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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

Is the United States Complicit in Israeli War Crimes? What the Transfer Statutes and the Complicity Article Actually Require

Article 16 sets two cumulative conditions for complicity. United States arms law uses neither, and names international humanitarian law nowhere.

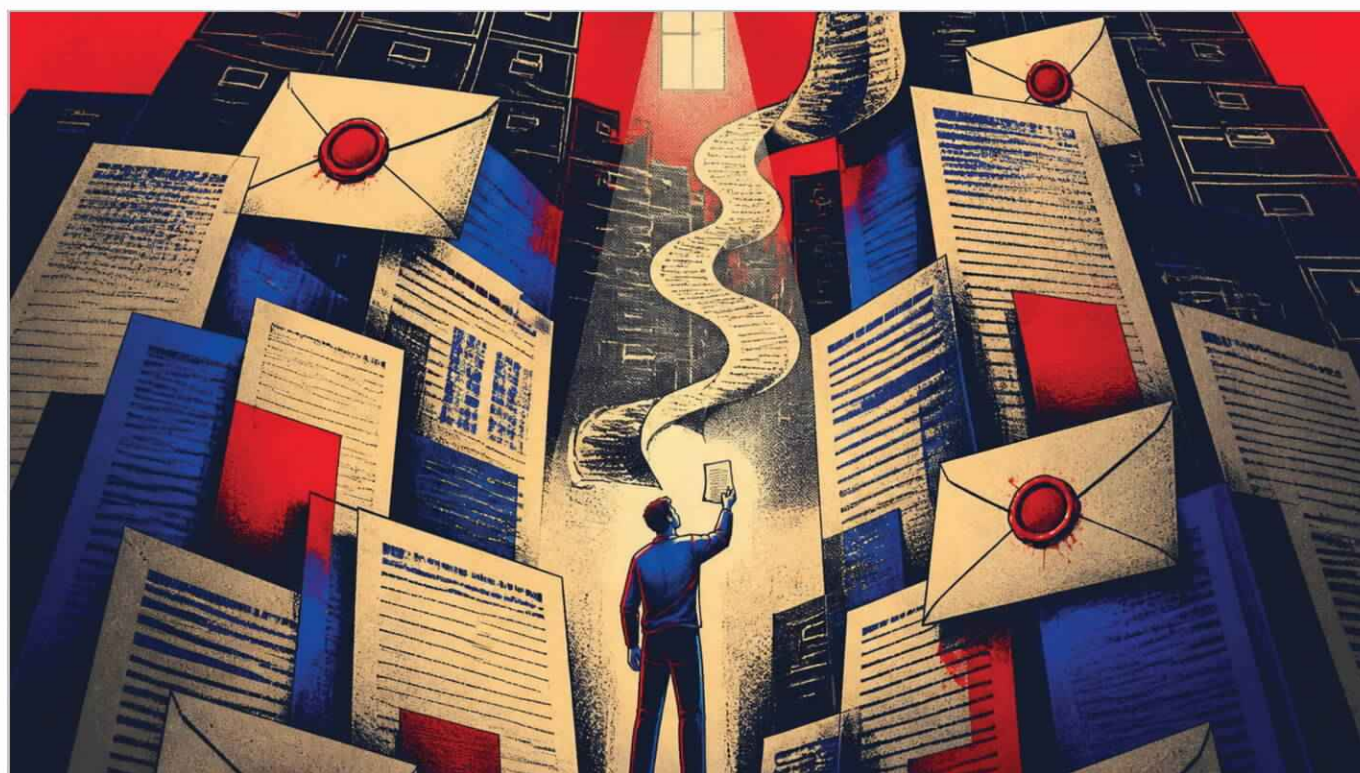
Arms Export Control Act

Foreign Assistance Act

State Responsibility

Leahy Law

Arms Trade Treaty



Article 16 of the International Law Commission's articles on state responsibility sets two cumulative conditions for one state's responsibility in aiding another's internationally wrongful act, and it is the only instrument that defines complicity at all. United States arms law does not use that test. The Arms Export Control Act lists permitted purposes exhaustively behind the word "solely" and names international humanitarian law nowhere, and the Leahy law bars a named unit on "credible information" rather than a country on proof. The condition people attribute to American arms law sits instead in a 2024 presidential memorandum which states that it "should not be understood or cited" as required by treaty or customary international law.

Key Findings

- Article 16 of the International Law Commission's articles, annexed to General Assembly resolution 56/83 of 12 December 2001, makes an assisting state responsible only where two conditions both hold: knowledge of the circumstances, and that the act would be wrongful if the assisting state committed it. No state ratified the text.
- Section 4 of the Arms Export Control Act, which the Law Revision Counsel publishes at 22 U.S.C. 2754, permits sale or lease "solely for internal security, for legitimate self-defense" and four further enumerated purposes. International humanitarian law, the Geneva Conventions and civilian harm appear nowhere in it.
- Section 3(c)(3)(A) of the same Act names two routes and no third: a country is ineligible "if the President so determines and so reports in writing to the Congress, or if the Congress so determines by joint resolution." No court appears in the text.
- Section 620M of the Foreign Assistance Act, at 22 U.S.C. 2378d, bars assistance to "any unit of the security forces of a foreign country" on "credible information," and lets the Secretary of State withhold a barred unit's identity on a determination that "may be submitted in classified form."
- A search of the Government Publishing Office's collections of presidential documents and the Federal Register, run 14 September 2026, returned no document containing "substantial violation" together with "Arms Export Control Act."

What does complicity mean in the one instrument that defines it?

Two cumulative conditions, not one: Article 16 of the International Law Commission's articles on state responsibility states that a state is responsible for aiding or assisting another state's internationally wrongful act only if "(a) that State does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that State."

Both limbs have to be satisfied, and the word joining them is "and." The first is about what the assisting state knew; the second about what binds the assisting state itself, so an act wrongful for the acting state but not opposable to the assisting one falls outside the article.

The International Law Commission states "knowledge of the circumstances," not intent and not should have known. Whether intent is additionally required is argued in the literature, and the words do not settle it.

The Office of Legal Affairs publishes the text the Commission adopted at its fifty-third session, which the General Assembly annexed to resolution 56/83 of 12 December 2001. The articles were never opened for signature, so no state is a party.

Two neighbouring provisions belong beside it. Article 19 records that the chapter "is without prejudice to the international responsibility" of the state committing the act, so Article 16 adds a responsibility rather than redistributing one. The International Law Commission states separately, at Article 41(2), that no state shall render "aid or assistance in maintaining" a situation created by a serious breach.

That is the definitional apparatus entire, and everything below is an American statute that does not use it.

Does United States arms law contain that test?

It does not: Section 4 of the Arms Export Control Act states that defense articles and defense services "shall be sold or leased by the United States Government under this chapter to

friendly countries solely for internal security, for legitimate self-defense,” and four further enumerated purposes. The Law Revision Counsel publishes the section at 22 U.S.C. 2754.

The Arms Export Control Act states the four remaining purposes as narrowly as the first two: hindering the proliferation of weapons of mass destruction; participation in regional or collective arrangements consistent with the Charter of the United Nations; participation in collective measures the United Nations requests to maintain or restore international peace and security; and enabling foreign military forces in less developed friendly countries to construct public works.

The structure carries the argument. The list is exhaustive and it is a list of permitted purposes, so a question under the section is whether a use falls inside it, not whether the use is separately unlawful.

International humanitarian law is not in the sentence. Neither are the Geneva Conventions, proportionality, distinction, or civilian harm. The one clause pointing outward is “consistent with the Charter of the United Nations,” and it attaches only to the regional and collective arrangements purpose, not to self-defense.

So the two instruments do different work. The International Law Commission states a test about what the assisting state knew and what binds it. The Arms Export Control Act states a test about what the articles were furnished for, and answers it with a closed list.

What does a recipient agree to when the articles are transferred?

A written promise the recipient makes about its own future conduct: Section 3(a)(2) of the Arms Export Control Act states that a sale requires the country to have “agreed... not to use or permit the use of such article or related training or other defense service for purposes other than those for which furnished unless the consent of the President has first been obtained.”

Three features decide what the clause can answer. It is an undertaking, labelled as one by the words “shall have agreed.” It binds the recipient about its own conduct, not the United States

about its transfers. And the escape hatch is the President's consent, so a use outside the furnished purposes is no breach where consent came first.

The undertaking sits alongside a promise about onward transfer. The same paragraph states that the country will not transfer title to or possession of a defense article "to anyone not an officer, employee, or agent of that country or international organization," and the Law Revision Counsel publishes both in one sentence.

Where the paragraph points is back to Section 4. "Purposes other than those for which furnished" takes its content from the enumerated list, so the undertaking imports that closed list rather than adding to it. Nothing in it mentions how the articles may be used, against whom, or under what law.

Read against Article 16, the difference is structural. The International Law Commission states a test about the assisting state. The statutory undertaking asks instead what the receiving state promised, and answers with a promise the receiving state wrote about itself.

Who decides whether a use fell outside those purposes?

Two offices and no third: Section 3(c)(3)(A) of the Arms Export Control Act states that a country "shall be deemed to be ineligible... if the President so determines and so reports in writing to the Congress, or if the Congress so determines by joint resolution." No court appears anywhere in the subsection, and no cutoff operates by itself.

The machinery around it is short. Section 3(c)(2) sets the trigger duty: "The President shall report to the Congress promptly upon the receipt of information that a violation described in paragraph (1) of this subsection may have occurred." Section 3(c)(1)(A) sets the threshold at a "substantial violation," defined only by a parenthesis, "either in terms of quantities or in terms of the gravity of the consequences."

Paragraph (1)(A) names the violation as using the articles "for a purpose not authorized under section 2754 of this title," so the Arms Export Control Act closes the chain on its own enumerated list.

The drafting produces a finding that exists only when one of two political branches makes it. The President both receives the information and decides whether it establishes a violation, and Congress may reach the same conclusion by joint resolution, itself presentable for signature. The United States Code states no standard of proof for either route.

So a reader looking in this statute for an answer to the complicity question finds a procedure rather than a rule. The Arms Export Control Act states who may say that a country has violated it, and in what document, rather than when it has.

How does ineligibility end once it begins?

By satisfying the same officer who found the violation: Section 3(c)(4) of the Arms Export Control Act states that a country “shall remain ineligible” until the President determines the violation has ceased and the country “has given assurances satisfactory to the President that such violation will not recur.” The section supplies no standard for either judgment.

Both limbs run to the President. The first is a finding of fact about whether conduct has stopped; the second assesses a promise about the future, and the adjective the Arms Export Control Act states is “satisfactory,” fixing the test to the satisfaction of whoever applies it.

The assurance is the recipient government’s own written representation. Nothing in the paragraph, as the Law Revision Counsel publishes it, requires that representation to be verified, published or tested, and nothing requires the determination that the violation has ceased to rest on stated evidence.

Section 3(c)(3)(B) adds a qualification in the opposite direction: notwithstanding a determination of ineligibility, cash sales and deliveries may continue where the President certifies that they are important to the security of the United States, unless Congress has itself determined the ineligibility by joint resolution.

Read with the finding provision above it, the section describes a closed circuit. The same office receives the information, decides whether it amounts to a substantial violation, reports that decision to Congress, judges whether the conduct has stopped, judges whether the assurance is good enough, and meanwhile may certify that sales should continue. A statute

built that way produces a public artefact only when someone inside the circuit makes one, and silence is its ordinary state.

What does the general human rights condition on security assistance require?

A pattern, not an incident: Section 502B of the Foreign Assistance Act, which the Law Revision Counsel publishes at 22 U.S.C. 2304, states that “no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights.” A qualifier sits in front: “Except under circumstances specified in this section.”

The Act lists the violations in its definitions subsection. The term “includes torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person.” It opens with “includes,” so the list is illustrative, and its last item is a standard, not an act.

What the section never supplies is the arithmetic. “Consistent pattern” is defined nowhere in it: no number of incidents, no period over which they fall, no share of a force or a population, no body designated to count. The same subsection extends the bar to “the police, domestic intelligence, or similar law enforcement forces of a country,” subject to a certification that “extraordinary circumstances exist.”

One clause in the reporting subsection is worth naming for a different reason. The same Act states that the annual country human rights report shall include a description of “the nature and extent of acts of anti-Semitism and anti-Semitic incitement that occur.” The general condition is therefore the broadest provision in this report and the least specified, reaching a country rather than a unit on a threshold the text leaves to whoever applies it.

What happens when Congress asks and no statement arrives?

Thirty days is the only self-executing number in Section 502B, and the Foreign Assistance Act states it twice. Either House by resolution, or the Senate Foreign Relations or House Foreign Affairs Committee, may require the Secretary of State to transmit a country statement “within thirty days after receipt of such request.” Paragraph (3) attaches a consequence to the silence.

Its words are flat. The United States Code states that if the statement “is not transmitted in accordance therewith within thirty days after receipt of such request, no security assistance shall be delivered to such country except as may thereafter be specifically authorized by law... unless and until such statement is transmitted.” Delivery stops because a document did not arrive, not because anyone found anything.

Paragraph (1) states what the statement must contain: all available information about observance of and respect for human rights in the country, the steps the United States has taken to promote them, and whether “extraordinary circumstances exist which necessitate a continuation of security assistance.” Paragraph (4)(A) then lets Congress, once a statement is transmitted, “adopt a joint resolution terminating, restricting, or continuing security assistance for such country.”

The design inverts what a reader expects. Everywhere else the consequence attaches to conduct and is found by an officer. Here it attaches to a missed deadline and operates without any finding about conduct at all, and a statement arriving on the thirtieth day lifts it whatever it says. This is the only provision examined here that runs on its own.

Whom does the Leahy law bar, and on what standard?

A unit, on information rather than proof: Section 620M(a) of the Foreign Assistance Act states in full that “no assistance shall be furnished under this chapter or the Arms Export Control Act... to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights.” The Law Revision Counsel publishes it at 22 U.S.C. 2378d.

Three words do the work, and each narrows or widens the bar in a way the public argument usually loses. “Unit” means the prohibition runs to a named formation and never to a

country, so the section can never produce a finding about a state. “Credible information” is the standard, and the Law Revision Counsel records that Congress substituted it for “credible evidence” in 2011, in the same amendment that substituted “a gross violation” for “gross violations.” It is a threshold for the Secretary, not for a tribunal. And “has committed” is past tense about a completed act, with no requirement of a conviction, a charge, or a published finding.

The section reaches both channels, barring assistance under the Foreign Assistance Act and the Arms Export Control Act alike, which puts it beside the transfer provisions above.

What it produces is an ineligibility determination about a named unit. It is not a verdict about anyone’s conduct, it creates no record that a violation occurred, and it states no definition of “gross violation of human rights” of its own.

One confusion is worth removing. There are two Leahy laws, and this is the State Department one; the United States Code states the Defense Department provision separately, at 10 U.S.C. 362.

When does the Leahy bar lift?

On the recipient government’s own accountability work, assessed by one officer: Section 620M(b) of the Foreign Assistance Act states in full that “the prohibition in subsection (a) shall not apply if the Secretary determines and reports to the appropriate congressional committees that the government of such country is taking effective steps to bring the responsible members of the security forces unit to justice.”

The exception turns outward, onto processes the United States does not run. What lifts the bar is not a change in the information, nor a finding that the violation did not occur, but a judgment that the country whose unit was barred is acting on it.

“Effective steps” is left undefined. The Foreign Assistance Act states no requirement of a prosecution, a conviction, a discharge or a completed proceeding, and says nothing about how far a process must have run before it counts. “Taking” puts the test in the present continuous, so a process under way can satisfy it.

The Secretary both determines and reports, and the report runs to the four committees the section names. Nothing requires the determination to be published, and nothing sets a period after which it is revisited.

Read with the bar above it, the pair describes one officer applying two undefined standards in sequence: the Secretary who holds the credible information that bars a unit decides whether the steps taken about it are effective enough to unbar it. Whether either determination has been made about any unit is a separate question, and the section is not where its answer sits.

Is the list of barred units published?

Not necessarily, because the provision requiring publication defines the requirement against itself: Section 620M(d)(7) of the Foreign Assistance Act states that the Department shall “make publicly available, to the maximum extent practicable, the identity of those units for which no assistance shall be furnished.” The definitions subsection fixes what that phrase means.

Congress added that subsection in 2022, and its words are these: the identity “shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that public disclosure is not in the national security interest of the United States and provides a detailed justification for such determination, which may be submitted in classified form.”

Every element of the carve-out is internal. The Secretary determines it, the determination goes to four committees rather than the public, and the justification may be classified. The Act names no reviewer and no presumption that expires.

The consequence is exact, and it is the finding of this section. Because the withholding is self-certifying, the absence of a published list establishes nothing in either direction: it is consistent with no unit having been barred, and equally consistent with units barred and their identities withheld, and the text supplies no way to tell those apart from outside.

The rest of subsection (d) is vetting machinery rather than disclosure. The Foreign Assistance Act states that the Department shall keep a current list of such units and shall

“seek to identify the unit involved when credible information of a gross violation exists but the identity of the unit is lacking.” An absence created by a statutory option is not evidence; it is a gap the statute authorised.

Where does the humanitarian-law condition on transfers come from?

Not from statute: the international-humanitarian-law condition on United States transfers sits in National Security Memorandum 20 of 8 February 2024, whose official text the Government Publishing Office records at DCPD-202400098. Its own general provisions disclaim the reading most often placed on it.

Section 4 says two things that decide what the instrument is. The memorandum “is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States.” And its requirements “are not intended to reflect an understanding that they are required by treaty or customary international law, and this memorandum should not be understood or cited to that effect.”

The second matters most for a complicity argument. An instrument disclaiming that its requirements reflect treaty or customary international law cannot supply the second limb of Article 16, which asks whether the act would be wrongful if the assisting state committed it.

Section 3 borrows its vocabulary from the statute rather than the law of armed conflict. The memorandum states that “defense article” and “defense service” “have the meanings given in section 47 of the Arms Export Control Act, 22 U.S.C. 2794,” a section that states the term to mean “any weapon, weapons system, munition, aircraft, vessel, boat, or other implement of war,” with the property and components listed after it.

A national security memorandum is a presidential directive. It imposes no obligation on a recipient country, and a later President may rescind it without an act of Congress, so any sentence about what it requires carries a date. A separate report reads the [access assurance and the assessment it required](#).

What does the Arms Trade Treaty prohibit at the point of authorization?

Two different tests, routinely merged into one: Article 6(3) of the Arms Trade Treaty states that a State Party shall not authorize a transfer “if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes.”

Article 7 is a different mechanism, reached only where Article 6 has not prohibited the transfer. The Arms Trade Treaty states that the exporting State Party shall assess whether the arms could be used to “commit or facilitate a serious violation of international humanitarian law” or of human rights law. Article 7(3) supplies the bar: where the exporting State “determines that there is an overriding risk of any of the negative consequences in paragraph 1, the exporting State Party shall not authorize the export.”

So one test runs on knowledge at a moment and the other on a risk assessment, and the Arms Trade Treaty states no definition of either “knowledge” or “overriding risk.”

Whether any of this binds the United States is answered by the depositary’s own record, and the answer is no. The Treaty Section records the United States as having signed on 25 September 2013, and its status list carries a communication received on 18 July 2019 stating that “the United States does not intend to become a party to the treaty” and “has no legal obligations arising from its signature on September 25, 2013.”

What does “ensure respect” oblige a third state to do?

One sentence carries the whole legal argument behind third-state complicity claims, and Common Article 1 of the Geneva Conventions of 1949 states it: “The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.” The United Nations Treaty Series records it in identical words in each of the four Conventions, at volume 75.

The first limb is uncontroversial: a party undertakes to respect the Convention, meaning to comply with it.

The second limb is where the dispute sits, and the article does not resolve it. One reading takes “ensure respect” as an external duty, obliging a party to use its influence to induce compliance by other parties, which is the route by which arming a state is said to engage the arming state’s own obligation. The competing reading takes it as internal only, obliging a party to ensure that its own armed forces, officials and population comply. The International Committee of the Red Cross published the external reading in its commentary, most recently in 2016; the narrower reading is maintained by states and by scholars who read the drafting record as addressed to a party’s own forces.

Three features are common ground. The Geneva Conventions state no threshold here, so nothing says how much influence is enough; they name no measures, so nothing says what a party must do; and they name no body to decide whether a party has ensured respect. The report stops where the text stops.

Methodology and limitations

This report reads instruments and reports what they say, applying none of them to any conduct.

The Office of the Law Revision Counsel publishes the statutes in the prelim edition of the United States Code, stating the law in effect on 18 August 2026: the Arms Export Control Act at 22 U.S.C. 2753, 2754 and 2794, the Foreign Assistance Act at 22 U.S.C. 2304, 2378-1 and 2378d, and the Department of Defense provision at 10 U.S.C. 362. The Government Publishing Office records National Security Memorandum 20 at DCPD-202400098, noting that an original was not available for verification. The treaty texts and the depositary status list were read on the Treaty Collection files on 14 September 2026.

The absence stated here was searched rather than assumed. On 14 September 2026 the Government Publishing Office’s search service was run over its collections of presidential documents and the Federal Register. “Substantial violation” together with “Arms Export Control Act” returned nothing. “22 U.S.C. 2753” returned twelve documents, all arms-

regulations rulemakings apart from a 2006 memorandum finding one country eligible to receive defense articles. “Section 502B” with “determination” returned three Federal Register issues from 1979 and 1980. Congress.gov refused automated retrieval that day, so the joint-resolution route was not searched there.

Three limits bind the reading. A quoted provision is evidence of what the law requires, never that it has been applied. An absence from a published collection is a fact about publication, and Section 620M’s carve-out means the same absence is consistent with opposite states of the world. And whether Article 16 additionally requires intent is unsettled, and named here rather than resolved.

Conclusion

So: is the United States complicit in Israeli war crimes? Every instrument that would decide it is short, published and quotable, and together they answer a narrower question than the one people ask: who may find what, on which words, in which document.

The words are the finding. Article 16 is the only text defining complicity, it sets two conditions rather than one, and no state ratified it. The Arms Export Control Act answers with a closed list of purposes behind the word “solely,” and international humanitarian law is not on that list; when a use falls outside it, the Act names the President or a joint resolution and no court, then lets the same officer who finds the violation judge the assurance that ends it. The Foreign Assistance Act conditions assistance on a “consistent pattern” it never counts, and its one self-executing consequence attaches to a statement that arrived late. The Leahy law reaches a named unit on credible information, lifts on the recipient government’s own steps, and lets the Secretary of State keep the unit’s identity out of view on a justification that may be classified. The condition everyone attributes to American arms law is a presidential memorandum saying in terms that it should not be cited as required by treaty or custom. The Arms Trade Treaty’s two tests bind States Parties, and the depositary’s file records the United States telling the Secretary-General it is not going to be one.

