods of different length, which a running total cannot.

The choice of baseline is what makes the ratio interpretable. All-cause mortality in Gaza in 2022 is the territory's own experience in the year before the war, covering every cause of death rather than violent ones alone. The comparison is therefore internal: this population against itself, one year earlier, not this population against a national average elsewhere.

The rate is derived from the estimate rather than from the ministry's reported total, which means it inherits the estimate's uncertainty rather than resolving it. It also answers a different question from the one this report opened on. Completeness asks how much of what happened reached the list. Intensity asks how heavily mortality ran in the period, whatever the list holds. A rate ratio of 14.0 is a statement about intensity, and it is one the authors say survives even if non-injury excess deaths are set aside entirely, which is the narrowest possible reading of their own data (Jamaluddine and colleagues, 2025).

Who among the counted could be identified by age and sex?

16,699 of the 28,257 deaths for which age and sex data were available, 59.1%, were women, children and older people, on the figures The Lancet published in 2025 (Jamaluddine and colleagues). The denominator is that identified subset, never the 64,260 estimate.

The Lancet records the categories: women, children under 18, and people aged 65 and over. The subset is defined by what the record carried, namely those deaths for which both an age and a sex were present.

Two nearly identical numbers in the same study measure different things and are not interchangeable. 28,185 is the count of identified decedents among the 37,877 the ministry reported for the window. 28,257 is the count of deaths carrying age and sex data. They differ by 72, they are constructed differently, and a sentence that swaps one for the other has quietly changed its denominator.

The share cannot travel upward either. Applying 59.1% to the 64,260 estimate produces a figure near 38,000 that appears nowhere in the paper, because the estimate covers deaths that by definition were not on any list carrying an age and a sex. And the share is not a civilian proportion: the ministry publishes no combatant-noncombatant field at all, a point recorded in the Costs of War compilation at Brown University (Crawford, 2025), so what the demographic breakdown describes is who the record could categorise, not who was or was not taking part in hostilities. The [absence of an attribution field in the ministry's published list](#) is a property of the instrument rather than a gap in this particular study.

Who argues the published total is too high, and on what arithmetic?

At most 41,000 civilian war-related deaths is the ceiling the Jerusalem Center for Security and Foreign Affairs published in 2025, derived by subtracting estimated natural deaths and Israel's count of 21,000 Hamas fighters killed from the Gaza Ministry of Health total. The Center states on the same page that neither input has been independently confirmed.

The ceiling is the publisher's own arithmetic, and the Center describes it as a ceiling rather than a count. Its page records that neither the Hamas claim of 67,000 total deaths nor the Israeli estimate of 21,000 fighters killed has been independently confirmed, and that the former has been challenged. So the subtraction runs on three quantities, two of which its own author marks unverified, and a subtraction cannot be more certain than the numbers it starts from.

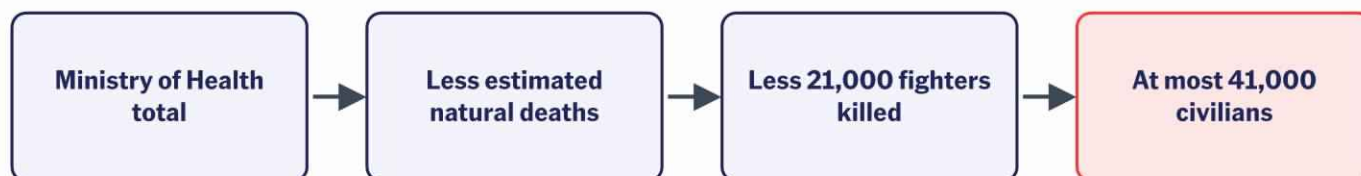
The class of input a calculation like this requires is illustrated by the Israel Defense Forces briefing of 29 February 2024, at which the IDF Spokesperson stated over 13,000 people the IDF describes as terrorists eliminated in Gaza since the beginning of the war. That is a party's own count under a party's own classification, published by a participant in the events, and the Israel Defense Forces page writes it as a floor rather than an exact total. Its window also closes long before the ministry totals from which the ceiling is computed.

The structural difficulty is that no shared identifier exists. The ministry's registry records no combatant status, and no Israeli combatant figure is joined to it entry by entry, so a fighter count produced by one party is being deducted from a total produced by another with

nothing linking the two records at the level of a person. The result is arithmetic performed across two books that were never designed to be read against each other.

The arithmetic the ceiling requires

HOW THE AT-MOST FIGURE IS REACHED



Source: Jerusalem Center for Security and Foreign Affairs, 2025; the publisher's own arithmetic on party-supplied inputs.

Does the Palestinian statistical authority measure the toll itself?

70,942 deaths in Gaza by the end of December 2025 is the figure the Palestinian Central Bureau of Statistics reports, and the Bureau attributes it to the Palestinian Ministry of Health rather than measuring it. The Bureau's own measurement is a different quantity entirely.

What the Bureau measures is population. Its end-of-2025 brief puts Gaza at about 2.13 million, a decline of approximately 254,000 people, which it states is a decrease of 10.6% against its pre-aggression population estimates. Those two figures belong together and reconcile on their own base. The brief separately reports that roughly 2.2 million people were living in Gaza on the eve of the war, that nearly two million of them were displaced, and that roughly 100,000 have left the Strip.

The decline is not a death toll and the Bureau does not present it as one. It attributes the change to war-related deaths, missing persons, reduced births and forced out-migration together, four components folded into one net demographic figure with no itemisation between them (Palestinian Central Bureau of Statistics, 2025). A reader cannot extract a casualty number from it, and a reader who divides one endpoint by another is dividing quantities the brief defines differently.

The Bureau is also the Palestinian Authority's own statistical office, which makes it a body reporting on its own population, and the brief describes its figures as estimates rather than enumeration. What is notable for the counting question is the relationship it declares: the national statistical authority, the institution that would ordinarily be the independent counter of a population, publishes the death figure as the health ministry's and reserves its own measurement for a different quantity. Two official Palestinian bodies are on the record, and only one of them says it counted the dead. The wider series behind these totals is set out in the Institute's report on [Israeli and Palestinian population growth](#).

Methodology

This report examines what the Gaza Ministry of Health's registry captures, what published work has tested it against, and what each of those records measures. Every figure carries the body that produced it, the window it covers and its source type.

Peer-reviewed research. Jamaluddine, Abukmail, Aly, Campbell and Checchi (2025) in The Lancet supplies the capture-recapture estimate of 64,260 traumatic-injury deaths and its interval, the 37,877 and 28,185 ministry figures for the same window, the 22,368 and 5,817 input-list counts, the 9,692 unidentified decedents, the annualised rate and rate ratio, and the 59.1% demographic share with its denominator of 28,257. Asi, Mills, Greenough, Kunichoff, Khan and colleagues (2024) in Conflict and Health supplies the health-facility damage figures for 7 October to 22 November 2023.

Research and university project reports. Crawford (2025) for the Costs of War project at Brown University's Watson School is a university research project report and not peer-reviewed; it is cited for its direct-and-indirect scope statement and for what it relays about registry completeness, never for a casualty total. The Jerusalem Center for Security and Foreign Affairs (2025) is a research institute and not peer-reviewed; its at-most-41,000 ceiling is its own arithmetic on inputs supplied by parties to the conflict.

Official and party records. The Israel Defense Forces Spokesperson's briefing of 29 February 2024 is a self-reported count using the IDF's own classification of those counted, published by a party to the conflict, and its figure is written as a floor. The Palestinian Central Bureau of

Statistics brief for the end of 2025 is an official statistical product of the Palestinian Authority reporting on its own population, and its figures are estimates rather than enumeration.

Limitations. The capture-recapture estimate is built from two of the ministry's own lists plus scraped obituaries, so it tests a record rather than enumerating the dead, and its confidence interval is wide. The satellite damage study has no ground truth, its authors say so, and its denominator is 97 health facilities rather than the Strip's 36 hospitals. No published work joins facility damage to registry completeness, and the two are set side by side here rather than linked. The 59.1% carries a denominator of 28,257 and is not applied to any other figure. Nothing here is summed or subtracted across bodies: the ministry, the Bureau, the Center and the Israel Defense Forces count different populations over different windows on different definitions, and each figure is reported only against its own base.