A word can travel a long way ahead of its conditions. “Complicity” arrives in public argument carrying the authority of law, while the two conditions giving it content sit in a text nobody ratified, and the American provisions that might bite route every finding back to the office

being asked about. When the vocabulary of a legal test outruns the machinery that could apply it, what is the public actually arguing about?

Frequently Asked Questions

Are the International Law Commission's articles binding on the United States?

They are not a treaty, and no state has ratified them. The General Assembly annexed them to resolution 56/83 of 12 December 2001 and has commended them to governments since, without opening them for signature. Whatever authority they carry comes from how far they restate customary international law.

What is the difference between the two Leahy laws?

They sit in different titles and run to different officers. Section 620M turns on the Secretary of State's credible information; 10 U.S.C. 362 turns on the Secretary of Defense's and bars the use of Department of Defense funds.

Is there a separate United States statute about humanitarian access?

Yes. Section 620I of the Foreign Assistance Act bars assistance under that Act and the Arms Export Control Act to a country when it is made known to the President that its government restricts the delivery of United States humanitarian assistance, subject to a national security waiver.

Does the Arms Export Control Act define international humanitarian law anywhere?

Section 4 does not mention it. National Security Memorandum 20 borrows the Act's definitions of "defense article" and "defense service" while adding a humanitarian-law assurance the Act does not contain.

Where can the text of the Geneva Conventions be read?

The United Nations Treaty Series records the four Conventions of 1949 at volume 75, numbers 970 to 973, where Common Article 1 appears in identical words in each.

Can a private party sue under any of these provisions?

National Security Memorandum 20 states in terms that it creates no right or benefit enforceable at law or in equity by any party against the United States. The statutes examined here create no private right of action.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

What Do Other States Owe Over the Occupation? Reading the Codification Text, the Geneva Sentence and the Export Statutes

The duty not to recognize or assist is stated outright in a text never opened for signature. What the treaty sentence and the export statutes actually say.

International Law

State Responsibility

Arms Transfers

Geneva Conventions

Treaty Text



The International Law Commission states the duty not to recognize an unlawful situation and not to assist in maintaining it at Article 41(2) of its articles on state responsibility, in a single sentence, and that text has never been opened for signature: the General Assembly annexed it to resolution 56/83 of 12 December 2001 and commended it to governments. It is often said that states other than Israel owe duties over the occupation, and that what they owe is non-recognition and non-assistance. The written sources for that claim are narrower than the phrase and of far more varied weight: one treaty sentence whose second limb the text leaves open, an arms treaty setting two bars on two undefined standards, and an enacted end-use provision in the largest supplying state that mentions international humanitarian law nowhere.

Key Findings

- **The text that states the duty outright is not a treaty.** The General Assembly recorded the International Law Commission's articles on state responsibility as an annex to resolution 56/83 of 12 December 2001, corrected by the corrigendum A/56/49(Vol. I)/Corr.4. The Assembly has commended them to governments and never opened them for signature.
- **Article 41(2) states it in one sentence.** The International Law Commission states: "No State shall recognize as lawful a situation created by a serious breach within the meaning of article 40, nor render aid or assistance in maintaining that situation."
- **Complicity under the same text turns on two cumulative conditions, not one.** The International Law Commission states, at Article 16, that responsibility attaches "if: (a) that State does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that State."
- **The arms treaty sets two bars on two standards and defines neither.** The Arms Trade Treaty states, at Article 6(3), that a State Party shall not authorize a transfer where it "has knowledge at the time of authorization" that the arms would be used in listed crimes, and at Article 7(3) that an export is barred where the exporting State determines "that there is an overriding risk" of the consequences in paragraph 1.

- **The largest supplier's statute lists permitted purposes and no others.** The Arms Export Control Act, at 22 U.S.C. 2754 as the Office of the Law Revision Counsel publishes it, states that defence articles and services “shall be sold or leased by the United States Government under this chapter to friendly countries solely for internal security, for legitimate self-defense,” and four further enumerated purposes. It mentions international humanitarian law, the Geneva Conventions and civilian harm nowhere.

Which text states the duty not to recognize an unlawful situation?

The International Law Commission states it at Article 41(2), in one sentence: “No State shall recognize as lawful a situation created by a serious breach within the meaning of article 40, nor render aid or assistance in maintaining that situation.” The Commission adopted that text at its fifty-third session.

It is often said that states other than Israel owe duties here, and that what they owe is to withhold recognition and assistance. Of the consequences named in argument about the occupation, it is stated most often and defined least.

The International Court of Justice stated the duty in its advisory opinion of 19 July 2024 on Israel's policies and practices in the occupied Palestinian territory. The seventh and eighth subparagraphs of the dispositif, covering the obligations of states and of international organizations, were each recorded at twelve votes to three. That recorded division is what this report carries from the opinion; a separate report covers [the recorded endorsement that followed](#).

The International Law Commission published the sentence inside a general codification of the law of state responsibility, a text about wrongful acts by states that names no country and no situation.

Two things travel with the sentence and are usually dropped when it is quoted. The duty is conditional, attaching to a situation “created by a serious breach within the meaning of article 40,” a cross-reference it does not spell out. And it has two limbs, non-recognition and non-assistance, reaching different conduct.

The International Law Commission records, at Article 19, that the chapter is without prejudice to the responsibility of the state committing the act, so nothing in it moves responsibility off the acting state.

Is the state responsibility text a treaty any state has ratified?

The International Law Commission adopted the articles at its fifty-third session, and the General Assembly recorded them as an annex to resolution 56/83 of 12 December 2001, commending them to the attention of governments. The Assembly has never opened them for signature. They are a codification text and not a convention.

That distinction decides what authority the sentence carries. A convention binds the states that ratify it, and a depositary publishes the list of those states. This text has no such list, because there is nothing to sign.

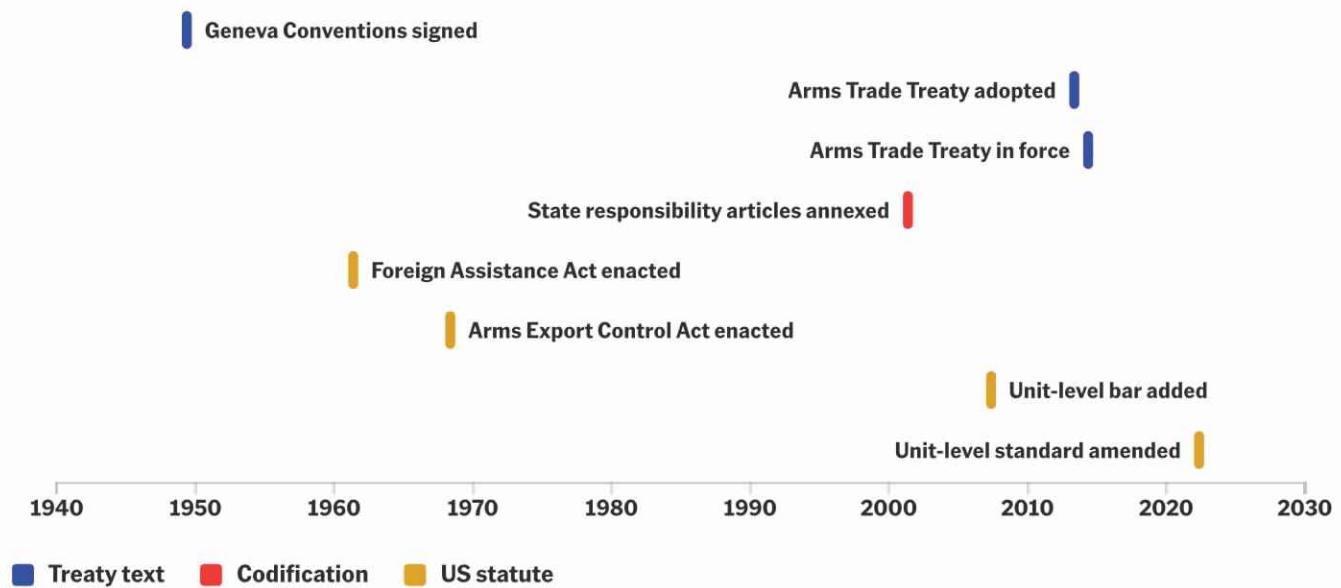
The record of its passage is short. The International Law Commission finished the articles at its fifty-third session. The General Assembly then annexed the finished text to a resolution rather than convening a conference to open it for signature, and the annexed text carries a corrigendum, A/56/49(Vol. I)/Corr.4, which is the form in which the Commission publishes it.

So a sentence quoted as though it stated a binding treaty rule is, on its face, an article annexed to a recommendation. What is said to carry it further is the separate claim that it restates customary international law, which the text asserts nowhere about itself and which this report did not test.

Each written source read here entered the record on its own date and in its own form.

When each written source entered the record

ADOPTION, ENACTMENT AND ENTRY INTO FORCE, BY INSTRUMENT TYPE



Source: Dates as the instruments and the United States Code state them: Geneva Conventions of 12 August 1949; General Assembly resolution 56/83 of 12 December 2001; General Assembly resolution 67/234 B of 2 April 2013, in force 24 December 2014; Public Law 90-629; and the Foreign Assistance Act as amended.

Nothing above establishes that the duty is unreal. It establishes what the instrument is. Where a claim rests on a treaty, a reader can check the ratification record; where it rests on these articles, there is no ratification record to check.

What must a state know before assistance makes it responsible?

The International Law Commission states, at Article 16, that responsibility attaches to a state aiding or assisting another in an internationally wrongful act on two cumulative conditions: “if: (a) that State does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that State.”

The article sits in the chapter the International Law Commission titles responsibility of a state in connection with the act of another state, and its whole operative text is the sentence quoted above.

The conjunction between the conditions is “and,” not “or,” so both must hold. Condition (a) fixes the mental element at knowledge of the circumstances. Condition (b) does something

different and is dropped far more often: it asks whether the assisting state would itself have acted wrongfully by doing the act, which means the rule the acting state is said to have broken has to bind the assisting state too.

What the article leaves out is as specific as what it contains. It names no category of assistance, so nothing distinguishes weapons from money, intelligence or diplomatic support. It sets no threshold of quantity and none of proximity between the assistance and the act. And it names no body to find that either condition is met.

The International Law Commission records, at Article 19, that the chapter is without prejudice to the responsibility of the state committing the act, or of any other state, so complicity under Article 16 is additive rather than substitutive.

Read together, the two articles state a rule tightly drafted on its conditions and silent on almost everything needed to apply it to a particular transfer.

Does the complicity article require intent?

The International Law Commission states, at Article 16, “knowledge of the circumstances of the internationally wrongful act.” It does not state “intent,” and it does not state “should have known.” Whether intent is additionally required is unsettled, and the words of the article do not settle it.

The three formulations are three different bars, which is why the wording carries the weight it does. A knowledge standard asks what a government knew. An intent standard asks what it meant to bring about. A constructive standard, the “should have known” form, asks what a government would have known had it looked, and reaches conduct the other two do not.

The article uses the first and no other. That is a fact about the text, checkable in one reading, which is why it is quoted here rather than summarized.

A codification text requiring knowledge is silent on whether intent is also required, and silence in an instrument of that kind is not itself a rule either way. That silence is filled elsewhere, and the elsewhere was not read. The International Law Commission published a commentary on the articles in 2001, in the Yearbook of the International Law Commission,

and it addresses the knowledge question directly. Nothing below reports what it holds, because the volume was not opened for this report.

The absence is recorded rather than filled. A reader looking for what the Commission concluded about intent will find it in that volume and not here. What the article itself supplies is one word, “knowledge,” and a second condition, opposability, which has nothing to do with mental state at all.

Which treaty sentence binds every party to the Geneva Conventions?

Geneva Convention I states it complete at Article 1: “The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.” The identical wording opens Conventions II, III and IV, so there is no single instrument called Common Article 1; there are four Article 1s.

The plural matters for citation rather than substance: the wording above was read at Convention I, and a report quoting the sentence has quoted one of four texts.

The sentence is the strongest instrument here on one measure and the weakest on another. It is a treaty article rather than an annexed draft, and it opens each of the four Conventions of 12 August 1949. It also names no mechanism, sets no threshold, identifies no body to find a breach and attaches no consequence. Its whole content is an undertaking.

Two properties of the wording are worth stating exactly. The verb is “undertake,” which describes what parties assume rather than what any organ enforces. And the qualifier is “in all circumstances,” admitting no exception for necessity, for reciprocity or for the conduct of the other side.

No count of the states bound by it appears in this report. That number is widely quoted, the source read here carries none, and none is used.

The depositary of the 1949 Conventions is the Swiss Federal Council, and its law portal at fedlex.admin.ch served no document text on 19 August 2026. No full English text was found on an official-tier United States host either, although the Conventions are United States

treaty law published at 6 U.S.T. 3114 and following. That is a retrieval limit rather than a finding, recorded because a reader may go looking.

Do the words “ensure respect” reach another state’s conduct?

Geneva Convention I states the undertaking in two limbs, and the second is the contested one. The treaty text does not state whether “to ensure respect” reaches another party’s conduct or only a state’s own forces and population. The International Committee of the Red Cross published a position on that question in its Commentary of 2016, which is that body’s reading rather than the treaty’s.

Everything in the third-state argument turns on which reading governs. On the internal reading, the sentence directs a government to its own armed forces, its own officials and its own population, and says nothing about what a supplying state owes over a war it is not fighting. On the external reading, the same words carry an obligation to induce compliance by other parties, and the sentence becomes the treaty hook the whole duty hangs from.

The instrument does not choose. It states the undertaking twice over, “to respect and to ensure respect,” and stops. There is no definition article, no clause allocating the duty between the two readings, and no provision naming who decides.

The Commentary of 2016 was not read for this report, so nothing here reports what it concludes. It is named because naming who holds a reading is the alternative to writing that the reading is widely held.

Beyond that body, this report retrieved no named holder of either reading among the sources read. That is a limit on what was retrieved rather than a claim that no such holders exist, and it is stated so the absence is not mistaken for a survey of the literature.

What does the arms treaty prohibit outright?

The Arms Trade Treaty states, at Article 6(3), that a State Party shall not authorize a transfer “if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions

of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes.”

The instrument dates precisely. The General Assembly adopted it by resolution 67/234 B of 2 April 2013, it opened for signature on 3 June 2013, and the Arms Trade Treaty records its entry into force on 24 December 2014.

Article 6 holds three prohibitions and this is the third. The first bars a transfer that would violate measures adopted by the Security Council under Chapter VII of the Charter, arms embargoes in particular; the second, one that would violate a State Party’s relevant international obligations under agreements to which it is a party.

Two features of the drafting decide how far the third reaches. It operates on the authorization rather than the shipment, and knowledge is measured at the time of authorization, so it governs what a licensing decision may be taken in the face of. And the verb inside the crimes clause is “would be used,” not “could be used,” a higher bar than the one in the next article.

The scope runs wider than finished weapons. The Arms Trade Treaty states, at Articles 3 and 4, that the same prohibitions extend to ammunition and to parts and components exported in a form that makes assembly possible. The treaty also carries the Geneva sentence into its own Principles, which record “Respecting and ensuring respect for international humanitarian law in accordance with, inter alia, the Geneva Conventions of 1949.”

Which bar applies when knowledge falls short?

The Arms Trade Treaty states the operative bar at Article 7(3): where the exporting State Party determines, after conducting its assessment and considering available mitigating measures, “that there is an overriding risk of any of the negative consequences in paragraph 1, the exporting State Party shall not authorize the export.” It defines “overriding risk” nowhere.

The assessment underneath the bar is set out one paragraph earlier. The Arms Trade Treaty states, at Article 7(1), that the exporting State shall assess, “in an objective and non-discriminatory manner,” whether the arms would contribute to or undermine peace and

security, and whether they “could be used to: (i) commit or facilitate a serious violation of international humanitarian law,” with parallel limbs for international human rights law, terrorism offences and transnational organized crime offences.

Three verbs run across the two articles and they are not interchangeable. Article 6(3) turns on arms that “would be used.” Article 7(1) turns on arms that “could be used.” Article 7(3) turns on an “overriding risk.” Each is a different question, and only the last produces the export bar most often quoted.

The treaty defines neither of its operative terms. “Knowledge” is undefined and “overriding risk” is undefined, and the second was contested through the negotiation, so it carries no agreed gloss such as substantial or clear.

The two articles are merged constantly in summary. A sentence reporting that the treaty prohibits exports where there is a risk of violations collapses a knowledge prohibition and an overriding-risk prohibition into one rule and states neither. Whether the treaty binds the United States was not verified against the depositary for this report, so nothing here states an obligation of the United States under it.

For what purposes does the largest supplier’s statute permit a transfer?

The Arms Export Control Act states, at section 4, that defence articles and defence services “shall be sold or leased by the United States Government under this chapter to friendly countries solely for internal security, for legitimate self-defense, for preventing or hindering the proliferation of weapons of mass destruction and of the means of delivering such weapons.”

The Office of the Law Revision Counsel publishes the section at 22 U.S.C. 2754, and the text was read in the prelim edition stating the laws in effect on 18 August 2026.

The word doing the work is “solely.” It makes the section an exhaustive list of permitted purposes rather than of prohibited ones, so an argument under it turns on whether a use falls inside the enumerated purposes, not on whether it is separately unlawful.

The remaining purposes complete the list: participation in regional or collective arrangements consistent with the Charter of the United Nations, participation in collective measures requested by the United Nations for maintaining or restoring international peace and security, and enabling foreign military forces in less developed friendly countries to construct public works and engage in other activities helpful to their economic and social development.

What the section leaves out is what a reader most often assumes is in it. The Arms Export Control Act mentions international humanitarian law, the Geneva Conventions and civilian harm nowhere, and “consistent with the Charter of the United Nations” attaches only to the regional-and-collective clause.

The recipient’s side of the bargain sits one section earlier. The Act states, at section 3(a)(2), that the recipient shall have agreed not to use the article for purposes other than those for which it was furnished “unless the consent of the President has first been obtained.” A separate report covers [the enacted humanitarian-access condition](#).

Who determines that a recipient used articles outside those purposes?

The Arms Export Control Act states, at section 3(c)(2): “The President shall report to the Congress promptly upon the receipt of information that a violation described in paragraph (1) of this subsection may have occurred.” The next paragraph records two routes to ineligibility and only two.

Paragraph (1) defines the violation. The Arms Export Control Act reaches a country that uses defence articles or services “in substantial violation (either in terms of quantities or in terms of the gravity of the consequences regardless of the quantities involved)” of an agreement entered into under the Act, including by using them “for a purpose not authorized under section 2754.”

The two routes are stated together. The Act records, at section 3(c)(3)(A), that a country is deemed ineligible “if the President so determines and so reports in writing to the Congress, or if the Congress so determines by joint resolution.” Restoration runs through the same

office: section 3(c)(4) lifts ineligibility only where the President determines the violation has ceased and the country “has given assurances satisfactory to the President that such violation will not recur.”

Read as a scheme, the section contains no self-executing cutoff and names no neutral adjudicator. The reporting duty, the determination, the congressional route and the restoration all run through the President or the legislature, and a joint resolution is itself presented to the President.

The gravity clause is the one part of the test that does not depend on scale. A violation qualifies as substantial either in quantities or in gravity “regardless of the quantities involved,” so a single use can meet the statutory description. What the statute never supplies is a finder of fact outside the two political branches.

What does the general human rights condition on security assistance bar?

The Foreign Assistance Act states, at section 502B(a)(2): “Except under circumstances specified in this section, no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights.” The trigger is a pattern rather than an incident.

The section defines the violations and not the pattern. The Foreign Assistance Act states, at section 502B(d)(1), that the term includes “torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person.” For “consistent pattern” it supplies no threshold, no counting rule and no period.

The machinery around the bar is a request-and-resolution procedure. Section 502B(c)(1) allows either House by resolution, or the Senate Foreign Relations or House Foreign Affairs Committee, to require the Secretary of State to transmit a statement on a named country within thirty days, covering its human rights record and whether extraordinary

circumstances require assistance to continue. Section 502B(c)(4)(A) then allows Congress to adopt a joint resolution terminating, restricting or continuing it.

One consequence works on its own. The Foreign Assistance Act records, at section 502B(c)(3), that where a requested statement is not transmitted within thirty days, “no security assistance shall be delivered to such country except as may thereafter be specifically authorized by law.” That is the only self-executing provision here, and a missed deadline triggers it rather than any finding about conduct.

Security assistance is also a narrower universe than an arms sale, since direct commercial sales licensed under the Arms Export Control Act run through another channel.

What does the unit-level bar require, and of whom?

The Foreign Assistance Act states, at section 620M(a), complete: “No assistance shall be furnished under this chapter or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights.”

The current standard is “credible information,” not “credible evidence.” The section was amended in 2022, and the text in force states information, a lower bar than the evidence formulation much secondary writing still reports.

The bar runs to a named unit and never to a country. It produces an ineligibility determination about one unit of one security force, so no finding about a state as a whole can come out of it.

The exception is one sentence. The Foreign Assistance Act states, at section 620M(b), that the prohibition does not apply where the Secretary determines and reports to the congressional committees that the government “is taking effective steps to bring the responsible members of the security forces unit to justice.”

Publication is required, with an exception that is self-certifying. Section 620M(d)(7) requires the Department to make the identity of barred units public “to the maximum extent practicable,” and the Foreign Assistance Act records, at section 620M(e)(1), that this means

public unless the Secretary determines, case by case, that disclosure is not in the national security interest and supplies a detailed justification, which may be classified. The absence of a published list therefore establishes nothing either way.

One numbering point travels with any citation to it. The Office of the Law Revision Counsel publishes the section at 22 U.S.C. 2378d, where it was added in 2007 as 620J and renumbered 620M in 2011, so a citation to 620J before 2012 is correct for its date.

Methodology and limitations

This report reads three kinds of source.