Conclusion

So does the Gaza Ministry of Health undercount or overcount? Two published corrections point in opposite directions, and both are computed from the same registry. Jamaluddine and colleagues estimated 64,260 traumatic-injury deaths against 37,877 reported, a gap of 26,383 that is 41% of their estimate and 70% of the ministry figure. The Jerusalem Center for Security and Foreign Affairs subtracted estimated natural deaths and a party's 21,000-fighter count from the ministry total to reach at most 41,000 civilians, and wrote that neither input is confirmed.

What can be described exactly is the instrument. It has two channels, one of them opened almost three months into the war. It carried 9,692 entries its own keeper could not identify, 26% of its cumulative total, and it publishes that fraction itself. It records no combatant status, so nothing in it can be netted against a fighter count. The facilities feeding its first channel were damaged in 59 of 97 cases inside the first forty-six days. Its demographic breakdown covers 28,257 deaths and not the 64,260 estimate. Each of those is checkable, dated and attributed, and none of them settles the total.

That is the shape of the record: a registry describable to the entry, and a toll that no published source enumerates independently. The correction that raises the figure runs on the registry's own two lists. The ceiling that lowers it runs on one party's estimate subtracted from another

party's total, across books with no shared identifier. Both are measurements of the record rather than of the dead, and both are offered to the public as the latter. What would a reader have to be handed, and by whom, before either one could be called a count?

Frequently Asked Questions

What does capture-recapture actually do?

It estimates how many members of a population appear on none of the available lists, by working from how heavily the lists that exist overlap. The Lancet published such an analysis of three lists in 2025, averaging alternative generalised linear models over the overlap structure and publishing its code and anonymised data (Jamaluddine and colleagues, 2025). The paper also calls the technique multiple systems estimation.

Is 64,260 the same as the figure reported in coverage as more than 70,000?

No. The 64,260 is the capture-recapture point estimate for 7 October 2023 to 30 June 2024. The above-70,000 figure comes from the paper's Research in context box, where the same authors applied their under-reporting rate to the October 2024 total the Palestinian Ministry of Health reported, 41,909, and wrote that the toll probably exceeded 70,000, an extrapolation they label as such (Jamaluddine and colleagues, 2025).

Why is the confidence interval on the estimate so wide?

The published interval runs from 55,298 to 78,525, a span of more than 23,000 deaths around a point estimate of 64,260. An estimate of this kind is driven by how much the input lists overlap, and where the lists are self-reported or scraped, the overlap is measured with less precision than a matched administrative record would allow. The Lancet published the interval rather than the point estimate alone for that reason.

What does functionally destroyed mean in the satellite analysis?

Conflict and Health published it as a threshold for a facility where detected damage covered half or more of the building area, read off Sentinel-1A radar imagery (Asi and colleagues, 2024). It is a threshold applied to imagery, not a verified loss of service, and the authors state

that the absence of ground-truth data prevents them from quantifying the accuracy of radar-based damage assessment.

Why can a study built on the ministry's own lists still test them?

Because the two ministry lists were compiled independently of one another, one from morgue records and one from public reporting, and a third list of scraped obituaries was assembled outside the ministry altogether. The overlaps between them carry information the individual lists do not. What the design cannot deliver is an independent enumeration, which is why the analysis The Lancet published describes an estimate rather than a count.

Does the population decline the Palestinian Central Bureau of Statistics reports work as a death toll?

No. The Bureau reports a decline of approximately 254,000 people, 10.6% against its pre-aggression estimates, and attributes it to war-related deaths, missing persons, reduced births and forced out-migration together. The four components are not itemised, and the Bureau presents the figure as a net demographic estimate rather than a casualty count.

What does the annualised rate measure that the totals do not?

A rate states deaths per 1,000 people per year, so periods of different length can be compared with one another. The Lancet put traumatic-injury mortality at 39.3 per 1,000 per year for the tested window (Jamaluddine and colleagues, 2025), a rate ratio of 14.0 against all-cause mortality in Gaza in 2022. A running total cannot be compared that way, because it grows with the length of the period alone.

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Do Israeli Settlements Hinder the Two-State Solution? Reading the Signed Interim Agreement, the Court Records and the Recorded Votes

What the 1995 Interim Agreement, two Israeli outpost judgments and a 1933 treaty actually say about settlements, Area C jurisdiction and statehood.

Interim Agreement

Area C

Settlements

Two-State Solution

Jurisdiction



The Israeli-Palestinian Interim Agreement of 1995 states the connection in its own text: it defines a West Bank settlement as one in Area C, and it names settlements second among **seven** subjects carved out of the Palestinian Council's jurisdiction entirely and deferred to permanent status negotiations. The Agreement records that in Area C the Council was to receive only powers "not relating to territory," so the tie between settlements and partition sits in a signed clause rather than in an inference from a map. What the record does not hold is the measurement the familiar answer runs on: the Agreement records the words "per cent" and "percent" once in its whole main text, in an article on appointments, and nowhere in relation to territory. Around that clause sit the dated records the question turns on: a partition plan from 1937 never enacted, a military order from 1967 with no official English text, and two Israeli judgments that ordered outposts removed on proved private title.

Key Findings

- The Agreement records seven subjects carved out of the Palestinian Council's jurisdiction at Article XVII(1): Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations and Israelis. Settlements are second on that list, and Article XII(5) defines them, in the West Bank, as the settlements in Area C.
- The Agreement states, at Article XI(2), that "All civil powers and responsibilities, including planning and zoning" pass to the Council in Areas A and B, while in Area C "Israel will transfer to the Council civil powers and responsibilities not relating to territory."
- The Agreement records the words "per cent" and "percent" once in its entire main text, in Article IX on appointments to the Executive Authority, and nowhere in relation to territory. Areas A and B are fixed by a red line and shading on attached map No. 1, and Area C residually.
- The Agreement put the interim redeployments on a schedule of 18 months from the Council's inauguration and required permanent status negotiations covering settlements to open no later than 4 May 1996, at Article XXXI(5).

- The Israeli Supreme Court ruled on 2 August 2011 that the State evacuate the Migron outpost, the State having conceded that the land was registered under private Palestinian ownership and the outpost illegal.

What did the first plan to divide the territory into two states propose?

The Palestine Royal Commission put partition in one sentence at Chapter XXII, paragraph 1: “We return, then, to Partition as the only method we are able to propose for dealing with the root of the trouble.” The report was signed on 22 June 1937 and presented to Parliament the following month.

The reasoning sits two chapters earlier. The Commission recorded, at Chapter XX, paragraph 17, that the obligations Britain had undertaken towards the Arabs and the Jews “have proved irreconcilable; and, as far ahead as we can see, they must continue to conflict,” and closed the same chapter by holding that partition “seems to offer at least a chance of ultimate peace. We can see none in any other plan.”

A Royal Warrant of 7 August 1936 constituted the inquiry and directed it to find the underlying causes of the disturbances that had broken out that April. The Commission reported hearing **60 witnesses at 30 public sessions** and 53 witnesses at 40 private sessions, all formal sessions held in Jerusalem.

What it proposed was a treaty system rather than a border. The Mandate for Palestine “should terminate and be replaced by a Treaty System in accordance with the precedent set in Iraq and Syria,” and Treaties of Alliance would declare that “two sovereign independent States would be established, the one an Arab State, consisting of Trans-Jordan united with that part of Palestine which lies to the east and south of a frontier such as we suggest,” the other a Jewish State.

None of it was enacted. The Woodhead Commission found the plan impracticable the following year and the White Paper of 1939 abandoned it, so the earliest official proposal to divide the territory into two states is a recommendation on the record and never an outcome. It is a British government-commissioned review of Britain’s own obligations.

Which office holds the West Bank land no agreement transferred?

Military Order 59 states the power in one sentence: Article 2 provides that the Custodian of Government Property may take possession of government property and take any step he deems necessary to do so. The commander of Israeli forces in the West Bank Area signed the order on 31 July 1967, and Article 7 had commenced it on 7 July 1967, twenty-four days earlier.