The first is a codification text annexed to a General Assembly resolution: the International Law Commission's articles on state responsibility, at Articles 16, 19 and 41. The second is treaty text: Article 1 of Geneva Convention I of 12 August 1949 and Articles 3, 4, 6 and 7 of the Arms Trade Treaty. The third is enacted United States statute, sections 3 and 4 of the Arms Export Control Act and sections 502B and 620M of the Foreign Assistance Act, which the Office of the Law Revision Counsel publishes in the United States Code preliminary edition stating the laws in effect on 18 August 2026.

Each is an instrument, and an instrument establishes what a standard says and never how it was applied, so nothing here establishes what any government did, knew or decided.

The advisory opinion of 19 July 2024 is named in body prose with its date and the recorded votes on the subparagraphs cited. It supports no figure and appears in no reference entry, because it is a legal conclusion on a contested question rather than an instrument. Its nine subparagraphs carry four different majorities, and the two covering the third-state and international-organization duties were recorded at twelve votes to three.

Six limits are recorded rather than resolved. Whether the Arms Trade Treaty binds the United States was not verified against the depositary, so no obligation of the United States under it is stated above. The International Law Commission published a commentary on the articles in 2001, and it was not read here. The International Committee of the Red Cross Commentary of 2016 on "ensure respect" was not read, so the two readings are named

without either being adopted. The source read for Article 1 carries no count of states parties, so none is used. The depositary's portal at fedlex.admin.ch served no document text on 19 August 2026, and no full English text of the 1949 Conventions was located on an official-tier United States host. And the consequences directed at Israel in the prevailing summary, ending the presence, ceasing settlement activity, evacuating settlers and making reparation, rest on the advisory opinion alone among these sources, which is why they are named with their dates and margins and carried no further. A separate report reads [the treaty clause the settlement findings rest on.](#)

Nothing among these sources measures how the third-state duty is discussed in public, and no section addresses that.

Conclusion

So what do other states owe over the occupation, once the International Law Commission's text, the Geneva sentence and the export statutes are read in order rather than in summary? The sentence that says it plainest was never offered for signature. Article 41(2) sits inside a codification the General Assembly commended to governments and left unsigned, and Article 16 beside it sets two cumulative conditions, knowledge of the circumstances and a rule that would have to bind the assisting state too, with no body named to apply them.

The instruments that bind hardest say the least about it. Article 1 of the 1949 Conventions is a treaty article binding every party in all circumstances, and its second limb, the one the third-state argument runs through, is left open by the text containing it. The Arms Trade Treaty sets a knowledge prohibition and an overriding-risk prohibition and defines neither term. In the enacted law of the largest supplying state the end-use provision lists permitted purposes behind the word "solely," mentions international humanitarian law nowhere, and routes every determination about a violation to the President or to a joint resolution that is itself presented to the President. The unit-level bar does name a standard, credible information, and points it at a unit rather than a country.

Read in order, the sources run in an odd direction. The more precisely a text states the duty, the less it binds; the more firmly it binds, the less it says about what the duty is. An obligation asserted of every state on earth is addressed, on paper, to no office at all. When the clearest

statement of it is the one nobody signed, and the statute that actually governs a transfer never mentions it, which of the two is a supplying government working from on the morning it signs the licence?

Frequently Asked Questions

Are the state responsibility articles binding law?

The General Assembly recorded them as an annex to resolution 56/83 of 12 December 2001 and commended them to governments, and they have never been opened for signature, so no ratification record exists. Whether they restate customary international law is a separate claim the text does not make.

What is the difference between Article 16 and Article 41(2)?

The International Law Commission states the complicity rule at Article 16, turning it on knowledge of the circumstances and on the act being wrongful if the assisting state committed it. Article 41(2) is the non-recognition and non-assistance rule, attaching to a situation created by a serious breach.

Why is “Common Article 1” not a single document?

Because no single instrument carries that name. The Geneva Conventions record identical wording at Article 1 of each of their four texts of 12 August 1949, so a citation to it is a citation to one of four.

Does the arms treaty ban sales where violations are likely?

Not in those words. The Arms Trade Treaty states at Article 6(3) that a State Party shall not authorize a transfer where it has knowledge that the arms would be used in listed crimes, and at Article 7(3) that an export is barred on a determination of overriding risk.

Who can find that a country misused United States defence articles?

The Arms Export Control Act records, at section 3(c)(3)(A), two routes and only two: a presidential determination reported in writing to Congress, or a determination by Congress

by joint resolution. It names no court and no agency.

Has any list of barred units been published for any country?

The Foreign Assistance Act requires publication “to the maximum extent practicable” at section 620M(d)(7), and section 620M(e)(1) lets the Secretary withhold a name on a national security determination that may be classified. That exception is self-certifying, so an absent list establishes nothing.

Sources

- Arms Export Control Act, 1968 as amended, sections 3 and 4, codified at 22 U.S.C. 2753 and 2754. Public Law 90-629, 82 Stat. 1321 to 1322. Office of the Law Revision Counsel, uscode.house.gov, prelim edition stating laws in effect on 18 August 2026. Enacted statute.
- Arms Trade Treaty, 2013. Articles 3, 4, 6 and 7. Adopted by General Assembly resolution 67/234 B of 2 April 2013, opened for signature 3 June 2013, entered into force 24 December 2014. Treaty text.
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- International Law Commission, 2001. Responsibility of States for Internationally Wrongful Acts, Articles 16, 19 and 41. Annexed to General Assembly resolution 56/83 of 12 December 2001, corrected by A/56/49(Vol. I)/Corr.4. Codification text annexed to a resolution, not a treaty.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

We Read Four of the Gaza Health Ministry's Own Fatality Lists. What Do They Record About Women and Children?

The Gaza health ministry publishes children at 30% and women at 16% of martyrs. Which of its two documents carries a sex and an age, and which does not.

Gaza

Casualty Counting

Ministry of Health

Women and Children

Primary Records



Children are 30% of the dead and women 16%, on the breakdown the Gaza Ministry of Health published in its own Health Annual Report, Palestine 2025, against a stated total of 71,271 martyrs to the end of 2025. That share belongs to one document rather than to the war, because the Gaza Ministry of Health publishes two quantities that are read as one: a daily cumulative total of everyone who reached a hospital, which records deaths and injuries and carries no sex field and no age field at all, and a periodic name-by-name list of only those records whose data it has finished. Sex and age exist on the second document alone. Between the round covering deaths to 29 March 2024 and the round covering deaths to 31 August 2024, that document grew from 21,323 records to 34,344, and its column set changed twice inside the same stretch.

Key Findings

- The Gaza Ministry of Health states its own two counts in the same post: **28,185 records with complete data** against 9,715 whose data was not yet complete, as of 30 June 2024, a party to the war reporting on its own record (statement of 24 July 2024).
- The named list to 30 June 2024 records seven columns including sex and age. The Gaza Ministry of Health's daily statistical report for the same date records **two quantities**, 37,877 martyrs and 86,969 injuries, and no sex or age field at all (Ministry of Health, Gaza, 2024).
- The named list grew **61%** in five months, from 21,323 records covering deaths to 29 March 2024 to 34,344 covering deaths to 31 August 2024, across four documents the Gaza Ministry of Health published itself.
- Children 30%, Women 16%, Elderly 7% and Men 47%: the issuing ministry's own published shares for 2023 to 2025, against a stated total of **71,271 martyrs** and 171,233 injured (Ministry of Health, Health Annual Report, Palestine 2025).
- The Gaza Ministry of Health's own media library holds **2,536 PDFs**, the newest dated 21 October 2023, and none of them is a casualty list; the four list documents sit on no government web host (retrieval record of 10 September 2026).

What two counts does the Gaza health ministry publish?

28,185 records with complete data against 9,715 whose data was not yet complete, as of 30 June 2024, is how the Gaza Ministry of Health described its own record in the post that published the list, on 24 July 2024. The same post defines both: the general martyr count is everyone who reached the hospitals, and the complete-data count is everyone whose data the ministry has finished.

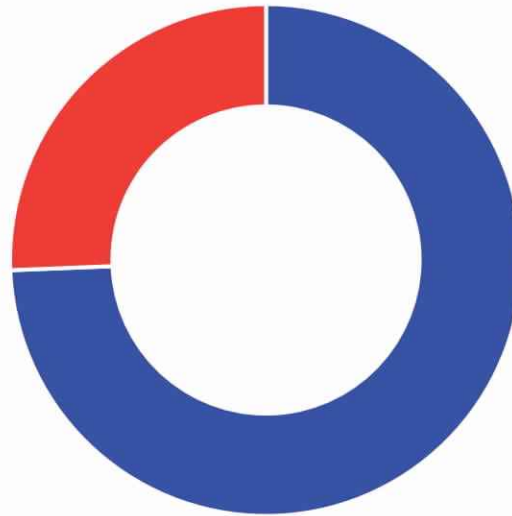
Those are two instruments, not one number in two states. The first is a running cumulative total published daily, and it is the quantity that travels onward. Crawford (2025), a Costs of War project report at Brown University's Watson School and not peer-reviewed, put 67,075 killed and 169,430 injured in Gaza as of 3 October 2025, taken from the Gaza Ministry of Health's figures by way of a United Nations casualty dashboard, and that paper collects no casualty data of its own. The Palestinian Central Bureau of Statistics, the national statistical office, likewise reported 70,942 deaths in Gaza by the end of December 2025 and attributed them to the ministry rather than measuring them itself (PCBS, 2025).

Every one of those is a pair of quantities, dead and injured. None of them carries a name, a sex or an age, because the document they come from holds no such fields.

The second instrument does hold them. It is a periodic list published as a PDF running to hundreds of pages, one row per record, covering only the records the Gaza Ministry of Health has finished processing. That is the document from which any share of women or children can be computed, and it is roughly three quarters the size of the total published beside it.

How the ministry splits its own record

RECORDS AT 30 JUNE 2024, AS THE MINISTRY ITSELF STATED THEM



■ Records with complete data ■ Data not yet complete

Source: Ministry of Health, Gaza, statement of 24 July 2024; a party to the war reporting on its own record, self-reported and not independently verified.

The Gaza Ministry of Health also documented what its list leaves out, in a statement of 7 January 2024 it has never withdrawn: the missing and the bodies under rubble are not counted, nor the unidentified who reached hospitals, nor the unidentified whose bodies were handed back, nor those buried by their families without passing through a hospital, nor the victims in Gaza and North Gaza after the information system stopped in November 2023. That is the issuing body's own scope statement, published alongside its own figures.

Which of the ministry's records carries a sex and an age?

Seven columns carry the list to 30 June 2024: serial number, name, document number, date of birth, sex, age and source, on a direct read of the 532-page document on 10 September 2026. The Gaza Ministry of Health's daily statistical report for that same date records two quantities, 37,877 martyrs and 86,969 injuries, and no sex field and no age field of any kind.

The asymmetry is the whole mechanism. A cumulative total is a pair of running integers. It can rise, it can be revised, and it can be relayed onward, but nothing in its structure can be

sorted by age or by sex, because neither attribute is recorded in it. The list is a different object: 28,185 rows at that date, each with a sex value and an age value, and it is the only ministry publication from which a demographic share can be derived at all.

The seventh column names where each record came from. On the 30 June round, 22,368 rows are labelled as ministry records and 5,817 as notification by the martyrs' relatives, and those two strata sum to 28,185 exactly. Jamaluddine and colleagues (2025) describe the same two input lists in The Lancet for the identical window, the hospital morgue records and the rolling online mortality survey the ministry launched on 1 January 2024, in a peer-reviewed capture-recapture analysis built on them.

That lock matters for any reader weighing the two documents against each other. The named list and the statistical test of it are not independent readings of the same population; the second was constructed from the first.

What the list does not carry is any combatant or non-combatant field. The Gaza Ministry of Health publishes no such breakdown in any of the four documents read, so the only demographic partition its own record supports is by sex and by age.

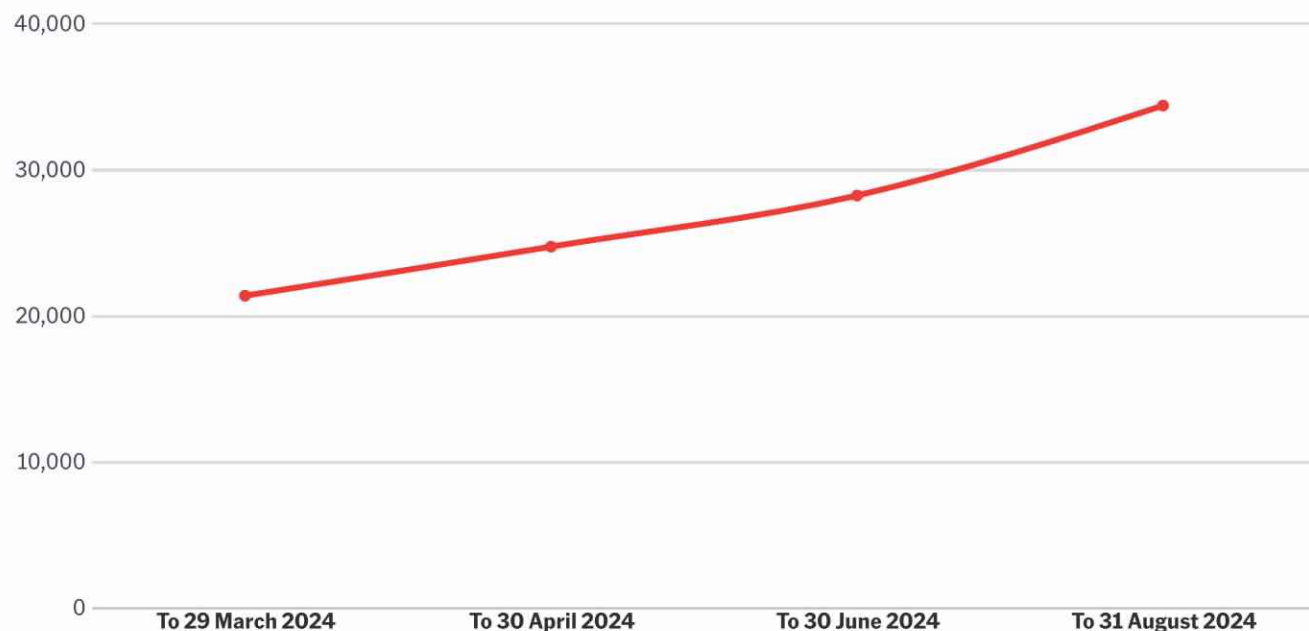
How much did the named list grow between the April and July rounds?

The list grew **61%** in five months, from 21,323 records covering deaths to 29 March 2024 to 34,344 covering deaths to 31 August 2024, across four documents the Gaza Ministry of Health published itself and this report read directly on 10 September 2026.

The rounds in between are the ones the question turns on. The round posted on 5 May 2024 covers deaths to 30 April and holds 24,682 records across 498 pages. The round posted on 24 July 2024 covers deaths to 30 June and holds 28,185 across 532 pages. Between the two, the base on which any share would be computed rose by 3,503 records, or 14%.

Records on the ministry's published list

FOUR ROUNDS, BY THE DATE OF DEATH EACH COVERS



Source: Ministry of Health, Gaza, 2024, the four published list documents, read directly on 10 September 2026; the issuing ministry's own count.

Growth of that size inside five months is not only new deaths entering a register. The Gaza Ministry of Health also counted 233 records onto its cumulative total on 23 March 2025 and 280 on 30 August 2025 by administrative approval, described as records completed and approved by a judicial committee following the notifications and missing-persons file, with 160 more during August 2026 attributed to a martyrs' approval committee.

The consequence for a demographic share is arithmetic rather than interpretive. A share computed from the April round and a share computed from the July round divide into denominators 3,503 records apart, and a share computed from the March round divides into a base 13,021 records smaller than the August one. The ministry published each list as a snapshot of what it had finished at that date, which is exactly what makes the base move.

Did the ministry change what its list records between rounds?

Six columns appear in the round posted on 5 May 2024, against seven in the rounds either side of it. The Gaza Ministry of Health's list to 30 April 2024 drops both date of birth and the

source column and adds an address, on a direct read of all four documents on 10 September 2026.

List round	Columns per record	What the round drops or adds
To 29 March 2024	7	Date of birth and a source column, no address
To 30 April 2024	6	Drops date of birth and source, adds an address
To 30 June 2024	7	Date of birth and source restored, no address
To 31 August 2024	7	The same seven columns as the June round

Source: Ministry of Health, Gaza, 2024, the four published list documents, read directly on 10 September 2026. The issuing ministry's own records, self-reported and not independently verified.

The identity field is renamed as well. It is headed الهوية, the identity number, in the March round, and ر. الوثيقة, the document number, in the rounds from April onward. A reader matching records across rounds is therefore matching on a field whose definition the publisher changed mid-series.

Date formats differ by source stratum inside a single document. In the March round, rows labelled as ministry records show full dates such as 30/03/1993, while rows labelled as family notification show two-digit years with dashes, such as 13-02-97. In the August round the oldest decedents carry 01-01-27, 01-01-24 and 01-01-22 against ages of 97, 100 and 101, which any mechanical parser reads as years in the 2020s.

Sex survives all four rounds; date of birth does not. So the one field a women-and-children share depends on is stable across the series, and the field that would let a reader check an age independently is present in three rounds out of four.

What share of the dead does the ministry itself report as children?

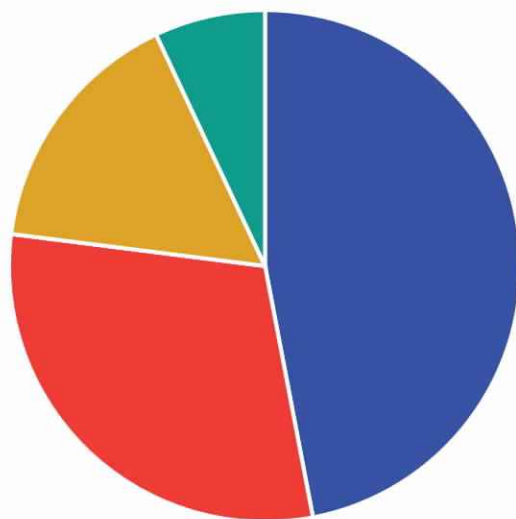
Children are 30% of martyrs and women 16%, for 2023 to 2025, on the Gaza Ministry of Health's own published breakdown in its Health Annual Report, Palestine 2025. Women and

children together are 46% on the issuing ministry's own published shares, a party to the war reporting on its own count.

The remaining two categories in the same graph are Elderly at 7% and Men at 47%, and the four sum to the whole. The report states a total of 71,271 martyrs and 171,233 injured to the end of 2025, of which 25,718 martyrs and 62,854 injuries fall in 2025 alone.

The ministry's own published breakdown of martyrs

2023 TO 2025, AGAINST A STATED TOTAL OF 71,271



■ Men ■ Children ■ Women ■ Elderly

Source: Ministry of Health, Health Annual Report, Palestine 2025, Graph (2); the issuing ministry's own published shares, not independently verified.

Two things about that graph travel with the figure. Its own heading misspells the word as Percentge, and the four values and four labels come off the rendered page rather than the text layer, which returns them unpaired. The pairing above is read from the drawn chart.

The Ministry of Health published that annual report from Ramallah, and its Gaza section states plainly that it rests on reports issued by the ministry and its partners together with the

health-resources monitoring system. It is a second ministry voice on the same underlying count, not an outside check on it.

That is the figure the issuing body itself publishes, in its own annual report, under its own name, with its own denominator printed on the same page. Any share derived from the named lists instead would be a share of a different and smaller document, on a base that moved by a third in five months.

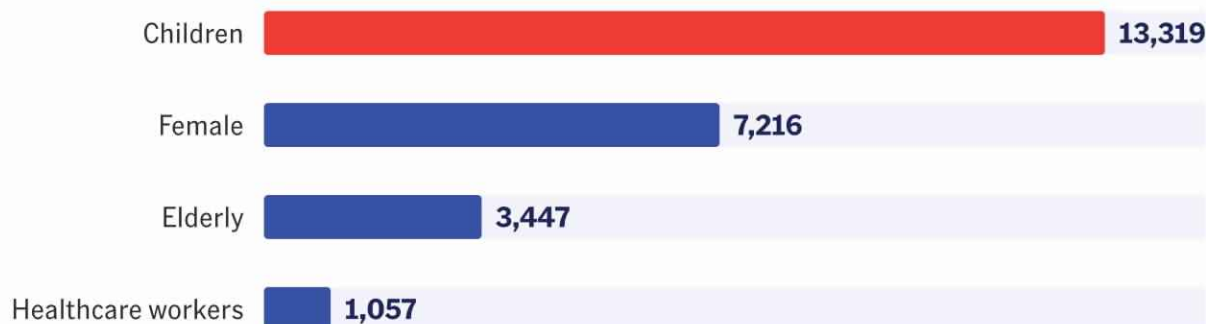
Why do the ministry's own two annual reports give different shares?

13,319 child martyrs with complete data to 7 October 2024 is what the Ministry of Health recorded in its Health Annual Report, Palestine 2024, and that report publishes no children's share anywhere. The total beside it, 43,587 with complete data, is dated 11 December 2024, so any share a reader computes divides a numerator into a base more than two months later.

The other categories in section 1.1 carry the same date stamp: 7,216 female martyrs, 3,447 elderly and 1,057 healthcare workers, all stated with complete data to 7 October 2024. The report's second total, 45,553, covers 7 October 2023 to 31 December 2024.

Categories the 2024 annual report records

COMPLETE-DATA COUNTS TO 7 OCTOBER 2024; THE CATEGORIES OVERLAP AND NO MEN'S CATEGORY IS PUBLISHED



Source: Ministry of Health, Health Annual Report, Palestine 2024, section 1.1; the issuing ministry's own counts, not independently verified.

Those categories partition nothing. The three demographic ones sum to 23,982 with no men's category published anywhere in the section, and the healthcare-worker count overlaps all three, since a healthcare worker may be female, elderly or both. A bar chart is the honest shape for them precisely because they are not parts of one whole.

The denominators carry a further wrinkle the report does not flag. Its 45,553 martyrs and 108,379 injuries for 7 October 2023 to 31 December 2024 are exactly the figures the Gaza Ministry of Health published in its daily report of 1 January 2025, and its own 30 December 2024 figure is 45,541. No daily report was issued on 31 December 2024.

So the 2024 report supplies counts without a comparable base, and the 2025 report supplies shares without the counts behind them. Neither can be converted into the other, and the Ministry of Health has published no reconciliation between them.

How many children does the ministry's own count record?