Military Order 59 states what the Custodian may reach at Article 1. It fixes the determining day at 7 June 1967 and defines Government Property by who owned it on that day, beginning with property of an enemy state, which the text defines as the Hashemite Kingdom of Jordan or any other enemy state, including its government, units, branches, authorities and corporations.

Two properties of the document travel with any use of it. The first is that no official English text exists. The Military Advocate General publishes each order in Hebrew and Arabic on facing halves of the page and in no third language, so every English wording of Article 2 in circulation is somebody's unofficial rendering, including the paraphrase above. The second is that the Military Advocate General records nine amendments to this order, the last of them at booklet 200, page 3221, so the 1967 booklet is not the text in force.

Article 8 names the order for the West Bank Area rather than for Judea and Samaria, because the area had not yet been renamed. The 1967 text carries no declaration procedure, no objection window and no appeals committee: it defines property by ex-Jordanian ownership on a fixed date and gives one office possession of it.

The order is the instrument on the other side of the transfer question. Twenty-eight years before the two sides divided civil powers by area, this office already held land defined that way, and the later Agreement moved territorial jurisdiction over Area C to nobody.

Did Israel's own court address a settlement meant to outlast military rule?

The Israeli Supreme Court held, unanimously and 5 to 0 on 22 October 1979, that a military administration cannot create within its territory “facts on the ground” for military needs “that were in advance intended to exist past the end of the military rule in that area, when the fate of the territory after the end of the military rule is yet unknown.”

Deputy President Landau stated that ground as one which “stands independently, even without regard to the other reasons I have so far detailed.” The other reasons were narrower and factual. Seventeen Palestinian petitioners, registered owners of about 125 dunams at the village of Rujeib outside Nablus, had challenged an order of possession signed on 5 June 1979 over about 700 dunams, under which Israeli civilians began settling the site two days later.

Three limits sit in the same judgment and belong beside the holding. The Court recorded that requisition of privately owned land for a civilian settlement “is potentially justified under Article 52 of the Hague Regulations,” so the case turned on the finding that the political level had initiated this settlement and the military had supplied a professional opinion afterwards. Article 49(6) of the Fourth Geneva Convention was expressly left undecided, on the reasoning that treaty-based international law does not bind an Israeli court while the Hague Regulations bind as customary law. And only that one order fell, only as to the petitioners’ registered plots; the separate order covering the access road drew no order at all.

The Court put the respondents on 30 days to comply. What the judgment establishes is a test applied to one requisition on its own facts, by a domestic court measuring its own government’s conduct against the law of occupation. It does not hold that settlement is unlawful, and it does not state the rule, taken by government resolution afterwards, that settlements be built only on state land.

Where does the 1995 agreement place a settlement?

The Agreement states, at Article XII(5), a definition in a single clause: “the Settlements” means, in the West Bank the settlements in Area C. Area C is the one category the same Agreement never draws a boundary for.

The Agreement states the three areas one article earlier. At Article XI(3), “Area A” means “the populated areas delineated by a red line and shaded in brown on attached map No. 1”;

“Area B” means “the populated areas delineated by a red line and shaded in yellow on attached map No. 1, and the built-up area of the hamlets listed in Appendix 6 to Annex I”; and Area C means “areas of the West Bank outside Areas A and B, which, except for the issues that will be negotiated in the permanent status negotiations, will be gradually transferred to Palestinian jurisdiction in accordance with this Agreement.”

So two of the three areas are fixed by a line and a colour on one attached map, and the third is whatever is left over. The map is not an illustration. The Agreement records, at Article XXXI(13)(a), that the Preamble and all Annexes, Appendices and maps attached to it “shall constitute an integral part hereof.”

Read as a chain, the three clauses are the finding. A settlement is defined by where it stands; where it stands is Area C; and Area C is defined by subtraction rather than by a boundary of its own. Every later argument about how much of the West Bank that category covers is an argument about a residual, and the instrument that created it supplies no measure of it.

The Agreement is bilateral, between Israel and the Palestine Liberation Organization, signed at Washington on 28 September 1995 and witnessed by the United States, Russia, Egypt, Jordan, Norway and the European Union. The wording above is quoted from the English text published by a party to the Agreement, the Israeli Ministry of Foreign Affairs.

Which powers did the Council receive in Areas A and B only?

The Agreement states, at Article XI(2), that in Areas A and B “All civil powers and responsibilities, including planning and zoning, in Areas A and B, set out in Annex III, will be transferred to and assumed by the Council,” and that in Area C “Israel will transfer to the Council civil powers and responsibilities not relating to territory.”

Planning and zoning is the operative phrase, because it is the power under which a settlement is built, extended and connected. The Agreement put the land itself on the same line: “Land in populated areas (Areas A and B), including government and Al Waqf land, will come under the jurisdiction of the Council during the first phase of redeployment.”

Article XVII states the same division as jurisdiction, three times over. Territorial jurisdiction covers West Bank and Gaza Strip territory “except for Area C,” and “includes land, subsoil and territorial waters.” Functional jurisdiction “extends to all powers and responsibilities transferred to the Council.” Personal jurisdiction applies “to all persons, except for Israelis.” The Agreement adds, at Article XVII(2)(d), that the Council “shall have functional jurisdiction in Area C, as detailed in Article IV of Annex III.”

The Agreement records the residue as plainly as the transfer. Article XVII(4)(a) provides that “Israel, through its military government, has the authority over areas that are not under the territorial jurisdiction of the Council, powers and responsibilities not transferred to the Council and Israelis.”

Put together, the two halves of Article XI(2) answer a narrow version of the settlements question with no measurement at all. A settlement is by definition in Area C; there the Council received powers expressly described as not relating to territory; and territorial jurisdiction, including land and subsoil, stayed where it was. Whatever share of the West Bank Area C turns out to be, the planning power inside it was never among the things the interim arrangement moved.

Which subjects did the agreement carve out of Palestinian jurisdiction?

The Agreement states seven, at Article XVII(1), in the order the text prints them: “Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations and Israelis.” Settlements are the second item.

Article XXXI states the subjects permanent status negotiations were to cover, and five of the seven appear there too: “Jerusalem, refugees, settlements, security arrangements, borders.” The list the interim Council could not touch and the list the final talks were to settle are drawn from one pool, and settlements sit on both.

Carved-out subject	What the Agreement does with it	Article
Jerusalem	Outside the Council’s jurisdiction; a permanent status subject	XVII(1), XXXI(5)

Carved-out subject	What the Agreement does with it	Article
Settlements	Defined as those in Area C; a permanent status subject	XII(5), XVII(1), XXXI(5)
Specified military locations	Outside the Council's jurisdiction	XVII(1)
Palestinian refugees	Outside the Council's jurisdiction; a permanent status subject	XVII(1), XXXI(5)
Borders	Outside the Council's jurisdiction; a permanent status subject	XVII(1), XXXI(5)
Foreign relations	Outside the Council's jurisdiction	XVII(1)
Israelis	Outside personal jurisdiction, which runs to all persons except Israelis	XVII(1), XVII(2)

Source: the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, 1995, Articles XII, XVII and XXXI, in the English text published by a party to the Agreement, the Israeli Ministry of Foreign Affairs.

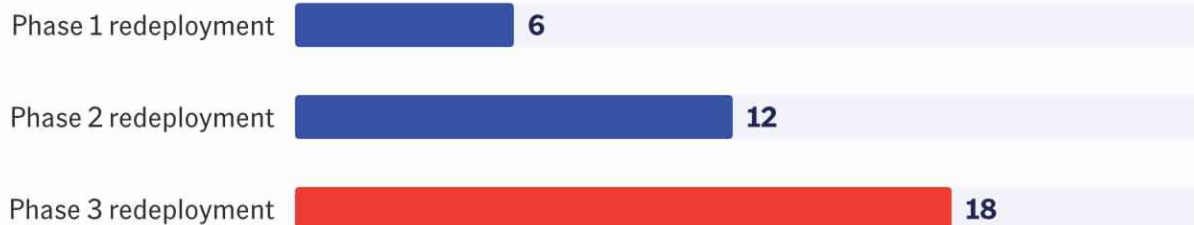
The Agreement records where the excluded powers went. Article XVII(4)(a) leaves authority over areas outside the Council's territorial jurisdiction, over powers not transferred, and over Israelis with Israel, through its military government. What became of the deferred subjects since is walked, file by file, in the Institute's report on [the five unclosed final-status files](#).

How long was the interim arrangement written to run?

The Agreement put the interim arrangement on **18 months**. Annex I provides three further redeployments, "each to take place after an interval of six months," to be completed "within 18 months from the date of the inauguration of the Council," and Article XXXI required permanent status negotiations to commence "not later than May 4, 1996."

The schedule is stated twice and named in a third place. Article XI(2)(d) of the main Agreement and Article I(9) of Annex I both carry the six-month intervals and the eighteen-month completion, and Appendix 1 to Annex I labels the three Phase 1, Phase 2 and Phase 3.

Months after the Council's inauguration**THE THREE FURTHER REDEPLOYMENTS ANNEX I SCHEDULES**



Source: The Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, 1995, Annex I, Article I(9) and Appendix 1. The text fixes the intervals and dates no inauguration.

Two further clauses were written to hold the position while the clock ran. The Agreement records, at Article XXXI(7), that “Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations,” a sentence symmetrical on its face. At Article XXXI(6) it preserves each side’s case, providing that neither Party “shall be deemed, by virtue of having entered into this Agreement, to have renounced or waived any of its existing rights, claims or positions.”

Annex I records what was to happen to the standing administration. At Article I(5): “After the inauguration of the Palestinian Council, the Israeli Civil Administration will be dissolved and the Israeli military government will be withdrawn.”

Every date and interval above is what the instrument promised. That the redeployments did not complete, that the Civil Administration was not dissolved and that the interim period did not end are facts about the decades since, established by other records and not by this text. The Agreement fixes the deadline; it cannot report what happened to it.

Does the agreement state how much of the West Bank is Area C?

The Agreement records the words “per cent” and “percent” exactly once in its main text, in Article IX on appointments to the Executive Authority, and nowhere in relation to territory.

Areas A and B are fixed by a red line and shading on attached map No. 1, and Area C as whatever lies outside them.

The share that carries the public version of this question is a later measurement, and this report cannot name who took it. Alaa Mahajna states that Area C and its surroundings “comprise around 60 percent of the West Bank” and “were supposed to be transferred gradually from Israeli administration to Palestinian control by 1997” (Mahajna, 2026). The author is a Jerusalem-based human rights lawyer, the piece is labelled Policy Analysis by Arab Center Washington DC and dated 7 May 2026, and it is an argument rather than a measurement. It attributes that share, and three others it reports, to no register, survey or agency a reader could open: 18.4% of Area C registered as state land before 1967, 24.5% declared afterwards, and around 57% remaining. The two Israeli government decisions of February 2026 behind the analysis are treated in the Institute’s report on [land registration in the West Bank](#).

B’Tselem, accessed in 2026, publishes its West Bank settlement count and its count for the annexed East Jerusalem neighbourhoods as two separate series, while the Israeli Central Bureau of Statistics reports the same neighbourhoods inside one Israeli total. That convention is what this report takes from the monitoring organisation; its numbers are not used here, because they are recorded as unconfirmed on a live read after direct retrieval failed.

So the absence is specific rather than general. Somebody measured Area C, the figure is repeated everywhere, and the instrument that created the category prints no share at all. A neighbouring absence on the population side, where no official series measures territorial contiguity, sits in the Institute’s report on [the West Bank population record](#).

Has a court ever ordered a settlement removed, and at what scale?

The Israeli Supreme Court ruled on 2 August 2011: “We have therefore decided to issue a final order requiring the State to evacuate the Outpost of Migron,” with the deadline set “until March 31, 2012.” It ordered the whole Amona outpost removed on 25 December 2014, within two years, and refused a further delay on 14 November 2016.

The scale of the first is in the record because the State put it there. The State reported to the Court that Migron held some **45 families and some 250 residents** as of February 2009, describing it as the largest outpost in Judea and Samaria and recording it as established in May 2001 without any government resolution; in June 2006 the site held some 60 prefabs, one permanent building and 43 families.

The Court recorded the ownership as undisputed. The State did not dispute that the lands were “registered lands under private Palestinian ownership,” within the confines of the villages of Burqa and Dir Dabwan, or that the outpost “is illegal.” The Court held that the erection of the outpost and its continued expansion “constitute blatant and defiant violations of the law and of the Palestinian landowners’ property rights.”

Two limits belong with the pair. A judgment date and an evacuation date are different facts: Migron was petitioned on 30 June 2006, heard five times between February 2007 and July 2011, and on 25 March 2012 the Court refused a request to delay to 2015 and reset the deadline instead. Nothing about the category follows from either case: the only quantities here describe one outpost at two dates, so no outpost count, no settler population and no land area may be derived from them.

What the two judgments do establish is that removal has a domestic answer with a docket number attached. Where private title was registered and proved, an Israeli court ordered removal, set a date, and declined to move it again.

How did the World Court’s judges vote on settlements in 2024?

The International Court of Justice recorded fourteen votes to one on the obligation “to cease immediately all new settlement activities, and to evacuate all settlers,” at paragraph 285, subparagraph (5) of its advisory opinion of 19 July 2024.

The two subparagraphs most often quoted alongside it carry the narrowest majority in the opinion. The Court recorded eleven votes to four on subparagraph (3), concerning the unlawfulness of the continued presence, and the same margin on subparagraph (4), concerning bringing it to an end as rapidly as possible. On both, the Court recorded dissents by Judges Tomka, Abraham and Aurescu and by Vice-President Sebutinde.

The rest of the dispositif divides again. Jurisdiction was unanimous. The decision to comply with the request, and the obligation to make reparation, were each adopted by fourteen votes to one. The duties of non-recognition and non-assistance addressed to all States and to international organizations, and the paragraph directing the General Assembly and the Security Council to consider further action, were each adopted by twelve votes to three.

So nine separately voted subparagraphs carry four different majorities, and a single margin quoted for the opinion as a whole describes one of them and not the others. The settlement subparagraph sits among the widest; the two about the presence itself are the narrowest.

The instrument type matters as much as the count. This is an advisory opinion delivered on a request from the General Assembly rather than a judgment between parties, and it binds nobody. The Court stated its own authoritative language, the opinion being done in English and in French with the English text authoritative. What it fixes on the record is how the judges divided, subparagraph by subparagraph, on a stated date.

Which qualifications of statehood does a treaty text actually name?

The Convention states four, at Article 1 of its English column: “The state as a person of international law should possess the following qualifications: a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with the other states.”

The instrument is the Convention on Rights and Duties of States, signed at Montevideo on 26 December 1933 by the delegations of nineteen American republics. It is the text reached for whenever the qualifications of statehood come up, and three of its properties are usually left behind.

The English says “should possess,” not must. The word “effective” appears nowhere in Article 1, so the familiar phrase about an effective government is a gloss from the commentary literature rather than the treaty. And the Convention names no organ to decide whether any entity satisfies the four qualifications. The Convention states, at Article 3, that

“The political existence of the state is independent of recognition by the other states,” and at Article 6 that recognition, once given, “is unconditional and irrevocable.”

One further article bears directly on territory. The Convention records, at Article 11, “the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force.” Two signatories qualified it on the record: the delegates of Brazil and Peru stated “That they accept the doctrine in principle but that they do not consider it codifiable.”

The English and the Spanish are parallel columns of one printed text, both authentic, and they do not carry equal force: the Spanish reads that a state “debe reunir” the requisites, a stronger word than “should possess.” Nineteen American republics signed, and the Convention binds each party from its own ratification, so it is regional rather than universal. It names the qualifications and names nobody to apply them, and that is where its own text stops.