15,613 children of the 50,021 martyrs the Gaza Ministry of Health reported at 23 March 2025 is what the ministry's own Director General stated that day, a party to the war reporting on its own count. Of those children, 872 had not completed their first year and 247 were born and killed during the war.

The office is what is cited here, not the person; the Institute reports aggregates and does not name individuals.

The 50,021 is the cumulative daily-report figure for that date, the first of the ministry's two instruments. So this child count is stated against the running total of everyone who reached a hospital rather than against the named list, and it is the one place in the record where the Gaza Ministry of Health attaches a demographic count directly to that quantity.

The infant figure moved sharply between two ministry statements. On 13 August 2024 the Gaza Ministry of Health stated that 115 infants had been born and killed during the war. On 23 March 2025 it stated 247. Both are the ministry's own counts of its own record, seven months apart, and no method for either is published.

The same day carries an administrative note that bears on the base. 233 records were added to the cumulative total on 23 March 2025 by approval rather than by new deaths, described as records completed and approved by the judicial committee following the notifications and missing-persons file. A demographic count and an administrative addition were published on the same date against the same running figure.

What none of these statements supplies is a women-and-children figure drawn from the category lists themselves. The Gaza Ministry of Health publishes separate lists for children, women, the elderly and the orphans of martyrs alongside each combined round, and those four documents are posted as separate files rather than as counts in a statement.

Did the ministry revise ages it had already recorded?

Zero date-of-death columns appear across all four of the published lists, read directly on 10 September 2026. Each records a date of birth instead. The Gaza Ministry of Health stated on 29 July 2024 that the date was registered either on the family's report or on the date the body reached the hospital, and that a committee formed to audit it found martyrs who had been under 18 at death while being registered several months later.

The string تاريخ الاستشهاد, date of martyrdom, appears in no column header of any of the four documents. That is the most common description made of these lists and it does not match the record: what they publish is a birth date and a computed age, not a death date.

An age column built that way is a derived field, and the ministry's own statement says what it is derived from. Where a record was entered on a relative's report months after the death, the age carried on the list is the age at registration unless someone corrects it, which is precisely the correction the Gaza Ministry of Health says its committee made.

That committee is the only audit of the age field the ministry has described. It reported no count of how many records were revised, no date range for the revisions, and no statement of whether the published rounds were reissued afterward. The March, April, June and August 2024 documents stand as posted.

The practical bound this sets on any child share is narrow and specific. A record whose subject was under 18 at death and over 18 at registration would sit in the adult rows of a list posted before the correction, and the Gaza Ministry of Health states that such records existed. It does not state how many, so the direction of the effect is known from the issuing body's own account and the size of it is not.

Which of the ministry's two unidentified counts is right?

9,715 is the figure the Gaza Ministry of Health published for records whose data was not yet complete at 30 June 2024, and it does not close against the ministry's own daily report for that date. Adding it to the completed records produces the 1 July total rather than the 30 June one.

The arithmetic is short. 28,185 plus 9,715 is 37,900, which is the figure in the daily report of 1 July 2024. The daily report of 30 June 2024 gives 37,877. A reader who instead subtracts the list from the 30 June total arrives at 9,692, which is 23 records below the number the ministry itself published for the same quantity on the same date.

9,692 is the figure that entered the peer-reviewed literature. Jamaluddine and colleagues (2025) recorded it in *The Lancet* as the unidentified decedents in the ministry's 30 June 2024 update, 26% of its cumulative total, and excluded those records from the hospital list used in their analysis. The [completeness of that registry](#) is the subject of its own report. What belongs here is the narrower point: the Gaza Ministry of Health published a competing figure of its own, 9,715, and the two are not the same number.

Neither subtraction is sound as a general method, and the ministry's own documents show why. The cumulative total counts everyone who reached a hospital; the list counts only records the ministry has finished; and the Gaza Ministry of Health adds to the total by administrative approval months after the fact. The one place the ministry performs the subtraction itself is this date, and its own two figures miss its own daily report by a day.

The same one-day slip runs through the annual report, where the period-end figures for 31 December 2024 are the daily figures published on 1 January 2025. Any share of women and children computed from these documents inherits that slip in its denominator.

Where is the ministry's fatality list actually published?

2,536 PDFs sit in the Gaza Ministry of Health's own media library, paged in full on 10 September 2026, the newest of them dated 21 October 2023 and none of them a casualty list. The four list documents this report read sit on no government web host at all, and the issuing body's only publication venue is a media-office channel that serves message text and no file.

The ministry's own statistics page, headed for detailed cumulative statistics of the war on the Gaza Strip, is an empty shell carrying a date of 10/05/2023. The interactive statistics platform the ministry now names, www.sehatty.ps, returned a 404 on the path the ministry publishes when it was requested on 10 September 2026.

So the four documents were read from a public mirror, and the read was checked against what the Gaza Ministry of Health itself states about them. The March file is 15,758,055 bytes against the 15 MB the ministry's own post records for the file it published; the file's internal metadata shows a creation date of 1 April 2024 against a 3 April posting; and its record count and column set match the ministry's own description of what it posted. Its SHA-256 digest begins 0952bdf2. That is a retrieval obstacle rather than a defect in the record, and it is stated here so that no relayer is mistaken for the source.

The corroborating publications on a ministry-run host are the two annual reports, which the Ministry of Health published under the statistical reports heading at its Ramallah site. Those carry the shares and the category counts. They do not carry the lists.

The situation this leaves a reader in is concrete. The only ministry document that records a sex and an age per decedent is not retrievable from any government server, and the two ministry documents that are retrievable publish shares and counts without the rows behind them.

Methodology

This report reads what the Gaza Ministry of Health has published about the sex and age of the people it counts, and sets each figure against the document that carries it. Every figure names the body that produced it, the date it covers and its source type.

Official and party records. The Ministry of Health, Gaza, published the four list documents to 29 March, 30 April, 30 June and 31 August 2024, the daily statistical reports quoted here, and the completeness, exclusion and date-recording statements that travel with them. It is a party to the war reporting on its own count, self-reported throughout and not independently verified, and every figure drawn from it is labelled that way in the sentence carrying it. The two Health Annual Reports, Palestine 2024 and 2025, are Ramallah-published national reports of the same ministry and are a second ministry voice on the same underlying count. The Palestinian Central Bureau of Statistics brief for the end of 2025 is an official statistical product of the Palestinian Authority; its Gaza death figure is attributed to the ministry and was not measured by the Bureau.

Peer-reviewed research. Jamaluddine, Abukmail, Aly, Campbell and Checchi (2025) in *The Lancet* supplies the 9,692 unidentified decedents and the description of the ministry's two input lists. Huynh, Chin and Spiegel (2024) in *The Lancet* is correspondence, editorially reviewed and not peer-reviewed, and is cited only for the window its own measurement covers.

Research project reports. Crawford (2025) for the Costs of War project at Brown University is not peer-reviewed and collects no casualty data itself; it is cited as a place where the ministry's cumulative pair was compiled.

Limitations. The four list documents were read from a public mirror because the ministry publishes them on no government host, and the checks run against its own stated file size, record count and column set are set out above. The 2025 annual report's four shares were read off a rendered page whose text layer returns values and labels unpaired. No count is summed or compared across bodies with different definitions: the cumulative totals, the named lists and the annual reports measure different populations at different dates, and each figure is reported only against its own base. The counts inside the separate category lists for children, women, the elderly and the orphans of martyrs were not read, so no women-and-children figure is derived from them here.

Conclusion

So does the Gaza Ministry of Health publish a women-and-children figure of its own? It does, in its own annual report, and the figure is children 30% and women 16% of martyrs for 2023 to 2025, against a total of 71,271 it states on the same page.

Everything else follows from which of that ministry's two documents a figure comes from. The cumulative total that travels through research reports and statistical briefs carries deaths and injuries and no demographic field whatsoever. The named list that carries sex and age grew 61% in five months, dropped two of its seven columns in the round posted on 5 May 2024 and restored them in the next, renamed its identity field mid-series, and records a birth date rather than a date of death in every round. The ministry's own audit committee found ages recorded at registration that were wrong at death. Its two annual reports print counts and shares that cannot be converted into one another. Its own two figures for 30 June 2024 close on the following day's total rather than that day's. And the only document with a row per person sits on no government server.

A number moves through public argument with a body's name attached and a document underneath it, and only the name usually travels. When the figure being quoted turns out to describe a list that changed its own columns twice in five months, what is a reader actually being asked to accept: the count, or the custody of it?

Frequently Asked Questions

Why can a cumulative death toll not be broken down by sex?

Because the document producing it holds no sex field. The Gaza Ministry of Health's daily statistical report publishes two running integers, martyrs and injuries, for example 37,877 and 86,969 on 30 June 2024. Demographic attributes exist only on the separate name-by-name list the ministry publishes periodically.

Does the ministry publish separate lists for women and children?

Yes. Alongside each combined round the Gaza Ministry of Health posts separate category documents for children, women, the elderly and the orphans of martyrs, four of them in the

round covering deaths to 30 April 2024. The counts inside those files were not read for this report, so no figure is derived from them here.

Has any study compared the ministry's counts with another body's?

For the war since 2023, yes: Jamaluddine and colleagues (2025) published a capture-recapture analysis in *The Lancet*. For earlier conflicts, no. The range of 1.5% to 3.8% that circulates for previous wars is a single uncited sentence in a *Lancet* correspondence letter (Huynh, Chin and Spiegel, 2024) whose own measurement covers 7 October to 10 November 2023 and nothing earlier.

What does complete data mean on these lists?

It is the ministry's own phrase for a record it has finished processing, and the Gaza Ministry of Health defines the term itself: the general martyr count is everyone who reached the hospitals, and the complete-data count is everyone whose data the ministry has finished. At 30 June 2024 that was 28,185 records against 9,715 not yet complete.

Does the ministry record whether a person was a combatant?

No such field appears in any of the four list documents read, and the Gaza Ministry of Health publishes no combatant or non-combatant breakdown in its daily reports or its annual reports. The only partition its own record supports is by sex and by age.

Why would the age on a list need auditing at all?

Because the age is derived from a date of birth and a registration, not from a recorded date of death. The Gaza Ministry of Health stated on 29 July 2024 that the date was taken from the family's report or from arrival at a hospital, and that a committee it formed found martyrs who had been under 18 at death registered several months later.

Who else publishes the ministry's figure?

Crawford (2025) at Brown University's Costs of War project put 67,075 killed and 169,430 injured as of 3 October 2025, relayed from the ministry through a United Nations casualty dashboard, and the Palestinian Central Bureau of Statistics reported 70,942 deaths to the end

of December 2025 and attributed them to the ministry. Neither body measured the figure itself.

Sources

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- Ministry of Health, Gaza, 2024. The published martyr lists to 29 March, 30 April, 30 June and 31 August 2024, the daily statistical reports, and the completeness, exclusion and date-recording statements of 7 January, 24 July and 29 July 2024. Ministry media office channel, t.me/MOHMediaGaza. Official record (a party to the war reporting its own count, self-reported and not independently verified).
- Ministry of Health, Gaza, 2025. Statement of the ministry's Director General on the child breakdown, 23 March 2025, with the daily statistical report of the same date and the administrative additions of 23 March and 30 August 2025. Ministry media office channel,

t.me/MOHMediaGaza. Official record (a party to the war reporting its own count, not independently verified).

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

What Does the Gaza Health Ministry Publish About Its Own Count? Reading the Four Lists, the Daily Report and the Ministry's Own Statements

Gaza's health ministry published 21,323 records in its first name-by-name list, and no list carries a date of death. What the documents show.

Gaza

Casualty Counts

Ministry of Health

Official Records

Measurement



The Ministry of Health in Gaza published 21,323 records over 454 pages in the first of four name-by-name lists of the dead, and none of the four carries a column for the date of death. The same ministry publishes a provenance label on every record, a count of its own unfinished portion, and five categories of death it states it does not count at all. Its own arithmetic does not close: the two counts it published for 30 June 2024 add to the total it published the next morning, not to that day's.

Key Findings

- The Ministry of Health in Gaza published 21,323 records over 454 pages in its list of martyrs with complete data to 29 March 2024, rising through three later rounds to 34,344 records over 649 pages to 31 August 2024, each the ministry's own count and not independently verified.
- None of the four lists carries a column for the date of death: the Ministry of Health publishes serial number, name, identity or document number, date of birth, sex, age and source, read directly on 10 September 2026.
- On its own provenance column, the Ministry of Health labelled 22,368 of the 28,185 records in its list to 30 June 2024 as taken from ministry records and 5,817 as entered on a relative's notification.
- The Ministry of Health published 28,185 records with complete data alongside 9,715 whose data was not yet complete at 30 June 2024, its own two counts on its own stated definitions.
- The 1.5% to 3.8% accuracy range quoted for the ministry's earlier counts appears in a Lancet correspondence letter (Huynh, Chin and Spiegel, 2024) in a sentence carrying no reference marker, and that letter's own measurement covers 35 days of 2023.

Which documents carry the ministry's own name-by-name record?

The Ministry of Health in Gaza published 21,323 records over 454 pages in its name-by-name list of martyrs with complete data to 29 March 2024, posted on 3 April 2024 through the

ministry's own media office channel. It is the first of four such documents, and it is the ministry's own count.

List closing date	Posted	Records	Pages
29 March 2024	3 April 2024	21,323	454
30 April 2024	5 May 2024	24,682	498
30 June 2024	24 July 2024	28,185	532
31 August 2024	not stated	34,344	649

Source: Ministry of Health, Gaza, the four list documents published through its media office channel, read on 10 September 2026. Each is the ministry's own count, self-reported by a health ministry under the authority governing Gaza and not independently verified.

The March file closes on a footnote stating its own coverage cut-offs. For martyrs registered in its own records, the Ministry of Health reported coverage of Gaza up to 10 November 2023 and of the south up to 29 March 2024, with one hospital covered only to 14 February 2024. So it is not a file of everyone who died by its closing date, but of everyone whose record the ministry had finished, where its recording system still reached.

Alongside the combined file the Ministry of Health published four category lists for the round to 30 April 2024, covering children, women, the elderly and the orphans of martyrs, each posted the same day. These are lists of named individuals, published by a party to the war, and the record counts are counts of completed files rather than of deaths: the ministry publishes a separate cumulative total in a daily statistical report, built to a different definition.

Do the ministry's lists record a date of death?

Seven columns appear on the ministry's list to 29 March 2024, and none of them records a date of death: the Ministry of Health published serial number, name, identity number, date of birth, sex, age and source. The Arabic heading for date of martyrdom appears in no column of any of the four documents, read directly on 10 September 2026.

The schema is not stable across rounds. In the list to 30 April 2024, of 24,682 records over 498 pages, the Ministry of Health published six columns rather than seven: it dropped date of birth and dropped the source column altogether, and added an address. The lists to 30 June and 31 August 2024 return to seven columns, but the identity field changes heading between rounds, published as the identity number in March and as the document number in June and August.

The date field that does appear behaves differently by stratum inside a single document. In the March file, records labelled as taken from ministry records show full dates, while records labelled as entered on a relative's notification show two-digit years with dashes. In the August file the oldest decedents carry two-digit years a reader can resolve only against the age column beside them, so a person recorded at 101 carries a birth year that reads on its face as a date four years in the future.

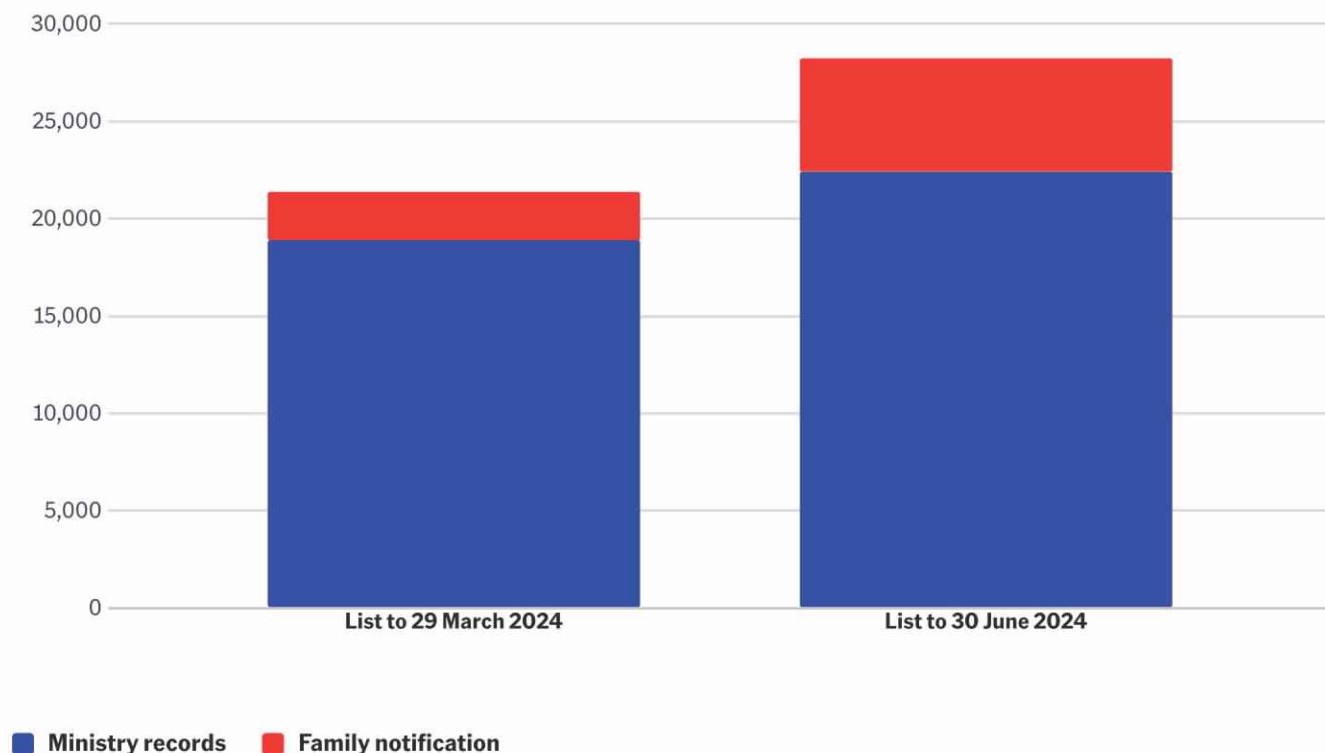
The consequence is narrow and it is the point. A reader holding all four documents can count the records and read the name, identity number, age and sex the Ministry of Health recorded against each. That reader cannot date a single death from the file, cannot build a daily or weekly series from it, and cannot check any dated claim about the pace of deaths against it.

Where does the ministry say each record came from?

22,368 of the 28,185 records in the list to 30 June 2024 are labelled as taken from ministry records, and 5,817 as entered on a relative's notification, in a provenance column the Ministry of Health publishes on the file itself.

What the ministry's source column says about each record

TWO PUBLISHED LISTS, THE MINISTRY'S OWN PROVENANCE LABELS



Source: Ministry of Health, Gaza, the source column on its lists to 29 March and 30 June 2024. The ministry's own count.

The same column appears on the earlier file, where the Ministry of Health split 21,323 records into 18,845 taken from ministry records and 2,478 entered on a relative's notification. Both splits close exactly against their own totals, which is small but checkable: the two labels are exhaustive within each file, so every record the ministry publishes is assigned one of two provenances and none to neither.

Between the two files the composition moves. On the printed counts, records entered on a relative's notification are 11.6% of the March file and 20.6% of the June file, so the later document rests proportionally more on reports from families. That is a shift in how the file was assembled, and the Ministry of Health published no statement of why it moved.

The column matters because it is unusual. A registry that publishes only a total tells a reader nothing about how any entry got in. This one labels each record with the route by which it entered, so a reader can ask the two different questions those routes raise, one about a hospital record system operating under war conditions and one about a family's report. The ministry publishes the distinction. It publishes no assessment of either route's accuracy, and neither has been independently checked.

How much of its own file does the ministry call incomplete?

The Ministry of Health published 28,185 records with complete data and 9,715 whose data was not yet complete at 30 June 2024, its own two counts on its own stated definitions: everyone who reached the hospitals, against everyone whose file it has finished.

The ministry's own two counts at 30 June 2024

RECORDS WITH COMPLETE DATA, AGAINST RECORDS NOT YET COMPLETE



Source: Ministry of Health, Gaza, statement of 24 July 2024. The ministry's own count.

Both figures come from a statement the Ministry of Health published on 24 July 2024, the same day it posted the list to 30 June. That statement defines the pair as well as printing it: the general martyr count is everyone who reached the hospitals, and the complete-data count is everyone whose data the ministry has finished processing. So the issuing body published, in one document, the size of its own unfinished portion and the definition producing it.

A second pair of figures circulates widely as the ministry's statement about incomplete records: 12,263 and 11,371, often set against a total of 33,091. Neither figure appears in any ministry document located on 10 September 2026. What the Ministry of Health did publish that week is the list of 21,323 completed records posted on 3 April 2024, covering deaths to 29 March, and cumulative totals of 33,091 in its daily statistical report of 5 April 2024 and 33,137 on 6 April.

That absence carries a retrieval limit rather than a conclusion. The ministry posts a daily emergency report as a separate document through the same media office channel, and that channel serves message text to an automated reader but serves no file, so the pair is recorded here as absent from every ministry document that could be read.

Which deaths does the ministry say it does not count?

Five categories of death are excluded from the ministry's count by a statement the Ministry of Health published on 7 January 2024 and has never withdrawn: the missing and those under rubble, the unidentified who reached hospitals, the unidentified whose bodies Israel returned, those buried by their families without passing through a hospital, and deaths in Gaza and North Gaza after the information system stopped in November 2023.

It is a scope statement, published by the issuing body about its own instrument, and it is dated early. The Ministry of Health issued it three months into the war, and nothing it has published since withdraws or narrows it.

Each exclusion removes a different population. The first removes those whose bodies were never recovered, the category most often argued about and the one the ministry declines to estimate. The second and third remove the unidentified, whether they reached a hospital or were returned, so that exclusion is about identification rather than recovery. The fourth removes those buried directly by families, which where hospitals were not reachable is not a rare route. The fifth is geographic and temporal at once, removing deaths in two northern governorates after the point at which the ministry states its information system stopped.

Read together, the statement fixes what the published figure is a count of. It is not a count of the dead, and the Ministry of Health does not present it as one. It is a count of deaths that reached a functioning recording system and were identified in it. Any figure taken from the ministry carries that boundary in either direction: a reader treating the total as a count of everyone killed is using it for something the issuing body says it does not do, and a reader treating the exclusions as evidence of the total's accuracy is doing the same in reverse.

Why do the list and the daily total not subtract?

The ministry's two counts for 30 June 2024 add to 37,900, which is the cumulative total the Ministry of Health published the next morning rather than the 37,877 it published for 30 June itself. A reader who subtracts the list from the same day's total gets 9,692, a figure the ministry has never published.

The three numbers come from three documents published within four weeks of each other. The daily statistical report for 30 June 2024 records 37,877 martyrs and 86,969 injuries; the report for 1 July records 37,900 and 87,060; and the completeness statement of 24 July gives 28,185 records with complete data and 9,715 not yet complete, both stated as of 30 June.

The mismatch is twenty-three records, and nothing the Ministry of Health published reconciles it. Two readings are available from the documents alone and neither is confirmed by them. The completeness pair may have been assembled on 1 July and dated to the previous day's close. Or the unfinished count may have been computed against a total already updated.

What follows is a rule about reading rather than a finding about the ministry. Two series a reader instinctively treats as parts of one whole are not built to subtract. The cumulative total counts everyone who reached the hospitals, on the ministry's own definition; the list counts everyone whose record it has finished; and the Ministry of Health adds to the cumulative figure by administrative approval months after the fact. Anyone who takes the day's total, subtracts the day's list, and presents the remainder as the number of unidentified dead has produced a figure the issuing body did not publish, in a subtraction that looks reasonable until the two definitions are read side by side.

How did the ministry record the date each death occurred?

The date of death was registered either on the family's report or on the date the body reached the hospital, the Ministry of Health stated on 29 July 2024, and a committee it formed to audit the actual date found that a number of decedents had been under 18 at death while being registered several months later.

That statement is the issuing body's own account of its registration practice, published six days after the completeness statement, and it describes a two-route procedure mapping onto the two labels in the provenance column. A record entered from the ministry's own files carries the date the body arrived at a hospital. A record entered on a relative's notification carries the date the family reported it. Neither is necessarily the date the person died.

The audit committee's finding is the concrete illustration the Ministry of Health itself supplies. Decedents who had been under 18 when they died were registered months later, by

which point the age recorded against them no longer matched their age at death. That is a specific, dated statement by the issuing body that the interval between death and registration was, in some cases, measured in months.

Two consequences follow, and both are about what can be built from the file rather than whether it is right. The lists carry a date of birth and no date of death, so nothing published anchors a record to a day. And where a date exists inside the ministry's internal registration, it is a date of arrival or a date of report, so a series built from it would measure when deaths entered the system rather than when they occurred. The Ministry of Health published the practice and the audit, and no reconstruction of actual dates of death.

Do records enter the total without a new death?

233 records entered the ministry's cumulative total on 23 March 2025 and 280 on 30 August 2025 without a new death behind them, described by the Ministry of Health as records completed and approved by its judicial committee following the notifications and missing-persons file. A further 160 were added during August 2026.

Records added by committee approval, not by new deaths

ADDITIONS THE MINISTRY ATTRIBUTES TO COMPLETED AND APPROVED FILES



Source: Ministry of Health, Gaza, statements of 23 March 2025, 30 August 2025 and August 2026. The ministry's own count.

Each addition is announced in the same message that carries the day's cumulative figure, and each is attributed to a committee rather than to an event. The Ministry of Health credited the 2025 additions to a judicial committee working through the notifications and missing-

persons file, and the August 2026 addition to a martyrs' approval committee. It reported 50,021 martyrs on 23 March 2025 and 73,670 in its daily report of 10 September 2026.

The mechanism is disclosed, which is the point. A cumulative series rising only by new deaths would be a running tally of events. This one rises by two routes: deaths newly reported, and older files completed and approved. The Ministry of Health publishes when the second route contributed and how much it contributed that day.

What is not published is the same disclosure for every day. The ministry names administrative additions in individual statements rather than maintaining a published column separating the two routes across the series, so the separation can be made where it announced one and not elsewhere. A day-to-day change in the cumulative figure therefore cannot be read as a count of deaths that day.

Does a second publication check the count, or repeat it?

71,271 martyrs and 171,233 injured to the end of 2025 appear in the Health Annual Report, Palestine 2025, published by the Ministry of Health in Ramallah, whose Gaza section states that it rests on reports issued by the ministry and its partners together with a health resources monitoring system.

That sentence settles what the annual report is. It is a second ministry publication carrying the same underlying count, not a second body checking it, and the report states so in its own methods note. The 2025 edition reports 25,718 martyrs and 62,854 injuries for that year alone. How other bodies carry this count is set out in the report on [the counts each body publishes](#).

The 2024 edition carries a dating artefact visible from the ministry's own daily series. It reports 45,553 martyrs for a period stated as ending 31 December 2024. That figure is the number the Ministry of Health published in its daily statistical report of 1 January 2025; its own figure for 30 December 2024 is 45,541, and it issued no daily report on 31 December. So a period-end total in the annual report is the next morning's daily figure, the same one-day slip that appears between the completeness pair and the 30 June total.

The 2024 edition also publishes category counts whose denominators do not match the total beside them. The Ministry of Health reported 13,319 child martyrs with complete data to 7 October 2024, alongside 7,216 female, 3,447 elderly and 1,057 healthcare-worker martyrs on the same cut-off, and set them beside 43,587 martyrs with complete data at 11 December 2024 and a total of 45,553 to 31 December. Dividing any category count into either total gives a share of a base two to three months later than the numerator, and the four categories partition nothing: they sum to 25,039 with no men's category published and the healthcare-worker count overlapping the rest.

Where does the quoted 1.5% to 3.8% accuracy range come from?

The sentence carrying the 1.5% to 3.8% accuracy range quoted for the ministry's earlier counts has no reference marker in either the full text or the typeset PDF of the Lancet correspondence that prints it (Huynh, Chin and Spiegel, 2024), which is editorially reviewed correspondence rather than a peer-reviewed study.

The reference markers in that passage sit on the sentences either side of it. One closes the preceding sentence about political scepticism, and one closes the following sentence, about a separate 8.0% discrepancy for the 2014 war. The range itself is presented as a bare assertion in a journal.

The arithmetic behind it is nonetheless reproducible, and it reproduces on one denominator only. The Ministry of Health counted 1,440 dead in 2008 and 260 in 2021. A difference of 55 against the 1,440 prints as 3.8%, and a difference of 4 against the 260 prints as 1.5%. Taking the other body's figure as denominator instead gives 4.0% and 1.6%, which are not the published numbers, so the range is a share of the ministry's own count in both cases.

The paired figures come from an explainer the Associated Press published on 26 October 2023, carrying three dated pairs of ministry and United Nations humanitarian office tolls, for 2008, 2014 and 2021, and carrying no percentage at all. Two further properties follow from reading it. The 2014 pair falls at 2.55% and appears nowhere in the published range, so it is the interior rather than an endpoint, and the endpoints are 2021 and 2008. And the

November 2012 conflict is absent from the explainer entirely, so the phrase covers three earlier conflicts rather than every one of them.

What did that Lancet letter actually measure?

11,078 Gazan deaths over 35 days, 7 October to 10 November 2023, is the entire measurement the Lancet letter reports (Huynh, Chin and Spiegel, 2024), and it states in its own text that mortality might have been under-reported by the ministry because of decreased capacity.

The letter's own data statement scopes its data to October and November 2023. The authors compared cumulative reported deaths of Gazan residents against cumulative reported staff deaths at a United Nations relief agency over the same 35 days, and reported the resulting rates as 5.3 deaths per 1,000 against 7.8 per 1,000. Those are two rates over two different populations, one the residents of Gaza and one the agency's Gaza staff, and the inference drawn is that the second exceeding the first is inconsistent with inflation of the first.

Two sentences bound what the letter claims. It states that during the period "mortality might have been under-reported by the Gaza MoH due to decreased capacity," and it states that "difficulties obtaining accurate mortality figures should not be interpreted as intentionally misreported data." The first points the opposite way from inflation; the second declines to read difficulty as intent.

The title is an absence claim, not a verification. "No evidence of inflated mortality reporting" is a statement about what the authors did not find in a 35-day window of 2023, and the letter measures no earlier conflict. Its status is part of the record too: it appears in the journal's correspondence section, editorially reviewed rather than peer-reviewed, and the biomedical index carries no abstract for it. The most-quoted sentence about the ministry's historical accuracy and the letter's own measurement are two different things.

Has any study compared a pre-2023 ministry count with another body's?

No peer-reviewed study comparing a pre-2023 ministry count with another body's count was located in a recorded search of the biomedical and preprint paper index and of the open web on 10 September 2026. The nearest item, Vaktskjold and colleagues (2016), counts non-war deaths in Gaza and runs no count against any other body's.

The search ran two framings against the paper index, returning thirty results, and a further pass over the open web. The absence is recorded as the result of that search rather than asserted as a fact about the literature, which is the only form the claim can honestly take.

What the nearest item measures is worth stating precisely, because its subject is adjacent and its method is not the one required. Vaktskjold and colleagues published a chart review in the peer-reviewed journal *Conflict and Health* covering mortality in Gaza outside the war deaths, and recorded 1,241 deaths in July to September 2014 against 1,232 in the same months of 2013 (Vaktskjold and colleagues, 2016). It is a review of clinical records against clinical records within one system, and it sets no ministry count against any other body's count, which is the comparison the widely quoted accuracy range asserts has been made.

Studies of the current war do exist and are frequently cited, and none fills this gap either, because each measures the war since October 2023 rather than an earlier one. The consequence is checkable. A reader who wants to know whether the ministry's counts in 2008, 2012, 2014 or 2021 matched another body's counts has, in the published literature, the raw pairs the Associated Press printed and one uncited sentence in a correspondence letter.

Methodology and limitations

This report reads what the Ministry of Health in Gaza publishes about its own count, dates each document, and states what each one measures. It makes no mortality estimate.

Five kinds of record appear. The issuing body's own publications: four name-by-name list documents of 2024, the daily statistical reports, and dated statements of 7 January, 24 July and 29 July 2024 and of 23 March 2025, 30 August 2025 and August 2026, all published through the ministry's media office channel. A second ministry voice: the Health Annual Report, Palestine for 2024 and 2025, published in Ramallah. A journal correspondence letter, editorially reviewed and not peer-reviewed. An international press explainer, used as the

relay for figures it prints from other bodies. And a national statistical office brief, used only where it states what it took from the ministry rather than measured.

Every figure attributed to the ministry here is that ministry's own count, published by a health ministry under the authority governing Gaza, and none of it has been independently verified. The same label binds the annual reports, which carry the same underlying count under a different masthead.

Four limits bear on the reading. The ministry's own website has published no file since 21 October 2023, so the lists and daily reports reach a reader only through its media office channel, which serves message text but no file to an automated reader; the pair widely attributed to the ministry as its incomplete-records statement, 12,263 and 11,371, is therefore recorded above as absent from every ministry document readable on 10 September 2026 rather than traced to an origin. Arithmetic performed on the published figures, including the two provenance shares and the twenty-three-record mismatch, is a derivation from the printed counts. The Ministry of Health publishes no combatant or noncombatant classification. And the registry carries no population denominator of its own. The Palestinian Central Bureau of Statistics counted 1,899,291 residents of Gaza in the 2017 census, the last measured base, and projected 2,226,544 residents at mid-2023, of whom 47%, or 1,046,400, were under 18. A ministry count set against a Gaza population therefore runs a wartime numerator against a pre-war projection.

Conclusion

So what does the Gaza Ministry of Health actually publish about its own count? A great deal, and most of it is about the instrument rather than the number. It publishes the columns it keeps and the one it does not, in four dated documents reaching 34,344 records by 31 August 2024. It publishes a provenance label on every record, splitting the file to 30 June 2024 into 22,368 taken from its own records and 5,817 entered by relatives. It publishes the size of its unfinished portion, 9,715 at that date, and the definition producing it. It publishes, and has never withdrawn, five categories of death it says it leaves out. And it publishes the administrative route by which old files enter a cumulative total months after the event.

Set against that, the accuracy figure quoted most often in public argument is a single sentence with no citation, in a letter whose own measurement is 35 days long, resting on three pairs of numbers a news agency printed with no percentage attached, reproducing only when the ministry's own count is the denominator. The comparison it asserts has never been carried out as a study, and the two figures most often offered as the ministry's admission of incomplete data appear in none of its documents.

There is something odd in that arrangement. A party to the war has published the seams in its own instrument, in dated statements anyone can open, and the argument about whether to believe it runs almost entirely on material the ministry never published. When a number becomes the thing people fight over, does anything about the machinery that produced it travel with it?

Frequently Asked Questions

Where does the Gaza health ministry publish its casualty documents?

Through its media office channel, where the four list documents, the daily statistical reports and the dated statements all appear. The ministry's own website has published no file since 21 October 2023, so no fatality list sits on a government web host.

Does the ministry publish a combatant or civilian breakdown?

No. It publishes age and sex categories instead: the Health Annual Report, Palestine 2025 reports children 30%, women 16%, elderly 7% and men 47% of martyrs for 2023 to 2025, on the ministry's own classification.

What cumulative total does the ministry report most recently?

73,670 martyrs and 174,682 injuries, in the daily statistical report the Ministry of Health published on 10 September 2026. The same report records 1,359 martyrs and 4,571 injuries since the ceasefire that began on 11 October, and 831 bodies recovered from the rubble.

Which other publications carry the ministry's figure?

The Palestinian Central Bureau of Statistics reported 70,942 deaths in Gaza to the end of December 2025, attributing that figure to the ministry rather than measuring it. The Costs of War project put the toll at 67,075 killed as of 3 October 2025, taken from a United Nations dashboard relaying the same ministry count (Crawford, 2025).

What has the ministry published about child deaths?

Its Director General reported 15,613 children among the 50,021 martyrs recorded on 23 March 2025, of whom 872 had not completed their first year, alongside 247 children born and killed during the war. An earlier statement of 13 August 2024 put the number of infants born and killed at 115.

Does the ministry's registry have a population denominator?

No. The Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Strip in the 2017 census, the last measured base, and puts Gaza at about 2.13 million at the end of 2025, an estimate rather than an enumeration.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

How Does West Bank Land Become State Land? Reading the 1858 Code Articles, the 1979 Resolution and the Court Record

Article 68 of the Ottoman Land Code says fallow land becomes the right of Tapu, not that it reverts to the state. Reading the articles as enacted.

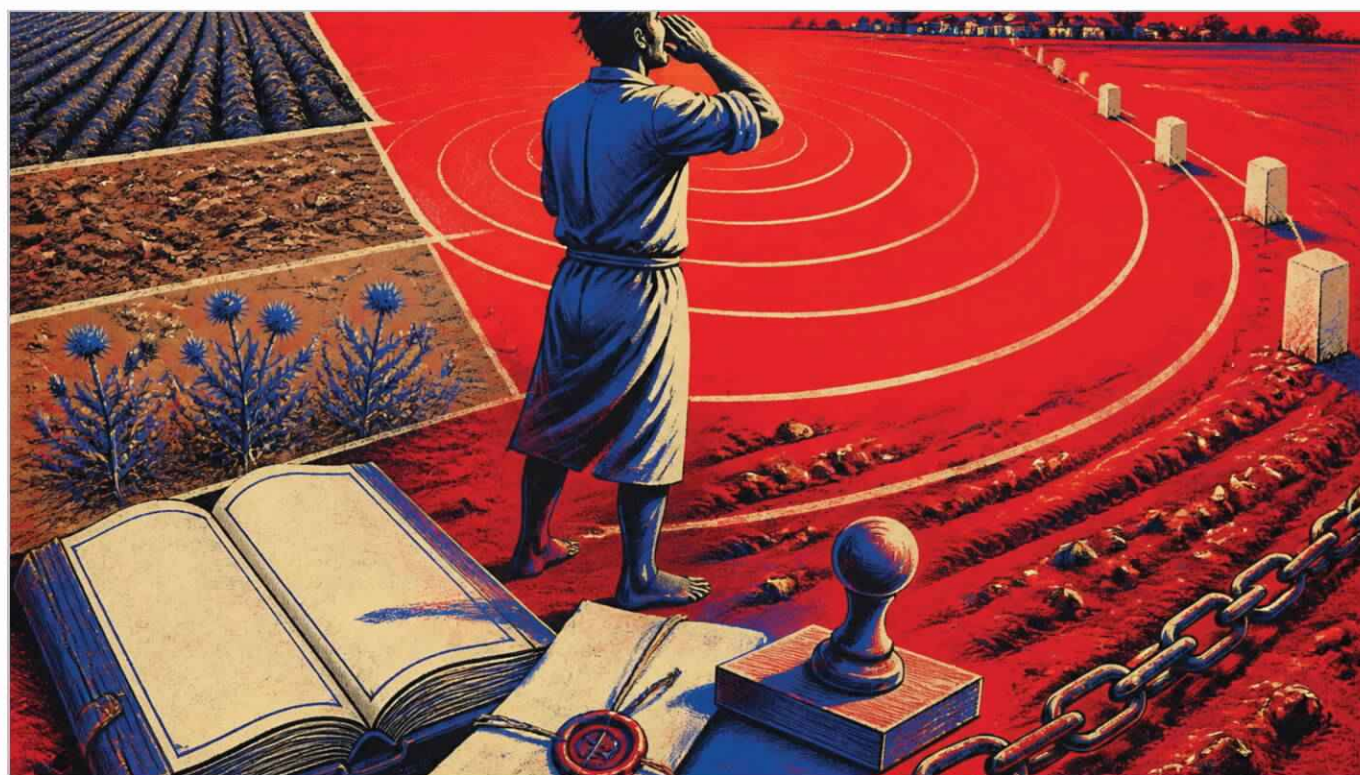
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Article 68 of the Ottoman Land Code of 1858 provides that arable land left fallow for three successive years without a proved excuse “becomes the right of Tapu,” and the same article gives the former possessor the first claim to recover it on payment, with an auction to another holder only where he declines. That is the provision every account of the West Bank state-land declaration traces the rule to, quoted here from the unofficial English translation F. Ongley published in London in 1892. The Code provides no reversion to the state, and R. C. Tute, President of the Land Court in Jerusalem, recorded in his commentary of 1927 that “the tenure is maintained, and the land is not at the disposal of the State.”

Key Findings

- Article 68 of the Ottoman Land Code states that arable land left fallow for three successive years “without having proved any valid excuse ... becomes the right of Tapu,” that if the former owner wishes it back “it may be transferred to him for its equivalent value (Bedel Misl),” and that it goes to auction “to the candidate” only if he declines, in the unofficial English text of Ongley and Miller.
- R. C. Tute recorded the consequence of that wording in the commentary he published in Jerusalem in 1927: “Abandonment of a holding by the title holder does not render the land vacant or mahlul ... Under either circumstance, the tenure is maintained, and the land is not at the disposal of the State.”
- Article 6 fixes the outer boundary of dead land by an audible-voice test and one distance, waste land lying so far from town or village “that the loud voice of a person from the extreme inhabited spot cannot be heard, that is about a mile and a half.”
- The legality test the Prime Minister’s Office of Israel published in its English summary of March 2005 is a 1979 government resolution, taken after the High Court ruling in Elon More, that “Israeli settlements in Judea, Samaria and Gaza shall be established only on State land.”
- The Israeli Supreme Court recorded in the Migron judgment of 2 August 2011 that “the State did not dispute that the lands which constitute the object of the Petition are

registered lands under private Palestinian ownership ... and that the Outpost, Migron, is illegal,” and issued a final order to evacuate by “March 31, 2012.”

Which statute decides whether a West Bank parcel counts as state land?

Article 1 of the Ottoman Land Code of 1858 divides land into five classes, and the second of them is the class the whole state-land doctrine runs through: “Arazi Mirie. Crown lands, belonging to the state exchequer.” The other four are freehold, mortmain, land abandoned without cultivation or ostensible owner, and dead land.

Every account of how a parcel becomes state land traces the rule to the miri provisions of that statute. The Ottoman Land Code states its own promulgation as 7 Ramazan 1274, which Miller’s note and Tute’s title page both render 21 April 1858.

Miri is not freehold, and the pairing in Article 1 is what the question turns on. It sets Arazi Mirie directly beside Arazi Memluke, “lands held in fee simple, freehold lands.” A memluke holder owns the soil; a miri holder holds a transferable and inheritable right of cultivation over land whose underlying title the exchequer keeps.

That difference is what makes a cultivation condition possible at all. A freehold owner who lets his ground lie idle loses nothing by it, and the Code attaches consequences to non-cultivation only in its miri and mevat provisions.

The statute carries no quantity of any kind. The Ongley and Miller edition records no acreage, no share of land registered, no count of holdings and no map, so every figure about how much ground has moved through these provisions belongs to the body that measured it rather than to the text. What the Code supplies is the category and the test, and the Institute has separately examined [how much land the official record accounts for](#).

What does that statute say happens after three fallow years?

Article 68 provides that arable land left fallow for three successive years “without having proved any valid excuse ... becomes the right of Tapu,” in the unofficial English translation F.

Ongley published in London in 1892. The article then gives the former holder the first claim, on payment of “its equivalent value (Bedel Misl).”

The Ottoman Land Code states the trigger in full: “If the owner of any arable land does not cultivate it himself or cause it to be cultivated by another by lending or letting it, but allows it to lie fallow for three successive years without having proved any valid excuse ... such land, whether the owner be in the place where the land is or at a distance travelling, becomes the right of Tapu.”

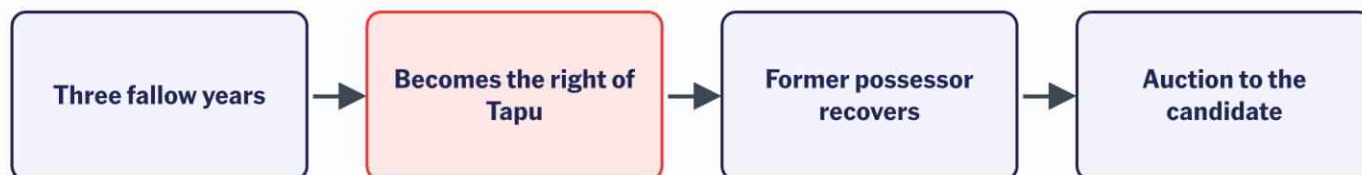
Three things sit inside that clause and are usually collapsed into one. The trigger is non-cultivation, by the holder or by anyone he lends or lets to. The condition is three successive years, and the article says successive, not cumulative. The consequence is a change of status, from land held under a subsisting tenure to land subject to the right of tapu, which is a right to be granted a title deed on payment.