Methodology and limitations

This report reads instruments, judgments and one policy analysis, each labelled by type. Primary and official records: the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995, bilateral between Israel and the Palestine Liberation Organization and read in the English text published by a party to it, the Israeli Ministry of Foreign Affairs; Military Order 59 of 1967 as published by the issuing military authority; the report of the Palestine Royal Commission of 1937; the Convention on Rights and Duties of States of 1933 as published by the depositary; and three judgments of the Israeli Supreme Court, HCJ 390/79, HCJ 8887/06 and HCJ 9949/08. Think-tank policy analysis: Mahajna, 2026. The advisory opinion of 19 July 2024 is named in prose with its date and its recorded votes, and no figure here rests on it.

Five limitations bear on the reading. Military Order 59 has no official English text in any state publication, the Hebrew governs, and the issuing authority’s index carries nine amendments, so the 1967 booklet is not the text in force. The Elon Moreh judgment is read in an unofficial English translation and decides one requisition on its own facts; its companion case of 1978, which upheld a requisition for a civilian settlement on the same Article 52 reasoning, is not in

the record read here, so nothing is claimed about how that test operates generally. The Amona judgment has no official English text, and the evacuation dates in both outpost cases are events reported elsewhere rather than holdings of either court. Annex I, Appendix 6 of the Interim Agreement lists the Area B hamlets without a running total, and no total, area figure, settler count or outpost count is derived anywhere here. The Montevideo Convention's English and Spanish columns are both authentic and differ in force.

Two absences are part of the finding rather than gaps in the reading. No instrument read here states a share of the West Bank for any of the three areas, and the source that supplies the familiar share names no measuring body for it. And no source read here measures how the settlements framing relates to antisemitism, so no such figure appears.

Conclusion

The question was whether Israeli settlements hinder the two-state solution, and the Agreement of 1995 answers a narrower version of it in its own words: settlements were placed, by definition, in the one area whose territorial jurisdiction was never transferred, and put on the list of subjects the interim arrangement could not touch and the final talks were to settle.

The rest of the record is equally specific and rather more assertive taken together. The Palestine Royal Commission proposed partition in 1937 in a single sentence, and Britain never enacted it. A military order signed in July 1967 gave one office possession of land defined by who owned it on 7 June that year, and no official English text of it exists. The Israeli Supreme Court held in October 1979, unanimously, that a military administration cannot build facts intended to outlast military rule while the fate of the territory is unknown, and left the Geneva question undecided in the same judgment. The Agreement gave the Council planning and zoning in Areas A and B and, in Area C, powers expressly not relating to territory, on a schedule of 18 months that ran out three decades ago. Two Israeli courts ordered outposts removed where private title was registered and proved. Fourteen judges of fifteen at the World Court voted in 2024 for an obligation to cease new settlement activity, in an opinion whose subparagraphs on the presence itself split eleven to four.

What none of it contains is the number the public argument is actually conducted in. The share of the West Bank that Area C covers is quoted constantly, appears in no clause of the Agreement that created the category, and reaches the reader from a lawyer who names no body that measured it. So when the next answer to this question reaches for a percentage instead of an article number, which record is it standing on, and who would have to publish the survey behind it before anybody could check?

Frequently Asked Questions

What does the Interim Agreement mean by a settlement?

Article XII(5) defines “the Settlements” as meaning, in the West Bank, the settlements in Area C. Area C is itself defined residually at Article XI(3), as the areas lying outside Areas A and B, which are marked by a red line and shading on the map attached to the Agreement.

Which body measured Area C as around 60% of the West Bank?

No source read for this report names one. The figure appears in a 2026 policy analysis for Arab Center Washington DC as the author’s own statement, with no register or survey behind it, and the Agreement that created the category prints no territorial percentage.

Do settlements hinder a two-state outcome under the Agreement’s own terms?

The Agreement never uses that word. Its text locates settlements in Area C, withholds planning and zoning there from the Palestinian Council, and places settlements among the seven subjects reserved for permanent status talks. Whether that hinders an outcome is not a quantity any clause reports.

Did the Elon Moreh ruling make settlements unlawful?

No. The Israeli Supreme Court recorded that requisitioning private land for a civilian settlement is potentially justified under Article 52 of the Hague Regulations, left Article 49(6) of the Fourth Geneva Convention undecided, and struck down one order of possession as to the petitioners’ own plots.

Why is there no official English text of Military Order 59?

The issuing military authority publishes its orders in Hebrew and Arabic and in no third language, so the state record holds no English version. Every English wording in circulation is an unofficial rendering, which is why this report paraphrases Article 2 rather than quoting it.

Is an advisory opinion of the World Court binding?

No. An advisory opinion is delivered on a request, here from the General Assembly, rather than as a judgment between parties, and it binds nobody. What it fixes is how the judges divided: the Court recorded four different majorities across the nine subparagraphs of its opinion of 19 July 2024.

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How Is Israel Similar to Apartheid South Africa? Reading Both Statute Books, the Court Records and the Signed Agreements

South Africa's own state commission listed 120 apartheid Acts with dates; Israel's record on the same dimensions is a different set of instruments.

Apartheid Comparison

South Africa

Israel Palestine

Statute Book

Primary Records



The comparison is almost always argued in adjectives: hierarchy, segregation, bantustans, a system of laws. Both systems left instruments, and instruments can be read. The Truth and Reconciliation Commission of South Africa records 120 Acts of the South African Parliament in Part I of Chapter 13 of its 1998 report, each with a short title, an Act number, a commencement or assent date and, where one exists, the statute that repealed it. Israel's record on the same dimensions is a different set of instruments: a 1992 Basic Law whose enumerated rights contain no equality clause, a Supreme Court judgment of 8 March 2000 declaring the State was not permitted to allocate state land on the basis of discrimination between Jews and non-Jews, and a West Bank jurisdiction split written into an agreement both parties signed in 1995.

Key Findings

- Part I of Chapter 13 of the report enumerates the apartheid statute book with dates (Truth and Reconciliation Commission, 1998). Its entry for the Population Registration Act No 30 of 1950 records that the Act “required people to be identified and registered from birth as belonging to one of four distinct racial groups”, that it commenced 7 July 1950, and that section 1 of the Population Registration Act Repeal Act No 114 of 1991 ended it.
- The entry for the Bantu Homelands Citizenship Act No 26 of 1970, which “required all black persons to become citizens of a self-governing territorial authority”, records assent on 26 March 1970 and, for the date it took effect, “commencement date not found” (Truth and Reconciliation Commission, 1998).
- Basic Law: Human Dignity and Liberty, 5752-1992 (Knesset, 1992) enumerates dignity, life and body, property, personal liberty, exit and entry, and privacy. A case-insensitive search of its complete 574-word English text returns zero occurrences of equal, discrimination, religion, race and nationality.
- The Supreme Court of Israel declared at paragraph 40A of HCJ 6698/95 Ka’adan v. Israel Land Administration, on 8 March 2000, that the State “was not permitted, by law, to allocate state land to the Jewish Agency ... on the basis of discrimination between Jews and non-Jews”.

- The Application instituting proceedings of 29 December 2023 pleads one treaty (Republic of South Africa, 2023): at paragraph 17 it founds jurisdiction on Article IX of the 1948 Genocide Convention, and a search of its 151 paragraphs returns zero occurrences of the 1973 Apartheid Convention by name.

Which laws built apartheid in South Africa?

The Population Registration Act No 30 of 1950 commenced 7 July 1950, and the Truth and Reconciliation Commission of South Africa records it in Chapter 13 as the Act that “required people to be identified and registered from birth as belonging to one of four distinct racial groups”.

Counting the entries, that chapter names 120 Acts of the South African Parliament alongside 30 dated chronology entries, each Act flagged by function: basic apartheid laws, the workplace, security, political representation, land, education, urbanisation. Its preamble states the limit: “Only discriminatory legislation is listed; laws and amendments that are purely administrative and not race-based are excluded.”

The same report quotes the Act’s own definitions and calls them “truly bizarre”: “A White person is one who is in appearance obviously white ... a Coloured is a person who is not a white person or a Bantu.” Four Acts most often named in the comparison carry their own dates.