What follows is set out in order. “If the former owner wishes it to be transferred to him again it may be transferred to him for its equivalent value (Bedel Misl). If he does not wish it, then it is transferred by auction to the candidate.” The former holder stands first in line, an auction reaches the land only where he declines, and what the auction produces is another holder on a fresh title deed.

The three-year period belongs to Article 68 alone. Article 6 states no period at all, Article 78 runs the other way, and Article 103 carries a separate three-year rule on different land.

What Article 68 provides after three fallow years

THE ORDERED PATH THE ARTICLE SETS OUT, IN THE ONGLEY AND MILLER ENGLISH TEXT OF 1892



Source: Ottoman Land Code of 1858, Article 68, in the unofficial English translation of Ongley and Miller, 1892.

Does the text say the land reverts to the state?

Article 68 provides no reversion. It states that the land “becomes the right of Tapu,” and R. C. Tute, President of the Land Court in Jerusalem, recorded in his commentary of 1927 that “Abandonment of a holding by the title holder does not render the land vacant or mahlul ... Under either circumstance, the tenure is maintained, and the land is not at the disposal of the State.”

It is often said that under the miri category land reverts to the state if it has not been cultivated for a defined period. The operative text provides a different legal event. Tapu is a title-deed right, and the article names who holds it first, the former possessor, on payment, with an auction to another private holder only where he declines.

The two English texts agree here even where they differ elsewhere. Sir Stanley Fisher states the same clause as land that “becomes subject to the right of tapou,” and continues: “If the former possessor wishes to recover the land, it shall be given to him on payment of its tapou value.”

The distinction is not a matter of wording. A reversion extinguishes a tenure and places the land at the disposal of the state. The right of tapu keeps the tenure recoverable by a named person and moves it, if he declines, to another holder on a fresh deed. Those are different destinations for the same parcel, and the Ottoman Land Code records only the second.

Tute reaches past the article, because abandonment is a stronger fact than non-cultivation and he addresses it directly, and he arrives at the same place: neither circumstance renders the land vacant, and neither puts it at the disposal of the State.

The Code is evidence of what the law said, never of what was done under it, and it settles no particular parcel.

Which excuses for lying fallow does the article itself allow?

Article 68 lists three, inside the same provision that states the three-year rule, so the excuses are part of the test rather than a later gloss on it. They are resting the soil, waiting out a flood, and captivity in war.

The first is agricultural. The Ottoman Land Code records an allowance to rest land for one or two years, and for longer where the locality requires it, which treats leaving ground fallow as a farming practice rather than as an abandonment of it.

The second is environmental. The article excuses the necessity of leaving flooded land fallow “until it has acquired the power of cultivation after the water which inundated it for a time has receded,” so land that cannot be worked because water ruined it is not treated as land that was not worked.

The third is the holder’s absence in the hands of an enemy: being a prisoner of war.

Two properties of that list matter for reading any later application of the article. It is written from the cultivator’s side, and each excuse describes a reason a person with every intention of farming still could not. And the burden sits in the phrase itself, “without having proved any valid excuse,” which makes the excuse something to be established rather than something presumed.

The article enumerates no excuse for displacement, a closure, a military order or a denial of access, none of which existed as categories when the text was written. Whether any of those counts today is a question for whatever instruments amended or applied the article afterwards, and Ongley and Miller published nothing about them, because the edition predates every one.

What does ten years of undisturbed possession earn a holder?

Article 78 gives him a new title deed free of charge. Ten years of possession without disturbance proves the prescriptive right, Hak Karar, and “whether he has a title-deed or not such land cannot be looked upon as Mahlul, but a new Tapu Sened should be given to him gratis.”

The article is the mirror of Article 68 and is worth reading beside it. One states what a holder loses by not cultivating; the other states what a possessor gains by holding undisturbed, and the gain runs against the state rather than against a neighbour. The phrase carrying the

weight is “whether he has a title-deed or not,” because the Ottoman Land Code states there that the absence of a registered deed is contemplated rather than fatal.

Sir Stanley Fisher states the same rule with cultivation on its face: “Every one who has possessed and cultivated State or mevqufe land for ten years without dispute (bila niza) acquires a right by prescription and whether he has a valid title-deed or not the land cannot be regarded as vacant, and he shall be given a new title-deed gratuitously.”

The article carries its own exception in the next sentence. A person who admits the land was mahlul and that he took it without right gets no benefit from the passage of time; the land is offered to him at its tapu value, and if he refuses it is sold by auction.

One caution belongs with any statement of a ten-year rule. Article 78 confers a right against the state, while Article 20 states a separate ten-year limitation running between private persons, and R. C. Tute records the two apart. A sentence naming no article is ambiguous between them.

How far from a village must land lie to count as dead land?

Article 6 fixes the boundary at about a mile and a half. It defines mevat as waste land in nobody’s possession, not left or assigned to the inhabitants, and “distant from town or village so that the loud voice of a person from the extreme inhabited spot cannot be heard, that is about a mile and a half to the extreme inhabited spot, or a distance of about half an hour.”

The test is a human one before it is a metric one. What the Ottoman Land Code states first is that a shout from the edge of the settlement cannot be heard, and the distance and the half hour follow as glosses on it, each introduced by the word about. It is a boundary drawn from the reach of a voice and the length of a walk, not from a survey.

Three conditions run together in that definition and all three have to hold. The land must be waste, it must be in nobody’s possession, and it must not have been left or assigned to the inhabitants. Village grazing and common land sit in a different class, Arazi Metruke, which Article 1 lists separately.

R. C. Tute records where the definition came from and how it travels. His note to Article 6 reads: “This curious definition is derived from Art. 1270 of the Mejlle. It is repeated with some amplification in article 103.”

That repetition is the trap. Article 103 states the audible-voice test without the distance, so the quantified boundary belongs to Article 6 alone, and a report that hangs the mile and a half on Article 103 has cited a provision that does not contain it.

What did breaking new ground earn a cultivator, and when did that change?

Article 103 granted it to him gratis. Dead land, it states, “can be opened up newly and created into arable land, with the permission of the official, gratis by the person, having need for it, on condition that its servitude shall belong to the Treasury.” The squatter clause beneath it was amended in Palestine on 1 March 1921.

The grant carried a forfeiture with it. A person who took land under that permission and then “leaves it for three years in its past state without valid excuse,” the article states, loses it: “it shall be given to another.” The same three-year span appears here as in Article 68, which is one reason the two are confused, but the land is different and so is the event: Article 68 concerns arable miri already held, and Article 103 concerns dead land newly granted for reclamation.

The article then dealt with the cultivator who did not ask first, and on the Code’s own terms he still acquired a deed, on payment. Ongley and Miller published the clause as follows: “If anyone has opened up and created into arable land any of this category of land without permission, the Tapu value of the place opened up by him shall be taken from him, and a Tapu Sened shall be given on its being transferred to him.”

That clause did not survive in Palestine. Tute records the Mewat Land Ordinance, published in the Palestine Gazette of 1 March 1921, as amending Article 103 to deprive the person who breaks up or cultivates mewat “of all right to claim a title deed,” and as making him liable to prosecution for trespass.

The lesson generalises past this one article. What reclamation earned a cultivator depends on the date, and a statement of Article 103 naming no date describes no particular legal moment.

Which English text is being quoted, and is any of them official?

Ongley's translation of 1892, revised with marginal notes by Horace E. Miller, is the text quoted through this report, and no English version of the Code is official, because the Ottoman state issued none. The second standard text is Sir Stanley Fisher's, reprinted with commentary by R. C. Tute, whose preface is dated 4 January 1927.

The two texts differ on a point the whole question turns on. On what the former possessor pays to recover his land, Ongley and Miller published "its equivalent value (Bedel Misl)" where Fisher states "its tapou value." Those are not synonyms in the Code's own vocabulary, because Article 78 separately offers land to a confessed occupier for "its Tapu value," so the statute draws the distinction the translations blur.

R. C. Tute records Fisher's renderings as having established themselves as the standard English text in Palestine, and he is the commentator who reprinted them by permission rather than the translator of them. Citing a Tute translation puts a commentator in a translator's chair; there is no such thing.

The practical consequence is a rule for anyone quoting this statute. Name the translator and the year with every quotation, and never blend the two texts inside one sentence, because a reader checking the wording will find one of them and not the other.

Fisher's wordings are carried here as the sense of the text. They were read through an imperfect digital copy rather than a clean institutional one, and they are quoted to show where two English renderings diverge, not to fix a single authoritative English form of a statute that has none.

Why does a cultivation test written in 1858 still decide parcels?

Fayyad and Al-Sinnawi report that a large majority of the West Bank remains unregistered, in a peer-reviewed 2023 study of sporadic land registration in Palestine published in Land

Use Policy. Where no register entry exists, the category of a parcel falls to be established by evidence rather than read off a deed.

The same authors record that the Palestinian Authority has not settled a clear registration strategy, and that the process runs on regulations they describe as contradictory. A register is the ordinary way a legal system answers the question of who holds what. Where the register is thin, the answer is reconstructed from other material, and the categories doing the reconstructing are the ones the Ottoman Land Code set down.

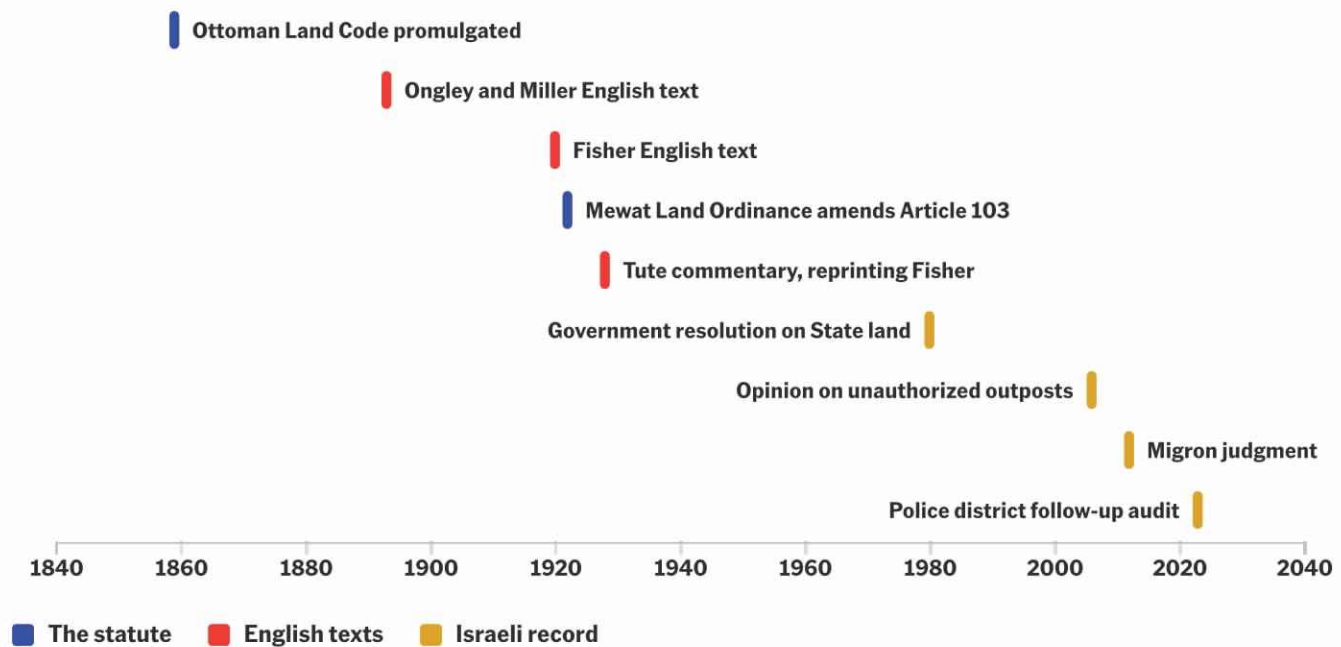
That is the whole mechanism by which a nineteenth-century cultivation test reaches a parcel today. It is not that the Code was preserved out of antiquarian interest. It is that the alternative to a documentary answer is a categorical one, and the categories on offer are the five in Article 1: memluke, miri, mevkufe, metruke and mevat.

Two consequences follow for a reader trying to check any particular claim. The evidentiary question becomes what was cultivated and when, rather than what was written and by whom, and the answer turns on facts about the ground over a span of years rather than on a document with a date on it. And the party asserting a private right carries that burden in the absence of a register entry, which is the position Fayyad and Al-Sinnawi record for sporadic registration in the territory.

The Institute has separately examined [the resumption of systematic title settlement](#) and the figures published for it.

The dated documents this report reads

NOT A CHAIN OF AMENDMENT: WHAT CHANGED THE CODE BETWEEN 1858 AND TODAY IS NOT ESTABLISHED HERE



Source: Ottoman Land Code of 1858; Ongley and Miller, 1892; Fisher, 1919; Tute, 1927; Prime Minister's Office of Israel, 2005; Israeli Supreme Court, 2011; State Comptroller of Israel, 2022.

Why does the land category decide where a settlement may be built?

Because a 1979 government resolution made the category the test. The Prime Minister's Office of Israel published an English summary in March 2005 recording that resolution, taken after the High Court ruling in Elon More, under which "Israeli settlements in Judea, Samaria and Gaza shall be established only on State land."

That sentence is why the articles above are operative rather than historical. A rule permitting settlement on State land and nowhere else makes the classification of a parcel the whole of the legality question, and the classification runs through the miri and mevat provisions of the Ottoman Land Code.

The opinion applying that test is a review commissioned into the government's own conduct, and is labelled here as such. The Prime Minister's Office of Israel published its sorting of the unauthorized outposts it could enumerate by the status of the land beneath them, in four categories: State land, survey lands, private Palestinian property, and mixed lands that were

part State, part survey and part owned by Palestinians. A further group it recorded as land whose nature it had not yet resolved.

Its own summary is blunt about the actor: “The problem is State and public authorities took part in breaking the law.” The opinion states that construction was financed “sometimes not on State owned land, sometimes on private Palestinian property or on survey land.”

The document is Israel’s own, published in English by Israel itself, and its figures are its author’s counts from data the Civil Administration supplied only in part. It is cited here for the test it applies and the categories it sorts by, which is where the articles of 1858 enter the Israeli record directly.

What has Israel’s own Supreme Court ordered on registered private land?

Israel’s Supreme Court ordered evacuation. The Court recorded in the Migron judgment of 2 August 2011 that “the State did not dispute that the lands which constitute the object of the Petition are registered lands under private Palestinian ownership ... and that the Outpost, Migron, is illegal,” and issued a final order to evacuate, setting the deadline “until March 31, 2012.”

The concession is the part that matters here. Where a parcel carries a registration in private Palestinian names, the cultivation test in Article 68 and the distance test in Article 6 never arise, because there is nothing to classify: the register already answers the question the categories exist to answer in its absence.

The Israeli Supreme Court recorded what it was dealing with in its own words, as “the unlawful establishment of an outpost on private land,” an outpost which “even in the opinion of the State, must be vacated,” and held that its establishment and continued expansion “constitute blatant and defiant violations of the law and of the Palestinian landowners’ property rights.”

The same pattern appears in the Amona case. The Court ruled on 25 December 2014 that the entire outpost be removed within two years, on the ground that it stood on privately owned

Palestinian land without authorisation, and in November 2016 it rejected a government request to delay implementation further.

Two limits travel with these judgments. They are land-title decisions carrying no violence, casualty or displacement figure, and their only quantities describe one outpost apiece rather than a category. A judgment date and an evacuation date are also different facts: the Court set deadlines, and what followed on the ground is recorded elsewhere.

What does Israel's own state auditor record about land transactions?

The investigation of falsified real-estate transactions is among the deficiencies the State Comptroller of Israel found not rectified since its previous audit, in the follow-up audit of the Samaria and Judea District of the Israel Police published in May 2022. The audit publishes no count of such cases.

Its subject is policing capability rather than land law. The State Comptroller of Israel examined the police district covering Area C, with other bodies, between February and August 2021, with supplementary examinations to November of that year. Within a list of shortcomings carried over from the earlier audit, beside unsuitable protected vehicles and expired body-armour plates, sits the investigation of falsified real-estate transactions.

Two properties of that finding are worth stating precisely. It is an Israeli state auditor reporting on Israeli bodies, which makes it the state's own record of its own enforcement rather than an outside characterisation of it. And it records a deficiency without quantifying it, so nothing in the audit supports a number for how many such cases exist, were opened, or were closed.

The Comptroller published the report while imposing confidentiality on sections of it, which makes every count inside it a floor over a partially published document, and the English text is the published abstract rather than the full chapter.

The audit also states its own shelf life, in its own words: the findings and recommendations "are valid as of the date of its presentation." It is a chapter examining named bodies over a

stated window, not a series tracked year to year, so nothing in it supports a trend.

Methodology

This report reads a statute, and the frame is narrow by design. It states what the articles of the Ottoman Land Code say, in the English texts named beside each quotation, and sets them beside four Israeli records: a government resolution recorded in a commissioned opinion, the opinion itself, two judgments of the Supreme Court, and a state audit. Sources are labelled by type. The Code is a primary and official record in an unofficial translation; the opinion, the judgments and the audit are official records published by Israel, and the opinion and the audit are reviews of the state's own conduct by bodies the state commissioned. The study of land registration is peer-reviewed and is labelled as such.

Four absences are recorded rather than filled. First, the chain of amendment between the 1858 text and what is applied today is not established here: no Jordanian statute and no later amending military instrument is read, and Military Order 59 of 1967, the order creating a Custodian of Government Property, contains in its own eight articles no declaration procedure, no objection window and no appeals committee. An article's text is not the law in force on any given date without the instruments that amended it. Second, no cumulative figure for objections filed, upheld or rejected before the Military Appeals Committee is published by any body located for this report. Third, no official English text of the Code exists, so every quotation names its translator and year, and Fisher's wordings are carried as the sense of the text rather than as a settled English form. Fourth, nothing in the Institute's source bank measures how this framing relates to antisemitism, and no nearest-available figure is substituted for a measurement that does not exist.

Conclusion

The Ottoman Land Code answers the question this report opened on, and its answer is narrower than the sentence it is usually reduced to. Article 68 decides the category, and what it says is that land left fallow for three successive years without a proved excuse becomes subject to the right of tapu. The former possessor may recover it on payment. Only if he declines does it pass by auction, to another holder, on a fresh deed.

Read whole, the articles are more protective of a cultivator than their reputation suggests. Article 68 lists the excuses that save him and puts the burden on proving them. Article 78 gives ten years of undisturbed possession a new title deed gratis, whether or not he ever held one. Article 6 draws the edge of dead land at the reach of a shout, about a mile and a half from the last house. Article 103 gave the man who broke new ground a deed, until an ordinance of 1921 took that away in Palestine. And R. C. Tute, sitting as President of the Land Court in Jerusalem, recorded that abandonment leaves the tenure standing and the land outside the disposal of the State.

Against that text sits a rule permitting settlement only on State land, a commissioned opinion finding that public authorities took part in breaking the law, and a Court recording that the State did not dispute private Palestinian registration. So when an account of a parcel says the land reverted for want of cultivation, which document is speaking, and has anybody opened the article?

Frequently Asked Questions

What does miri mean in the Ottoman Land Code?

Article 1 defines it in four words: “Arazi Mirie. Crown lands, belonging to the state exchequer.” A miri holder has a transferable and inheritable right of cultivation while the underlying title stays with the exchequer, which is what distinguishes it from Arazi Memluke, freehold held in fee simple.

Which article of the Code carries the three-year rule?

Article 68, and only Article 68. Article 6 defines dead land and states no period, Article 78 carries a ten-year prescription running in the holder’s favour, and Article 103 carries a separate three-year forfeiture on dead land granted for reclamation. A citation to any of the other three names a provision that does not contain the rule.

Does the Ottoman Land Code say how much land is state land?

No. Ongley and Miller published no acreage, no share of land registered, no count of holdings declared mahlul and no map, because the statute contains none. Any figure about how much

ground has moved through its provisions belongs to the body that measured it and cannot be attributed to the text.

What is the difference between mahlul and mevat?

They are different conditions of land in the Code's vocabulary. Mevat is a class defined by Article 6, waste and unpossessed and beyond the reach of a shout from the last house. Mahlul describes land fallen vacant, and Article 78 states that land held ten years undisturbed "cannot be looked upon as Mahlul."

Why do the two English texts of Article 68 differ on payment?

Because they were made separately and neither is official. Ongley and Miller published "its equivalent value (Bedel Misl)" for what the former possessor pays, where Fisher states "its tapou value." The Code itself distinguishes the two, since Article 78 separately names a Tapu value, so the divergence is substantive.

Is Article 103 still in force as the Code wrote it?

Not in Palestine. R. C. Tute records the Mewat Land Ordinance, published in the Palestine Gazette of 1 March 1921, as amending Article 103 to deprive a person who breaks up or cultivates mevat "of all right to claim a title deed," and as making him liable to prosecution for trespass.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

Does a Claim of Self-Defence Answer a Genocide Charge? Reading the Convention Text, the Rome Statute Grounds and the Charter Article

The 1948 Genocide Convention runs to 19 articles and none states a defence. Where self-defence sits instead, and which question each instrument answers.

Genocide Convention

Self-Defence

International Law

Rome Statute



Not one of the 19 articles of the 1948 Genocide Convention states a defence, an exception, a justification or a circumstance precluding wrongfulness, and the right of self-defence is not in that treaty at all. The Charter of the United Nations states it instead, at Article 51, and names exactly one body, the Security Council, and no court. The single place self-defence enters international criminal law is Article 31(1)(c) of the 1998 Rome Statute, a personal ground whose property limb reaches war crimes alone and which provides that involvement in a defensive military operation “shall not in itself constitute a ground for excluding criminal responsibility.” The instruments answer different questions, and each says so in its own words.