Act	Commenced	Repealed by
Population Registration Act No 30 of 1950	7 July 1950	s 1, Population Registration Act Repeal Act No 114 of 1991
Group Areas Act No 41 of 1950	7 July 1950	s 44, Group Areas Act No 77 of 1957
Blacks (Abolition of Passes and Co-ordination of Documents) Act No 67 of 1952	11 July 1952	s 23, Identification Act No 72 of 1986
Reservation of Separate Amenities Act No 49 of 1953	9 October 1953	s 1, Discriminatory Legislation Regarding Public Amenities Appeal Act No 100 of 1990

Source: Truth and Reconciliation Commission of South Africa Report, Chapter 13, Part I, 1998.

The Group Areas row shows why a repeal date alone misleads: the Commission records that Act as repealed by a 1957 Act of the same name, replaced by a 1966 Act of the same name, and abolished only in 1991. Two of those three repeals were consolidations.

Which law decided who was a South African citizen?

The Bantu Homelands Citizenship Act No 26 of 1970 “required all black persons to become citizens of a self-governing territorial authority”, and the Truth and Reconciliation Commission records assent gained 26 March 1970 and, in place of the date the Act took effect, the phrase “commencement date not found”.

That gap is the Commission’s own, for the statute deciding the nationality of most of the country’s population. The entry carries a contemporaneous ministerial statement of what the Act was for: “No black person will eventually qualify in terms of section 10 because they will all be aliens, and as such, will only be able to occupy the houses bequeathed to them by their fathers, in the urban areas, by special permission.”

The Act sat on a structure built eleven years earlier. The Commission states that the Promotion of Bantu Self-Government Act No 46 of 1959, commencing 19 June 1959, “provided for the transformation of reserves into fully fledged independent bantustans”, together with the “abolition of parliamentary representation for blacks”. Four territories then took what the Commission’s chronology calls independence, on four dated occasions: Transkei 26 October 1976, Bophuthatswana 6 December 1977, Venda 13 September 1979 and Ciskei 4 December 1981.

Two dates close the sequence, and both are late (Truth and Reconciliation Commission, 1998). Schedule 7 of the Constitution of the Republic of South Africa Act No 200 of 1993 repealed both the 1959 Act and the 1970 citizenship Act. Classification fell in 1991; the law assigning citizenship by group survived it by two years, and went with the constitutional order carrying it rather than by any statute of its own. Israel’s citizenship question runs

instead through the Law of Return, the Citizenship Law and judicial construction, read in the report on [the ethnostate claim and the founding record](#).

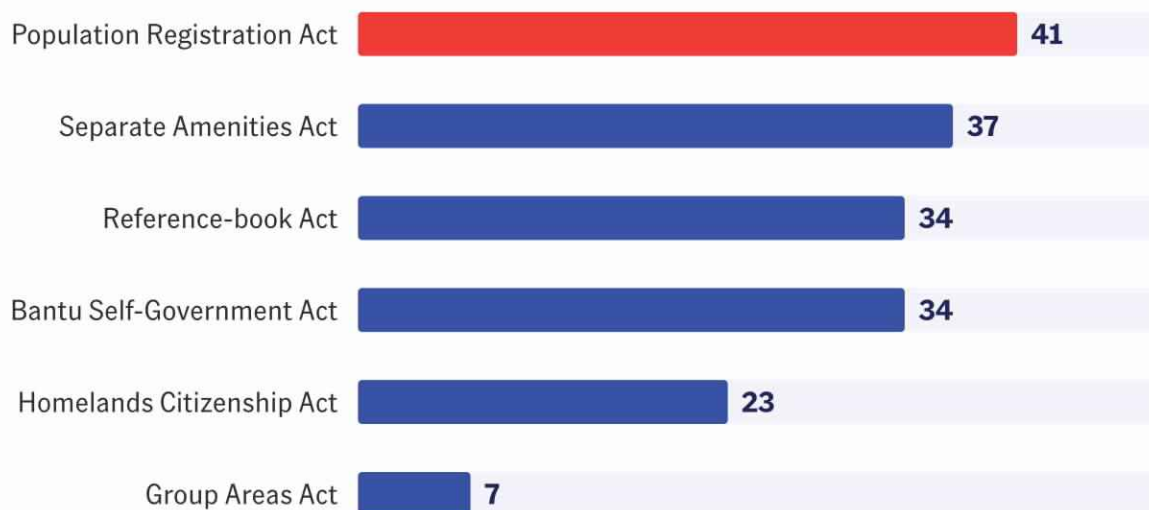
When were the apartheid statutes repealed?

The Population Registration Act Repeal Act No 114 of 1991 commenced 28 June 1991, and the Truth and Reconciliation Commission records the qualification most summaries drop: the population register compiled under the 1986 Identification Act “was to remain in effect until the 1983 Republic of South Africa Constitution Act was repealed”. The classification law ended; its register did not end with it.

The land repeal ran the same way. The Commission records the Abolition of Racially Based Land Measures Act No 108 of 1991 as promulgated 28 June 1991 and commenced 30 June 1991, repealing the 1913 Black Land Act, the 1936 Development Trust and Land Act, the 1966 Group Areas Act and the 1984 Black Communities Development Act. Quoting the Race Relations Survey for 1991 and 1992, the entry records that “a total of 189 sections and acts that had supported racial discrimination in respect of land legislation” went with them, and that the Act “did not affect the legal status of the non-independent homelands, their geographical definitions or their administrative structures”.

Years each apartheid statute stood, from commencement to repeal

WHOLE YEARS BETWEEN THE COMMENCEMENT YEAR THE COMMISSION RECORDS, OR THE ASSENT YEAR WHERE IT RECORDS NO COMMENCEMENT DATE, AND THE YEAR OF REPEAL



Source: Truth and Reconciliation Commission of South Africa Report, Chapter 13, Part I, 1998.

What the enumeration fixes, for a comparison, is the shape of the comparator (Truth and Reconciliation Commission, 1998). Apartheid in South Africa was a statute book: Acts with numbers, commencement dates and, eventually, repealing instruments, compiled after the fact by a commission of the same state. A reader can open the list and check any line. That property makes the South African side checkable, and it is what a comparison must find on the other side.

What do Israel's Basic Laws say about equality?

Basic Law: Human Dignity and Liberty, 5752-1992 (Knesset, 1992) enumerates six rights and no equality clause. A case-insensitive search of the complete 574-word English text the Knesset publishes returns zero occurrences of equal, discrimin, religion, race and nationality, and zero of the phrase freedom of.

The rights it enumerates are dignity, life and body at sections 2 and 4, property at section 3, personal liberty at section 5, exit and entry at section 6, and privacy at section 7. Section 10 states that the Basic Law “shall not affect the validity of any law that existed prior to the inception of the Basic Law”, so nothing enacted before 1992 is reached by it at all.

The absence is a fact about the text, not a finding about how the State treats anyone. It is also why the equality rule in Israeli law is supplied by a judgment rather than a statute.

Section 1 offers the only route toward equality, and it is indirect: the basic rights “shall be upheld in the spirit of the principles included in the Declaration of the Establishment of the State of Israel”. It refers to the Declaration; it does not enact it. That Declaration’s equality sentence is itself published in two official English versions differing on the operative word, the Knesset text reading “all its citizens” and the Foreign Ministry text “all its inhabitants”.

Israel’s constitutional-level texts are not confined to this one: Basic Law: Israel as the Nation-State of the Jewish People (Knesset, 2018) addresses self-determination and language, and the Supreme Court of Israel dismissed fifteen petitions against it on 8 July 2021. The 1992 Basic Law is the one carrying the rights catalogue, and the catalogue is what a statute-book comparison reads.

Which ruling governs allocating state land by group?

A five-justice panel of the Supreme Court of Israel decided HCJ 6698/95 Ka’adan v. Israel Land Administration on 8 March 2000, declaring at paragraph 40A that the State “was not permitted, by law, to allocate state land to the Jewish Agency, for the purpose of establishing the communal settlement of Katzir on the basis of discrimination between Jews and non-Jews.”

The reasoning reaches the third party directly. The Supreme Court of Israel held at paragraph 34 that “the State cannot escape its legal obligation to respect the principle of equality by using a third party that adopts a discriminatory policy. What the State cannot do directly, it cannot do indirectly.” Discrimination, it added at paragraph 38, “does not lose its discriminatory character, even if it is being carried out through the Jewish Agency.”