Key Findings

- The Convention on the Prevention and Punishment of the Crime of Genocide states the crime across 19 articles and none states a defence, an exception or a justification. Article IV states the opposite, that persons committing genocide “shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.”
- The Charter of the United Nations states the right of self-defence at Article 51 and names one body, the Security Council, a political organ, and no court. It addresses recourse to force and states nothing about conduct once force is used.
- The Rome Statute states four grounds for excluding criminal responsibility at Article 31(1), of which self-defence is one. Its property limb is confined to war crimes, and the subparagraph closes by providing that involvement in a defensive operation is not in itself a ground for exclusion.
- The Gaza Strip Rapid Damage and Needs Assessment records US\$35.2 billion in physical infrastructure damages and 371,888 housing units destroyed or damaged, October 2023 to October 2025, published jointly by the World Bank, the European Union and the United Nations in 2026. Article II(c) turns on whether conditions of life were “calculated” to bring about destruction, which a damage assessment does not measure.
- The Arms Export Control Act states self-defence as an enumerated purpose of a transfer and never mentions the law of armed conflict. The Arms Trade Treaty states at Article

6(3) a bar on authorisation where the state knows the arms would be used in genocide, with no self-defence exception.

Does the Genocide Convention contain any defence or justification?

Not one of the 19 articles of the 1948 Genocide Convention states a defence, an exception, a justification or a circumstance precluding wrongfulness. Article II defines the crime as an enumerated act committed with intent to destroy a protected group as such, and Article IV provides that persons committing it are punished whatever office they hold. **The absence is the finding.**

The instrument is short. Articles I to IX carry the substance; Articles X to XIX are procedural, running from authentic texts to registration. The Genocide Convention states at Article I that the Contracting Parties “confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.” That is the only clause mentioning war, and it mentions it to say that the crime exists in both conditions.

Article II defines genocide as any of five acts “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such”: killing members of the group; causing serious bodily or mental harm; deliberately inflicting conditions of life calculated to bring about the group’s physical destruction in whole or in part; imposing measures intended to prevent births; and forcibly transferring children of the group to another group. Article III adds conspiracy, incitement, attempt and complicity.

Article IV closes the question of status rather than opening one of excuse: persons committing genocide or any of the other acts enumerated in Article III “shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.” The United Nations General Assembly recorded its approval of the text in resolution 260 A (III) of 9 December 1948, and the Convention entered into force on 12 January 1951.

Articles V to IX are machinery: implementing legislation, trial by a competent national tribunal or an international penal tribunal, a bar on treating genocide as a political crime for

extradition, a route for calling on the competent organs of the United Nations, and the clause conferring jurisdiction on the International Court of Justice. None of it excuses anything, and the absence is a fact about the 19 articles rather than a statement about anyone's conduct.

Which treaty holds the right of self-defence, and what question does it answer?

The Charter of the United Nations states the right at Article 51, in one operative sentence: nothing in the Charter “shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.” It names one body, a political organ, and no court.

The article's second sentence keeps that routing intact. Measures taken in the exercise of the right “shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary.” The right is framed as an interim one, running until a political organ acts.

The Charter of the United Nations puts the antecedent determination in the same hands. Under Article 39 the Security Council “shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.” Between them the two articles set out the whole Charter scheme on the resort to force: an armed attack, an inherent right that survives until the Council acts, and a Council determination.

What Article 51 does not contain is as legible as what it does. It says nothing about civilians, nothing about objects, nothing about the conduct of hostilities once force has been resorted to, and nothing about any protected group. It supplies no test a target must satisfy and no threshold an attack must clear. It answers whether a state may use force at all, a question about the beginning of a war rather than about its conduct, and a claim made under it answers that question and no other.

Is self-defence a defence to an international crime at all?

The Rome Statute states four grounds for excluding criminal responsibility at Article 31(1), and self-defence is the third of them. The Statute then confines it: a person “acts reasonably to defend himself or herself or another person or, in the case of war crimes, property,” so the property limb reaches war crimes alone and never genocide.

The four are mental disease or defect destroying the capacity to appreciate the unlawfulness or nature of the conduct; intoxication with the same effect, unless voluntarily incurred in the circumstances described; self-defence; and duress from a threat of imminent death or serious bodily harm. They attach to a person, in a court whose jurisdiction runs to natural persons.

Subparagraph (c) states the self-defence ground as acting reasonably “to defend himself or herself or another person or, in the case of war crimes, property which is essential for the survival of the person or another person or property which is essential for accomplishing a military mission, against an imminent and unlawful use of force in a manner proportionate to the degree of danger to the person or the other person or property protected.” Every element in that sentence concerns a person facing imminent and unlawful force.

Then comes the clause answering the question directly. The Rome Statute states, closing the same subparagraph, that **“the fact that the person was involved in a defensive operation conducted by forces shall not in itself constitute a ground for excluding criminal responsibility under this subparagraph.”** The drafters distinguished a personal defensive act from participation in a defensive war, and wrote the distinction into the ground where the confusion would otherwise arise.

Two qualifications travel with that reading. Article 31(2) gives the Court the determination of whether a listed ground applies in a case before it, and Article 31(3) permits the Court at trial to consider a ground outside paragraph 1 “where such a ground is derived from applicable law as set forth in article 21,” so the list of four is not closed for every purpose. What the text does foreclose is the shortest version of the claim, that a defensive operation excuses what is done inside it.

Do the rules of conduct change with the cause of the war?

Geneva Convention I states the answer in one clause, common to all four Conventions of 1949: the High Contracting Parties undertake “to respect and to ensure respect for the present Convention in all circumstances.” Additional Protocol I states the same thing at greater length in its 1977 preamble, applying both instruments “without any adverse distinction based on the nature or origin of the armed conflict.”

“Common Article 1” is a nickname rather than a citation. No instrument bears that name; there are four Article 1s of identical wording, one opening each of the Geneva Conventions of 12 August 1949, and the clause quoted here was read at Geneva Convention I. The first limb, the undertaking to respect the Convention in all circumstances, is the limb used here. The second, the undertaking to ensure respect, is read by some as an obligation owed outward to the conduct of other parties and by others as internal only, and nothing relied on here settles it.

Additional Protocol I records the full clause. Its preamble reaffirms that the Conventions and the Protocol “must be fully applied in all circumstances to all persons who are protected by those instruments, without any adverse distinction based on the nature or origin of the armed conflict or on the causes espoused by or attributed to the Parties to the conflict.” How a war began, on that wording, relates in no way to the rules governing its conduct.

An earlier clause of the same preamble runs the other way, and it is the mirror image of the point. The Parties express their conviction “that nothing in this Protocol or in the Geneva Conventions of 12 August 1949 can be construed as legitimizing or authorizing any act of aggression or any other use of force inconsistent with the Charter of the United Nations.” The conduct instruments disclaim any effect on the lawfulness of the resort to force as plainly as they disclaim any dependence on it. Neither body of rules reaches into the other: compliance with the rules of conduct settles nothing about whether a war was lawfully begun, and the lawfulness of its beginning settles nothing about the rules of conduct.

Which body decides each question, and has either been decided?

The Republic of South Africa states its jurisdictional basis in its 2023 Application in its own words, “pursuant to Article 36 (1) of the Court’s Statute and Article IX of the Genocide

Convention,” and the filing names the Rome Statute four times without pleading it as a cause of action. Three instruments name three forums for two different questions.

Article IX is the compromissory clause, and [the clause that carried the case to the Court](#) is examined in a separate report rather than re-run here. What matters for this question is narrower. The Application was filed on 29 December 2023, and the Court issued orders on provisional measures on 26 January, 28 March and 24 May 2024. Those are dated steps in proceedings, not the judgment on the merits the pleading asks for.

The Charter of the United Nations routes the other question elsewhere entirely. Under Article 39 the Security Council determines the existence of a threat to the peace, a breach of the peace or an act of aggression, and the Council is a political organ whose output is a recorded vote rather than a judgment. Nothing in Article 39 or Article 51 gives a court a role in that determination, and nothing in Article IX gives the Council a role in the Convention question.

The Rome Statute states the third forum and the third subject. Article 6 reproduces the Convention’s definition of genocide word for word for the purposes of the Statute, and the court it establishes exercises jurisdiction over natural persons rather than over states, so the same five acts appear in two instruments routing them to two different kinds of respondent.

The consequence is the one a plain reading gives. A conclusion about the resort to force, reached in the forum the Charter designates, does not reach an accusation under the Convention, and a conclusion about conduct does not reach the Charter question. The severance holds on the conduct side too, where the inference from a pattern of conduct to genocidal purpose is [a separate step with a standard of its own](#), and a finding that conduct was unlawful is not the same finding as a finding of genocidal purpose.

Does destroyed infrastructure prove the genocide element on its own?

The Gaza Strip Rapid Damage and Needs Assessment records US\$35.2 billion in physical infrastructure damages and 371,888 housing units destroyed or damaged between October 2023 and October 2025, published jointly by the World Bank, the European Union and the

United Nations in 2026. Article II(c) requires conditions of life “calculated” to bring about physical destruction, and calculation is not the quantity a damage assessment measures.

What the Rapid Damage and Needs Assessment measured

GAZA STRIP, OCTOBER 2023 TO OCTOBER 2025, ASSESSMENT ESTIMATES



Source: World Bank, European Union and United Nations, 2026. Gaza Strip Rapid Damage and Needs Assessment. Assessment estimates combining remote sensing with ground-verified data.

The assessment states its own method and its own limits. It combines remote sensing with ground-verified data, its estimates are validated by all three co-publishing bodies, and it is an assessment rather than an enumeration. Alongside the damages it records US\$22.7 billion in economic and social losses, more than half of hospitals non-functional, and an economy contracting by 84%. It separately estimates recovery and reconstruction needs of US\$71.4 billion over the next decade, a forward-looking figure measuring a different object, so the two are reported apart and neither is divided into the other.

Set against Article II(c), the word doing the work is “calculated.” The subparagraph reaches conditions of life deliberately inflicted on the group and calculated to bring about its physical destruction in whole or in part, which is a statement about the purpose behind the conditions rather than about their extent. A physical measurement of what was destroyed establishes the conditions and says nothing about the calculation, and the Gaza Strip Rapid Damage and Needs Assessment records no claim to have measured it.

The same limit runs in the other direction, and that is why the two questions cannot be swapped. A figure for destruction does not establish the element, and it equally does not answer whether the war in which the destruction occurred was lawfully begun, because the resort-to-force question turns on an armed attack and a Council determination rather than on a damage total.

How many instruments does the same destruction sit under?

One physical act sits under 3 instruments carrying 3 different mental elements. Additional Protocol I states at Article 54(2) a prohibition on destroying objects indispensable to survival “for the specific purpose of denying them for their sustenance value.” The Rome Statute states at Article 8(2)(b)(ii) a war crime of attacks intentionally directed against civilian objects. The Genocide Convention states at Article II(c) intent to destroy the group as such.

Three instruments, three mental elements, one physical act



The physical act can be identical under all three. What differs is what has to be shown about the mind behind it.

Source: Additional Protocol I, 1977, Article 54(2); Rome Statute, 1998, Article 8(2)(b)(ii); Convention on the Prevention and Punishment of the Crime of Genocide, 1948, Article II(c). Treaty text.

Article 54(2) is the widest of the three and least demanding about motive. It prohibits attacking, destroying or rendering useless objects indispensable to the survival of the civilian population, naming foodstuffs, crops, livestock, drinking water installations and irrigation works, where done “for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.” A separate report sets out [how Article 54 has been read against the record](#).

The Rome Statute states a narrower object and a stricter mental element. Article 8(2)(b)(ii) makes it a war crime to intentionally direct “attacks against civilian objects, that is, objects which are not military objectives,” so the prohibited conduct is an attack, the protected object is defined by what it is not, and the required state of mind is intention as to the direction of the attack. Whether a given strike qualifies, and what the [records of particular strikes on protected sites](#) establish, is a separate question with its own evidence.

Article II(c) is the narrowest and the most demanding. It requires conditions of life deliberately inflicted on the group and calculated to bring about its physical destruction, and the group, not the object and not the population of an area, is what the intent must be directed at. One demolished water installation can therefore satisfy the first instrument on its face, satisfy or fail the second according to what it was and how it was struck, and leave the third untouched, because the third asks about the destruction of a people rather than of a thing.

Where does a self-defence claim carry legal weight in enacted law?

The Arms Export Control Act states self-defence as an enumerated purpose at section 4, permitting transfer “solely for internal security, for legitimate self-defense” and the listed collective purposes, and it never mentions the law of armed conflict. The Arms Trade Treaty runs the other way, barring an authorisation on knowledge of genocide with no self-defence exception in the clause.

The statute is exhaustive on its face. Section 4, codified at 22 U.S.C. 2754, provides that defence articles and services “shall be sold or leased by the United States Government under this chapter to friendly countries solely for internal security, for legitimate self-defense,” for hindering the proliferation of weapons of mass destruction, to permit participation in regional or collective arrangements consistent with the Charter of the United Nations or in collective measures requested by the United Nations, or to enable foreign military forces in less developed countries to construct public works.

Two features of that sentence are load-bearing. The phrase “consistent with the Charter of the United Nations” attaches to the regional and collective-arrangements clause and not to self-defence, and the Arms Export Control Act states nothing anywhere about international humanitarian law, the Geneva Conventions or civilian harm. A separate report sets out [who sets the level of that assistance](#).

The Arms Trade Treaty, adopted in 2013 and in force since 24 December 2014, is built the other way round. It states at Article 6(3) that a State Party shall not authorize a transfer where it has knowledge at the time of authorization that the arms “would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions

of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes.” The clause is an absolute prohibition triggered by knowledge, and the words self-defence appear nowhere in it.

Read together, the two instruments locate the claim precisely. One enacted statute makes self-defence a purpose that authorises a transfer and is silent on conduct; one treaty makes conduct the bar and is silent on purpose. A self-defence claim does work at the authorising end and none at the prohibiting end, which is the division of labour running through the Charter and the Convention.

Methodology and limitations

This report reads instruments and records what each provides. The evidence is of three kinds: treaty texts, read from the instruments themselves rather than from a secondary account; one state party’s own filed pleading; and one joint damage and needs assessment co-published by the World Bank, the European Union and the United Nations.

Five of the eight questions rest on primary instruments carrying no separate analytical source: the Genocide Convention of 1948, the Charter of the United Nations of 1945, the Rome Statute of 1998, Additional Protocol I of 1977 and the Arms Trade Treaty of 2013. Each was read in the published text and the load-bearing clauses are quoted rather than paraphrased. All 19 articles of the Convention were read for the first question, so the absence of an excusing provision is an absence in that text.

Three limits carry into the findings. The Rome Statute states at Article 31(3) that the Court may consider a ground outside paragraph 1 where it is derived from applicable law under Article 21, so the list of four is not closed for every purpose. The second limb of Common Article 1, the undertaking to ensure respect, is contested in scope and nothing here settles it. The Gaza Strip Rapid Damage and Needs Assessment records estimates rather than an enumeration, and its damage total and its needs total measure different objects and are not summed or divided into one another.

Standards of proof differ by forum, which bears on what any one body’s conclusion establishes. Marko Milanovic states, in a post of 18 September 2025 on the European Journal

of International Law's EJIL:Talk! blog that is editorially curated rather than peer-reviewed, that the "only reasonable inference" formulation comes from the jurisprudence of the first modern ad hoc criminal tribunals and that other fact-finders are not bound to apply it. The orders in the pending case are named above with their dates as steps in proceedings.

Conclusion

Does a claim of self-defence answer a charge under the 1948 Genocide Convention? On the face of the instruments it answers a different question. The Genocide Convention states the crime across 19 articles and provides no defence, exception or justification in any of them; the Charter of the United Nations routes the right of self-defence to the Security Council and addresses whether force may be resorted to at all; and where self-defence enters international criminal law, the Rome Statute confines it to a person defending a person and adds a sentence providing that being part of a defensive operation is not in itself a ground for exclusion.

The severance is written in both directions, and the conduct instruments state it about themselves. Geneva Convention I binds the parties in all circumstances, and Additional Protocol I states in its preamble both that the Conventions apply without adverse distinction based on the causes attributed to the parties and that nothing in them legitimises any use of force inconsistent with the Charter. So a conduct finding is not an answer to whether a war was lawfully begun, any more than a self-defence claim is an answer to a charge about conduct. The infrastructure question falls the same way: recorded physical damage meets an element whose operative word is "calculated," and the identical act sits under three instruments carrying three different mental elements, of which extent alone satisfies none.

Two texts, two forums, two questions, and in public argument they are handed to each other as though interchangeable. A claim under the Charter is offered as a reply to a pleading under the Convention; a figure for what was destroyed is offered as a reply to whether force should have been used at all. Each text then carries a conclusion its drafters put somewhere else, and the reader is left holding an answer to a question nobody asked. Which of the two arguments now in circulation would survive being read back against the article it claims to rest on?

Frequently Asked Questions

What is the difference between the law on going to war and the law on conduct in war?

They are separate rules in separate instruments. The Charter of the United Nations states the resort-to-force rules and places the determination with the Security Council at Article 39. The Geneva Conventions and Additional Protocol I govern conduct, without adverse distinction based on the origin of the conflict.

Does the Genocide Convention apply during an armed conflict?

The Genocide Convention states the answer in its first clause, confirming that genocide is a crime under international law “whether committed in time of peace or in time of war.” It makes no other reference to war and creates no wartime variation in the Article II definition.

Which court hears a genocide case against a state, and which hears one against a person?

Article IX submits disputes between contracting parties, including those on the responsibility of a state, to the International Court of Justice. The Rome Statute states a separate court over natural persons, its Article 6 reproducing the Convention’s definition word for word.

Does the Rome Statute allow a self-defence plea for genocide?

The Rome Statute states the ground at Article 31(1)(c) for defending a person, and confines its property limb to war crimes, so property defence never reaches a genocide charge. The same subparagraph provides that involvement in a defensive operation conducted by forces is not in itself a ground for exclusion.

What does Article 54 of Additional Protocol I protect?

Additional Protocol I states the protection for objects indispensable to the survival of the civilian population, naming foodstuffs, crops, livestock, drinking water installations and irrigation works. Article 54(1) separately prohibits starvation of civilians as a method of warfare.

Does an armed attack have to occur before Article 51 applies?

The clause is written that way. The Charter of the United Nations states the right as arising “if an armed attack occurs against a Member of the United Nations,” and requires that measures taken in its exercise be reported immediately to the Security Council.

What does the Arms Trade Treaty require before a transfer is authorised?

The Arms Trade Treaty states three absolute prohibitions at Article 6, including the knowledge-based bar at Article 6(3), and a separate export assessment at Article 7. Under Article 7(3), where the exporting state determines there is an overriding risk of the consequences at Article 7(1), it “shall not authorize the export.”

Is a damage assessment the same thing as an enumeration?

No. The Gaza Strip Rapid Damage and Needs Assessment records estimates built by combining remote sensing with ground-verified data and validated by its three co-publishers, a different operation from counting each damaged structure. Its needs figure is forward-looking and measures a different object again.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

Does the Palestinian Authority Support a Two-State Solution? Reading the Dated Statements, the Standing Position and the Measured Polls

Two dated 2026 Palestinian statements set against a survey of 1,270 people that recorded 44% support and 50% opposition on a bare two-state item.

Two-State Solution

Palestinian Authority

Public Opinion

Survey Methodology

Security Council Resolution 2803



The Palestinian Center for Policy and Survey Research recorded **44% support against 50% opposition** on a bare two-state item, interviewing 1,270 people in the West Bank and the Gaza Strip between 5 and 8 August 2026. A month later the Palestinian Presidency stated a commitment to a State of Palestine on the June 4, 1967 lines living alongside the State of Israel. This report separates the two records: an official position put in dated, quotable terms, and a measured public that does not track it.

Key Findings

- The PLO Executive Committee stated on 1 August 2026, as WAFA reported, that a Gaza agreement should lead to a Palestinian state “on the June 4, 1967 borders, with East Jerusalem as its capital.”
- The Palestinian Presidency added the reciprocal half on 8 September 2026, stating a State of Palestine “living in security and peace alongside the State of Israel,” as WAFA reported.
- The Palestinian Center for Policy and Survey Research recorded 44% support and 50% opposition on the bare item, and 58% calling the solution no longer practical (n = 1,270,

August 2026, error 3.5%).

- The Palestine/Israel Pulse, run by that centre with Tel Aviv University, recorded 33% support among Palestinians and 34% among Israeli Jews in December 2022, its lowest since 2016.
- The Security Council recorded 13 votes to none with 2 abstentions on Resolution 2803, whose route to Palestinian statehood is conditional and expires on 31 December 2027.

What did the PLO Executive Committee state in August 2026?

The PLO Executive Committee stated the position in one sentence on 1 August 2026. As WAFA, the Palestinian news agency, reported it, the Committee affirmed that a Gaza agreement should begin a process “guaranteeing the Palestinian people’s right to self-determination through the establishment of an independent and sovereign Palestinian state on the June 4, 1967 borders, with East Jerusalem as its capital, based on the two-state solution and relevant international resolutions.”

Three things in that formulation are checkable. It names a line, the June 4, 1967 borders. It names a capital, East Jerusalem. And it stops there: the sentence carries no reciprocal undertaking toward another state, and does not mention Israel. Whether that silence is drafting or position is not something the item settles.

The Executive Committee is the executive organ of the Palestine Liberation Organization, and the meeting was chaired by the Vice President. The same item welcomed the second-phase agreement on the Gaza ceasefire, the context in which the two-state sentence was produced.

What reaches a reader is reported speech, not released text. WAFA writes in the third person, “It affirmed that,” and no English text of the statement as issued sits on any Palestinian government site. The citable fact is therefore that the agency reported the Committee affirming these words on that date, which is narrower than quoting a document. The agency’s own adjectives, “colonial settlement” and “occupation forces,” belong to it and to the speaker it relays.

Does the Presidency's wording name Israel as well?

The Palestinian Presidency named both states on 8 September 2026, and that is the citable difference between the two bodies. As WAFA reported, the Presidency reaffirmed a commitment to “an independent, sovereign, and viable State of Palestine along the June 4, 1967 lines, with East Jerusalem as its capital, living in security and peace alongside the State of Israel.”

The line and the capital are identical to the Executive Committee's. What the Presidency adds is the second state, named, and a description of the relationship between them. It answered a joint statement issued by the foreign ministers of twelve separate countries.

The two bodies are not one body. The Executive Committee is the executive organ of the Palestine Liberation Organization; the Presidency is the office of the head of the Palestinian Authority and of the State of Palestine. Memberships overlap and both name the same line, but the reciprocal clause appears in one and not the other.

Pairing the two claims in one sentence is not new. The Durban Declaration, adopted by the World Conference against Racism in September 2001, states at paragraph 63 of the Declaration that it recognises “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.” That instrument is also where a common attribution goes wrong: the adopted Declaration contains the word “Zionism” nowhere.