The Court also answered the argument from the state’s Jewish character, holding at paragraph 31 that those values would not “justify, on the level of a general purpose, discrimination by the State between its citizens, on the basis of religion or nationality”.

The remedy is narrower than the declaration (Supreme Court of Israel, 2000). Paragraph 40B ordered the State to consider the petitioners' request to purchase a parcel at Katzir "on the basis of the principle of equality". It did not order that they be admitted, and one justice dissented, on retrospectivity rather than equality.

Two features matter for a comparison of statute books. The equality principle applied here is judge-made, derived from the values of the state and the 1948 Declaration rather than from an enumerated right, so a reader searching the Basic Laws will not find it. And it binds the state's own land allocation, the dimension South Africa's Group Areas legislation occupied by statute.

Who holds jurisdiction over whom in the West Bank?

Article XVII (2) of the Israeli-Palestinian Interim Agreement, signed at Washington on 28 September 1995 (Israel and the PLO, 1995), splits jurisdiction three ways: territorial jurisdiction covers West Bank territory "except for Area C", functional jurisdiction "extends to all powers and responsibilities transferred to the Council", and personal jurisdiction applies "to all persons, except for Israelis".

Article XVII (1) removes seven subjects from the Council's jurisdiction entirely: "Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations and Israelis." Article XVII (4) (a) states the converse, that Israel holds authority over areas outside the Council's territorial jurisdiction, over powers not transferred, and over Israelis. Article XII (5) closes the loop: "the Settlements" means, in the West Bank, the settlements in Area C.

Two things the text does not contain are as load-bearing as what it does. No area percentage appears anywhere in it: Areas A and B are defined by a red line and a shading colour on attached map No 1, and Area C is whatever is left, so the familiar figure for Area C's extent is a later measurement by another body. And the arrangement is written as temporary, with Annex I providing three further redeployments at six, twelve and eighteen months and Article XXXI (5) setting permanent-status talks to commence "not later than May 4, 1996".

The Interim Agreement states the restraint symmetrically at Article XXXI (7): “Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.” The English quoted here is the text published by a party to it, Israel’s Ministry of Foreign Affairs. What separates this instrument from a South African one is authorship: the jurisdiction split was written into an agreement the representatives of the population it governs negotiated and signed, and the schedule it promised is what did not run.

Where are the rules for the territories published?

Military Order 59, the Order Concerning Government Property, was signed 31 July 1967 and printed in Hebrew and Arabic in the numbered Collection of Proclamations, Orders and Appointments, and the Military Advocate General records nine amendments to it and no official English text.

That Collection is where this body of law lives. The Military Advocate General states that about 1,800 orders have been signed since 1967 and that all are published there, in Hebrew and Arabic on facing halves of the page. Order 59 sits at page 162 of booklet 5. That is a fact about the form of the record and not its magnitude: the count of orders is the only quantity the issuing authority publishes, and no permit, checkpoint or enforcement figure follows from it.

Order 59 itself runs to eight articles. Article 1 defines Government Property by who owned it on 7 June 1967, naming the Hashemite Kingdom of Jordan or any other enemy state, and creates the office of the Custodian. Article 2 empowers the Custodian to take possession. Article 5 preserves a good-faith transaction between the Custodian and another person even where the property proves not to have been government property. Article 7 brings the order into force on 7 July 1967, twenty-four days before it is signed.

What the 1967 text does not contain is worth recording as plainly: no declaration procedure, no objection window and no appeals committee. Those arrived later, through amendments and other instruments, and cannot be read out of this order.

The comparison point is the readability of the two records, and it runs one way. A reader can open South Africa's statute book in English, in a list that state's own commission compiled. The founding property order for the West Bank has no official English text, so every English wording of it is somebody's unofficial translation.

Which regime type do the defining papers assign?

A four-type scheme published in *Israel Studies* sets Israel down as an "ethnic democracy" (Smootha, 1997, peer-reviewed), and states the criterion excluding the fourth type, the *Herrenvolk* democracy: it is ruled out because "citizenship extends to all and the minority is not excluded from its benefits". *Herrenvolk* democracy is the type under which apartheid South Africa is ordinarily classified.

The comparator sets are the checkable part, and neither paper reaches for South Africa. Smootha names Northern Ireland from 1921 to 1972, Canada from 1867 to the Quiet Revolution, Poland from 1918 to 1935 and Malaysia since the early 1970s, with Germany said to border on the type. The rival category "ethnocracy", set out in *Constellations* (Yiftachel, 1999, peer-reviewed), names Malaysia, Sri Lanka, Estonia, Latvia, Northern Ireland before 1972 and Serbia. South Africa appears in neither list.

Yiftachel does bring the word into his own framework, as a coinage rather than a finding: *Ethnocracy: Land and Identity Politics in Israel/Palestine* (Yiftachel, 2006, University of Pennsylvania Press) introduces "creeping apartheid" for the barriers he argues develop between groups. Neither he nor Smootha measures anything, so neither carries a rate, a share or a count.

The two also disagree in print. Yiftachel's critique of ethnic democracy as a category predates the 1997 archetype statement, and Smootha's own footnote 22 cites it. The regime-type literature therefore offers two named scholars, two dated papers, two defined categories and an open disagreement, not a shared classification. Neither paper uses the word *ethnostate*: a full-text check of the 1999 article returns zero occurrences, and the term carries no definition in any statute, treaty or judgment.

Which Durban document called Israel an apartheid state?

The NGO Forum Declaration of 3 September 2001 declares at paragraph 162 “Israel as a racist, apartheid state” (WCAR NGO Forum, 2001), and its Programme of Action calls on the international community “to impose a policy of complete and total isolation of Israel as an apartheid state as in the case of South Africa”. The Conference it sat beside never adopted that document.

The adopted text is a different document with a different date. The Durban Declaration and Programme of Action, published as A/CONF.189/12 (World Conference against Racism, 2001), contains the word Zionism nowhere: zero occurrences across all 153 pages of the official edition, in the Declaration, the Programme of Action and the index alike. Its Middle East paragraphs are 63 to 65, and paragraph 63 pairs two claims in one sentence, recognising “the inalienable right of the Palestinian people to self-determination and to the establishment of an independent State” and, in the same breath, “the right to security for all States in the region, including Israel”.

Paragraph 61 records concern at “the increase in anti-Semitism and Islamophobia in various parts of the world”, and paragraph 58 reads, in full: “We recall that the Holocaust must never be forgotten”.

The two texts are routinely merged, and the merge runs one way: the sentence people remember from Durban is the NGO Forum’s, and the document they name is the adopted one. Each carries its own paragraph 63, on entirely different subjects, so a paragraph citation to Durban is ambiguous unless it names which. One further feature belongs here: no issuing body publishes the NGO Forum text, which had no continuing secretariat, so every readable copy sits on a third party. Who uses the label, and when, is measured in the report on [the apartheid label and the treaty definition](#).

Why did the United States leave the Durban conference?

Secretary of State Colin L. Powell instructed the United States delegation to return home on 3 September 2001, giving as his reason declarations containing language he called “a

throwback to the days of ‘Zionism equals racism’” and language that “suggests that apartheid exists in Israel”.

The US Department of State published the full sentence the same day, and it names four objections at once: “I know that you do not combat racism by conferences that produce declarations containing hateful language, some of which is a throwback to the days of ‘Zionism equals racism;’ or supports the idea that we have made too much of the Holocaust; or suggests that apartheid exists in Israel; or that singles out only one country in the world, Israel, for censure and abuse.”

The date changes the meaning. Powell withdrew on 3 September; the World Conference against Racism adopted its Declaration on 8 September, and negotiated it to final form after both delegations had left. The language he described therefore sat in draft and forum texts current on 3 September, and the instrument that came out of the conference contains no reference to Zionism at all. A report setting his sentence beside the adopted paragraphs without the dates implies he walked out of a text he never saw.

The conference recorded the departures itself. Press release RD/D/27, dated 3 September 2001, is headed “United States, Israel Announce Withdrawal from Conference” and states that both delegations were withdrawing. The Israeli side of that day is thinner: the Foreign Ministry’s 2001 archive page for the conference no longer resolves, redirecting silently to the ministry’s landing page and serving no document and no error. A party’s own account of its own decision survives for one government and not the other.

Has anyone measured which system was more severe?

No named body has published a measure ranking apartheid in South Africa and Israel’s arrangements against each other by severity. The ranking is made in adjectives. The legal test is not comparative at all (Dugard and Reynolds, 2013, peer-reviewed), and the 1973 Convention’s southern Africa clause reads at page 884 as “not intended to be confined to those circumstances”.

A comparative severity measure would require a defined scale, a unit and a common denominator across two systems separated by decades, jurisdictions and populations.

Nothing in the record assembled here supplies one, and the absence holds in both directions: no body has published a measure showing one system worse than the other, and none has published a measure showing the reverse.

That is not a gap the legal literature is trying to fill. Dugard and Reynolds argue for a reading of the 1973 Convention that detaches the crime from its southern African origin, which points away from comparison. Their article carries no measured quantity, and its author footnote records that Dugard served as Special Rapporteur on the human rights situation in the Occupied Palestinian Territory from 2001 to 2008, so he writes on the mandate he held.

The same issue of the European Journal of International Law carries a reply, arguing that the analysis conflates sovereign territory with belligerent occupation and sets aside the armed-conflict context (Zilbershats, 2013, peer-reviewed). Two peer-reviewed legal arguments, in one issue, reaching opposite conclusions on the same treaty wording, and neither of them a measurement. Whether resemblance to southern Africa is required by the definitions at all is read in the report on [the apartheid definition under international law](#). So the comparative question the public argument turns on is the one about which nobody has published anything.

What did South Africa file against Israel in 2023?

The Application instituting proceedings, filed in the Registry 29 December 2023 as General List No. 192, pleads one treaty: at paragraph 17 the Republic of South Africa founds jurisdiction on “Article 36 (1) of the Court’s Statute and Article IX of the Genocide Convention”, and across 151 paragraphs it invokes no apartheid instrument as a cause of action.

The absence is checkable by search. The phrase “Suppression and Punishment of the Crime of Apartheid” appears nowhere in the filed Application, and neither does the string 1973 Convention. The Rome Statute is named four times, never as a ground. Paragraph 11 records that “neither South Africa nor Israel has entered any reservation to Article IX”.

The word apartheid does appear, and where it appears is the point. Paragraph 2 places the acts alleged “in the broader context of Israel’s conduct towards Palestinians during its 75-

year-long apartheid, its 56-year-long belligerent occupation of Palestinian territory and its 16-year-long blockade of Gaza”. Paragraph 4 lists “a background of apartheid, expulsion, ethnic cleansing, annexation, occupation, discrimination”. Both are recitals, in South Africa’s own characterisation, not pleaded grounds.

One paragraph goes further. Paragraph 35 states that “the institutionalised regime of discriminatory laws, policies and practices applied by Israel subjects Palestinians to what constitutes an apartheid regime”. Its footnote rests that sentence on a treaty body’s concluding observations, a Special Rapporteur’s report, three advocacy organisations and a 2009 study by the South African Human Sciences Research Council, and on no instrument and no judgment.

The Republic of South Africa requested nine provisional measures at paragraph 144, and reserved at paragraph 148 “the right to revise, supplement or amend the terms of this Application, as well as the grounds invoked”. The Court indicated provisional measures by an order of 26 January 2024. The Application gives no reason for the treaty it selected, and none should be supplied.

Methodology and limitations

This report reads instruments and the enumerations that name them. Six kinds of source appear: a commission of the South African state enumerating that state’s own statute book; enacted Israeli legislation in the Knesset’s published English; judgments of the Supreme Court of Israel; a bilateral agreement and a military order, each published by a party to it; two conference documents; and peer-reviewed legal argument.

The South African statute dates are as the Truth and Reconciliation Commission records them, not as read from the statutes. Its descriptions are its own summaries, drawn from sources it names, including the Race Relations Surveys, John Dugard (1978) and Muriel Horrell (1978). The statute texts were not read here, and no section wording is attributed to any Act except where the Commission quotes it. Where it records a gap, the gap is quoted rather than filled: no commencement date is supplied for the 1970 citizenship Act.

The figure of 120 Acts is a count of the entries in Part I, not a total the Commission prints, and it is a floor: further Acts appear inside chronology entries without headed entries of their own. Smootha and Yiftachel are typology and carry no measured quantity.

The Knesset marks its English translations of the Basic Laws unofficial, and the Hebrew governs. The English of the Ka'adan judgment is a translation project's. Military Order 59 has no official English text, so its articles are described rather than quoted.

Two things this report does not hold: a ranking of the two systems by severity, because no body publishes one, and a determination that either arrangement satisfies the legal definition of apartheid, a finding for a body with jurisdiction.

Conclusion

South Africa's apartheid was a statute book, and Israel's record on the same dimensions is not one. The Truth and Reconciliation Commission recorded the first: 120 Acts in one chapter, each with a number, a commencement date and a repealing instrument, down to the entry conceding it could not establish when the citizenship law took effect. The second is a 1992 Basic Law enumerating six rights and containing the word equal zero times, a judgment of 8 March 2000 supplying the equality rule the statute does not, a 1995 agreement both sides signed extending personal jurisdiction to all persons except Israelis, and military orders published in two languages with no official English text.

Where the comparison has already been made on the record, the record is checkable and frequently misremembered. The sentence declaring Israel an apartheid state as in the case of South Africa is in the NGO Forum text of 3 September 2001, which no issuing body publishes; the word Zionism appears zero times in the Declaration adopted on 8 September, whose paragraph 63 recognises the right to security of all states in the region including Israel. The two scholars who built the regime-type categories name comparator sets running from Malaysia to Poland to Northern Ireland, and neither contains South Africa. And the state that lived under apartheid, given a courtroom, pleaded the Genocide Convention.

Which leaves the plainest fact in the file sitting where nobody looks. The one measurement everybody here speaks as though they hold, a scale ranking the two systems against each

other, has never been published by anyone at all. So when the comparison is offered as a matter of degree, worse than, not as bad as, on a par with, what exactly is being weighed, and on whose scale?

Frequently Asked Questions

Did repealing the Population Registration Act end race classification in South Africa?

Not on the Commission's own account (Truth and Reconciliation Commission, 1998). Its entry for the Population Registration Act Repeal Act No 114 of 1991 records that the register compiled under the 1986 Identification Act "was to remain in effect until the 1983 Republic of South Africa Constitution Act was repealed". The statute went on 28 June 1991; its register outlived it.

What is the difference between the Durban Declaration and the NGO Forum declaration?

Separate documents by separate authors, five days apart, opposite on the decisive word. The NGO Forum Declaration of 3 September 2001 was never adopted and no issuing body publishes it. The World Conference against Racism adopted the Durban Declaration on 8 September, and the word Zionism appears in it zero times.

Does Israel's Declaration of Independence contain an equality clause?

Yes, and in two official English versions differing on the operative word (Provisional Government of Israel, 1948). The Knesset text pledges "complete equality of social and political rights to all its citizens irrespective of religion, race or sex"; the Foreign Ministry text reads "all its inhabitants". It was never enacted as a Basic Law.

How many military orders govern the West Bank?

The Military Advocate General states that about 1,800 orders have been signed since 1967, all published in the numbered Collection of Proclamations, Orders and Appointments. That is a count of orders and nothing else.

What terms do the defining academic papers use instead of apartheid?

Two, belonging to two scholars who disagree. Smooha (1997, peer-reviewed) uses “ethnic democracy” and sets out four regime types with criteria; Yiftachel (1999, peer-reviewed) uses “ethnocracy” and a different comparator set. Yiftachel (2006) later coined “creeping apartheid”, a term inside his own framework.

Did South Africa’s 1998 commission call apartheid a crime against humanity?

Yes. The Truth and Reconciliation Commission stated that it “affirms its judgement that apartheid, as a system of enforced racial discrimination and separation, was a crime against humanity”, adding that this was not “a call for international criminal prosecution”.

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