Which line does the PLO's own position paper define as the border?

The PLO Negotiations Affairs Department states that it is “the 1949 Armistice Line along with all legal modification thereto up to June 4th 1967,” which its standing position paper calls “the internationally-recognized border between Israel and the occupied State of Palestine.” The page records the organisation's own negotiating position, last revised on 27 March 2019.

That is the definitional content behind the phrase both 2026 statements use. “The June 4, 1967 borders” is not self-explanatory, and the department states what the PLO takes it to mean: the 1949 armistice line as modified by agreement up to the eve of the 1967 war.

The same page states a position on adjustments. Israel, it says, “has no valid claim to any part of the West Bank or Gaza Strip,” but “in the interest of peace, we have been willing to discuss minor, equitable, and mutually-agreed territorial exchanges and border modifications should we decide that it is in our interest to do so.” Land swaps sit inside the stated position, bounded by three adjectives.

Two limits bind this source. It is a negotiating party’s own published position, establishing what the PLO says it holds and nothing about conduct or merits. And the page carries no references, so no figure printed on it is citable: not its share of mandate Palestine, not its settler count, not its land percentages. It dates the compromise to 1988, which is the PLO describing what the PLO did.

Do Palestinians themselves support a two-state solution?

44% support and 50% oppose, on an item the Palestinian Center for Policy and Survey Research put to respondents “without providing any additional details about it” (n = 1,270, fieldwork 5 to 8 August 2026, margin of error 3.5% on the whole sample). The centre recorded support almost identical in the West Bank and the Gaza Strip.

Ten months earlier the same question returned 45%, so the bare support figure has barely moved. The two shares do not sum to 100 and are not meant to: about 6% gave neither answer, and no pair in this survey partitions the sample.

The Survey Research centre is an independent Palestinian organisation in Ramallah publishing its own sample, method and bound, which makes a poll citable. It reported interviews conducted face to face in 83 residential localities in the West Bank and 44 in the Gaza Strip.

The published margin of error covers the whole sample only. Every regional figure here carries a wider bound than 3.5%, and none is published for the subsamples, so a West Bank

and Gaza difference of a few points cannot be tested from the page.

The Gaza fieldwork carries a condition the centre states itself. Interviewing was confined to areas without an Israeli military presence, and interviews with residents of areas under military occupation were conducted in shelters. That is not a free probability sample of the Strip, and the condition belongs with the Gaza figures wherever they are used.

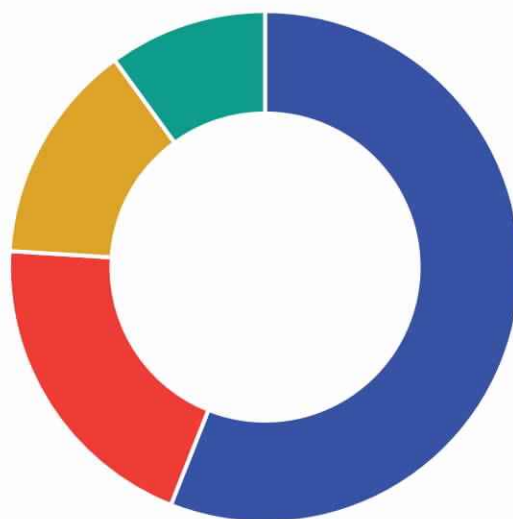
Why does the same survey also report 56%?

The Palestinian Center for Policy and Survey Research asked it twice, two different ways. 56% chose “the two-state solution based on the 1967 borders” when the centre offered a three-way menu, against 44% on the bare support-or-oppose item in the same field period. The distance between the two readings is question form, not a change of mind.

The menu is a genuine partition. Alongside the 56%, the centre recorded 14% preferring a confederation between the two states, 10% a single state with equal rights for both sides, and 20% who did not know or declined to answer.

The forced-choice menu, August 2026

PREFERRED FRAMEWORK AMONG 1,270 RESPONDENTS IN THE WEST BANK AND THE GAZA STRIP



■ Two states on 1967 borders ■ No answer ■ Confederation ■ One state, equal rights

Source: Palestinian Center for Policy and Survey Research, Poll No. 97, fieldwork 5 to 8 August 2026.

On the menu question the previous wave, in October 2025, put the 1967-borders option below half at 47%, so this reading rose while the bare item fell by a point. Two instruments in one survey pointing opposite ways across one interval is a property of wording, and it is why a single headline share summarises a public badly.

The regional split on this question is not like for like, and the reason is non-response. In the West Bank the centre recorded the three named options at 52%, 9% and 10%, leaving about 29% unanswered; in the Gaza Strip it recorded 61%, 22% and 10%, leaving about 7%. The nine-point Gaza lead therefore sits on a twenty-two-point gap in who answered at all, and reading it as a straight difference in preference ignores the larger difference underneath it. The menu supports a comparison between options, not between territories.

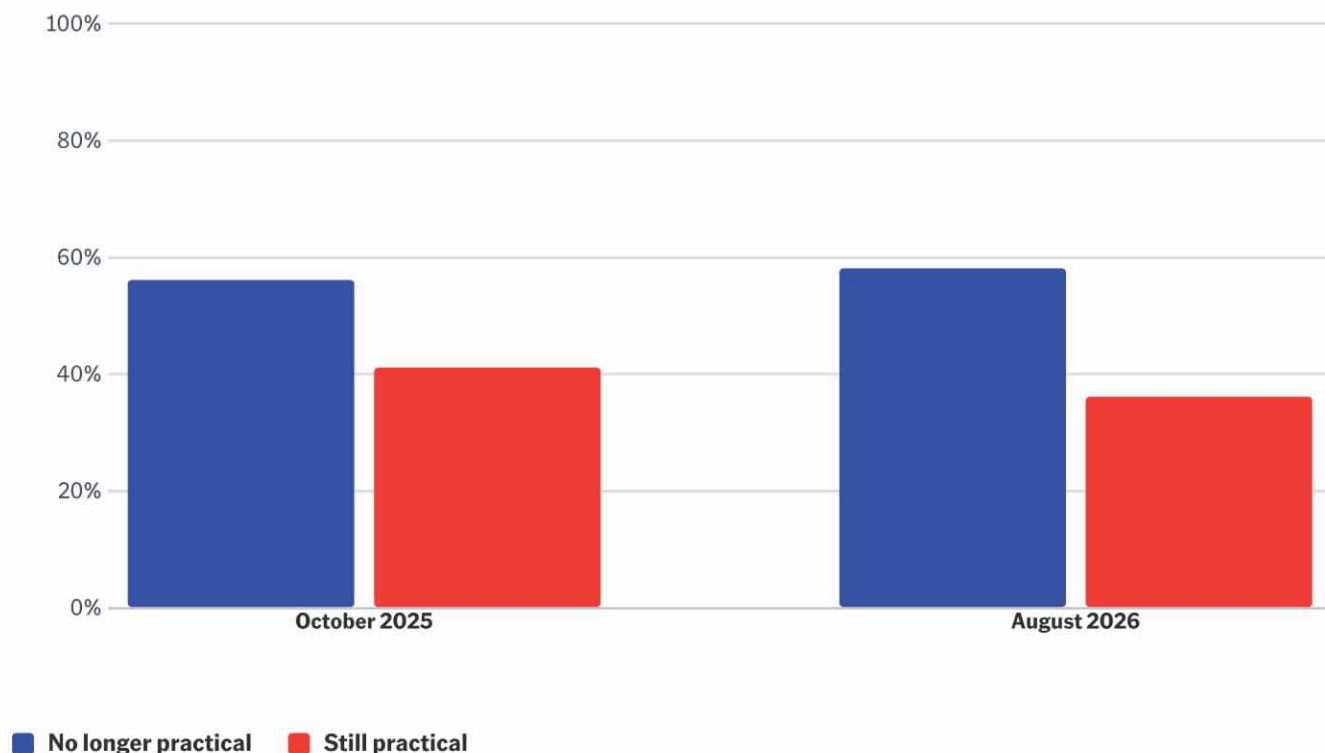
58% of Palestinians say the solution is no longer practical

58% say the two-state solution “is no longer practical because of [settlement expansion](#),” against 36% who say it remains practical, as the Palestinian Center for Policy and Survey Research recorded in August 2026 (n = 1,270, margin of error 3.5%). That is the item this survey puts closest to the question the governing bodies answer.

Ten months earlier the same pair read 56% and 41%, so both halves moved in the same direction by modest amounts. Practicality and support are not one measurement: a respondent can favour the framework and doubt it will happen, and on this instrument many do.

Is the two-state solution still practical?

PALESTINIAN RESPONDENTS, TWO WAVES OF ONE SURVEY SERIES



Source: Palestinian Center for Policy and Survey Research, Poll No. 97, fieldwork 5 to 8 August 2026.

The centre put a harder question alongside it. 64% say the chances of establishing an independent Palestinian state within the next five years are low or nonexistent, against 32% who put them at medium or high. That is a two-to-one expectation of failure inside a public a bare plurality of which opposes the framework outright.

Neither pair sums to 100, and the residuals differ: about 6% gave no answer on practicality and about 4% on the five-year question. The clause inside the question matters as much as the share it returns. Respondents were asked not whether the framework is practical but whether it is practical “because of settlement expansion,” with the cause named inside the item. The 58% therefore measures agreement with a proposition that already carries its own explanation, which is a narrower object than a general judgment of feasibility.

What do Palestinians say they would move to instead?

33% supported “abandoning the two-state solution in favor of a single state for Palestinians and Israelis,” against 27% ten months earlier, as the Palestinian Center for Policy and Survey

Research recorded in August 2026. The movement is in willingness to abandon the framework, and the same survey does not carry it into a settled alternative.

It is often said that a Palestinian public [losing faith in partition](#) has moved to supporting one state. What the evidence shows is that the two propositions are measured separately and return different numbers. The abandonment item draws 33%; the forced-choice menu in the same field period puts 10% behind a single state with equal rights and 14% behind a confederation, with 20% answering neither.

That distinction is what a headline framing loses. A third will endorse leaving the framework when the question offers leaving as the proposition. A tenth will choose the single state when the question makes them pick a destination. The gap is not a contradiction in the public; it is what happens when a question asks about exit rather than about arrival.

The no-answer share is the quietest figure in the set and among the largest. One in five declined the menu, a higher share than chose either named alternative, and in the West Bank the unanswered share runs near 29%. None of this speaks to what would follow: the Survey Research centre measures stated preference at one moment, not a prediction of anything.

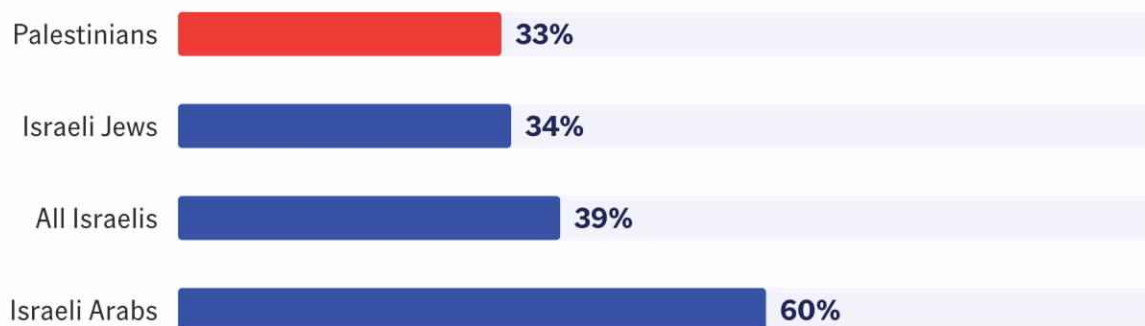
When were both publics last asked the same question?

In December 2022 fieldwork, the last joint wave the Palestinian Center for Policy and Survey Research has published with Tel Aviv University. The Joint Poll recorded 33% support among Palestinians and 34% among Israeli Jews for the general concept of a two-state solution, the lowest level for both since the Palestine/Israel Pulse began in June 2016.

Among Israeli Arabs the same poll recorded 60% support, bringing the total Israeli average to 39%. Two years earlier the two headline figures had stood at 43% and 42%, so the Palestinian reading fell ten points across that interval and the Israeli Jewish reading fell eight, each arriving at the lowest the Joint Poll has recorded.

Support for the general two-state concept

FOUR POPULATIONS, ONE INSTRUMENT, DECEMBER 2022 FIELDWORK



Source: Palestinian Center for Policy and Survey Research and Tel Aviv University, Joint Poll, December 2022 fieldwork.

Two further readings bear on viability directly. The Joint Poll recorded 70% of Palestinians judging the solution no longer viable against 27% judging it viable, and it states that “among Israeli Jews, however, support for one unequal state under Israeli rule is higher than the two-state solution,” a ranking rather than a share.

The series has published no later joint wave. Its index records waves in 2016, 2017, 2018, 2020 and this one and nothing after, so no current reading exists in which both publics answered the same question on one instrument. That is why the 33% here and the 44% above are not two points on one line: different frames, since this Palestinian sample includes East Jerusalem and the quarterly sample does not, different modes, and different wording.

Does the endorsed plan set a route to Palestinian statehood?

The Security Council recorded 13 votes to none with 2 abstentions on 17 November 2025, adopting Resolution 2803 and endorsing a Comprehensive Plan that opens a pathway to Palestinian self-determination once a Palestinian Authority reform programme is carried out and Gaza redevelopment has advanced. The authorization it creates runs until 31 December 2027.

The two texts inside that document do not say it the same way. The annexed Plan opens its point 19 with “While Gaza re-development advances and when the PA reform program is faithfully carried out,” and closes it by recognising Palestinian statehood as “the aspiration of the Palestinian people.” The Council’s own paragraph reverses that to “After the PA reform

program is faithfully carried out and Gaza redevelopment has advanced,” and drops the closing clause. A simultaneous condition in one text is a prerequisite in the other.

The verbatim record of the Council’s 10046th meeting documents who voted how: China and the Russian Federation abstained.

Verification is thinner than the framework. The only report the instrument requires is a six-monthly progress report from the Board of Peace, the transitional administration the resolution created, and the Board of Peace reported on 15 May 2026 on its own implementation. It states that ceasefire violations occur “on a near daily basis, some of which are serious,” with no total, no rate and no attribution, and records that the monitoring force had not deployed. A route exists on paper, the instrument states it two ways, and the body reporting on it is the body implementing it.

Methodology

This report draws on four kinds of source. First, primary instruments: Security Council Resolution 2803 with its annexed Comprehensive Plan, the recorded vote in the verbatim record of the 10046th meeting, and the Durban Declaration adopted by the World Conference against Racism in 2001. Second, a party’s own published positions: two dated 2026 statements by the PLO Executive Committee and the Palestinian Presidency, and the PLO Negotiations Affairs Department’s position paper. Third, two surveys by named organisations. Fourth, the report the Board of Peace filed on itself.

The Palestinian Center for Policy and Survey Research published Poll No. 97 from fieldwork of 5 to 8 August 2026, with 830 respondents in 83 West Bank localities and 440 in 44 Gaza localities, and an error of 3.5% on the whole sample. Two limits are the centre’s own: the frame excludes East Jerusalem, and Gaza interviewing was confined to areas without an Israeli military presence, shelter interviews standing in for areas under occupation. The Palestine/Israel Pulse is a separate instrument, its Israeli half collected online from a designed composition, so no figure here shares a line with a quarterly reading. Both Wafa items are reported speech, and no figure printed on the Negotiations Affairs Department page is used.

Conclusion

The PLO Executive Committee and the Palestinian Presidency state a position, and the public they speak for is a different object. On one side sit three dated documents saying nearly the same thing: a state on the June 4, 1967 lines with East Jerusalem as its capital, on a line the PLO's own paper defines.

On the other sits a public that was asked and answered. A bare plurality opposes the framework when the question offers nothing else; a clear majority chooses it when the question names alternatives; a larger majority says settlement expansion has made it impractical; two-thirds expect no state within five years; and a third would abandon it. The last time anyone asked both publics the same question, a third of each said yes.

Whether the Palestinian Authority supports a two-state solution is the easy half, and the record answers it plainly on the dates and in the words above. The harder half is what a negotiating position is for once the population it is stated on behalf of has largely stopped expecting it. If a framework survives in the instruments while draining out of the people who would have to live inside it, what exactly is being negotiated, and with whom?

Frequently Asked Questions

Who speaks for the Palestinian side here?

Three bodies, and they are not interchangeable. The PLO Executive Committee is the executive organ of the Palestine Liberation Organization, the Presidency is the office of the President of the Palestinian Authority, and the Negotiations Affairs Department publishes PLO positions.

Why do two shares from one survey disagree?

Because they are two questions. A bare support-or-oppose item returned 44%, while a menu naming three frameworks returned 56% for the 1967-borders option. The Palestinian Center for Policy and Survey Research published both.

How large is the Palestinian survey?

1,270 respondents, 830 in the West Bank and 440 in the Gaza Strip, interviewed face to face from 5 to 8 August 2026, with an error of 3.5% on the whole sample. The frame excludes East Jerusalem.

Is there a current reading of both publics at once?

No. The Palestine/Israel Pulse has published no wave since December 2022, so comparing the two publics in 2026 means comparing separate surveys by different houses.

What does “the June 4, 1967 borders” mean here?

The PLO Negotiations Affairs Department states that it is the 1949 Armistice Line with all legal modifications up to 4 June 1967, and records a willingness to discuss “mutually-agreed territorial exchanges.”

Does the Security Council framework recognise a Palestinian state?

Not as an operative act. Resolution 2803 endorses a plan opening a conditional pathway to self-determination, and the Council’s own paragraph drops the annexed clause on statehood as an aspiration of the Palestinian people.

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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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METHOD BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

Have Gaza's Casualty Counts Been Tested? Reading the One Sentence Behind the Claim and the Lists the Ministry Publishes

The 1.5% to 3.8% accuracy claim traces to one uncited sentence in a Lancet letter. What the Gaza health ministry publishes about its own lists.

Gaza

Casualty Counts

Mortality Data

Measurement Method

Source Provenance



The claim that Gaza's health ministry has historically reported accurate mortality data rests on one sentence in a one-page correspondence letter published in The Lancet on 6 December 2023, in which Huynh, Chin and Spiegel put the discrepancy against other analyses at 1.5% to 3.8% in previous conflicts and supply no reference marker. Their own measurement covers 35 days of 2023 and nothing earlier, and the quoted endpoints reproduce exactly, and only on the Gaza Ministry of Health's own count as the denominator, from three number pairs an Associated Press explainer of 26 October 2023 records without computing a percentage. A search of the biomedical and preprint literature and of the open web on 10 September 2026 located no peer-reviewed study comparing a pre-2023 ministry count against any other body's count.

Key Findings

- The historical-accuracy claim traces to one sentence in a one-page correspondence letter published online 6 December 2023, which states a discrepancy of **1.5% to 3.8%** in previous conflicts and, verified in the full text and again in the typeset PDF, carries no reference marker (Huynh, Chin and Spiegel, 2024).
- The letter's own measurement is a 35-day comparison running 7 October to 10 November 2023, in which Huynh, Chin and Spiegel report **5.3 deaths per 1,000** against 7.8 per 1,000 on two different populations. They measure nothing before 2023.
- Computed from the three number pairs the Associated Press explainer of 26 October 2023 records, 4 of 260 gives **1.5%** and 55 of 1,440 gives 3.8%, both on the Gaza Ministry of Health's own count as the base; on the counterpart base the same figures give 1.6% and 4.0% and appear nowhere.
- The Gaza Ministry of Health states **28,185** records with complete data and 9,715 whose data was not yet complete as of 30 June 2024, and defines the pair itself. Both are that ministry's own count, not independently verified.
- **5,817** of those 28,185 records carry the source label of notification by the martyrs' relatives, against 22,368 labelled ministry records, on the provenance column the Gaza Ministry of Health publishes.

Where does the claim of historical accuracy come from?

The claim that the Gaza Ministry of Health has historically reported accurate mortality data traces, in every place it circulates, to one sentence in a one-page correspondence letter by Huynh, Chin and Spiegel, published online in The Lancet on 6 December 2023. The sentence is quoted here whole, because the sentence is the evidence.

The Lancet published it under the title “No evidence of inflated mortality reporting from the Gaza Ministry of Health,” in an issue dated 6 January 2024, under DOI 10.1016/S0140-6736(23)02713-7. It is Correspondence rather than a research article, so it is editorially reviewed and not peer-reviewed. That status is disclosed here at first use and travels with every figure taken from it.

The sentence reads: “The Gaza MoH has historically reported accurate mortality data, with discrepancies between MoH reporting and independent United Nations analyses ranging from 1.5% to 3.8% in previous conflicts.” The journal sets decimals with a middle dot, so the printed strings are 1.5% and 3.8%; this report writes 1.5% and 3.8% in its own prose.

The title is itself an absence claim, and it is routinely upgraded in circulation. “No evidence of inflated” is not “verified,” not “accurate,” and not “confirmed,” and Huynh, Chin and Spiegel state in the same letter that mortality “might have been under-reported by the Gaza MoH due to decreased capacity.” They add that difficulties obtaining accurate mortality figures “should not be interpreted as intentionally misreported data,” which is a caution against an inference in one direction rather than a finding in the other (Huynh, Chin and Spiegel, 2024).

What did that one-page letter actually measure?

35 days, and nothing before 2023. The letter’s own measurement is a temporal comparison running from 7 October to 10 November 2023, in which Huynh, Chin and Spiegel set the Gaza Ministry of Health’s reported deaths against reported staff deaths published by the United Nations Relief and Works Agency over the same window.

The two published figures are, in the letter's words, "Cumulative reported deaths were 101 UNRWA staff members and 11 078 Gazans over 35 days." From those, Huynh, Chin and Spiegel derive two rates, 5.3 deaths per 1,000 against 7.8 per 1,000, and the inference they draw is narrow: the second rate exceeding the first is inconsistent with inflation of the first.

Those two rates run over two different populations, Gaza residents and one agency's Gaza staff, so both denominators travel together or neither does. The letter's data statement scopes its own data to October and November 2023: no pre-2023 comparison was conducted and no method for one is stated (Huynh, Chin and Spiegel, 2024).

The letter also relays a peacetime baseline it did not measure, an average of 4,884 registered deaths a year in Gaza across 2015 to 2019, which the Palestinian Central Bureau of Statistics produced. That is civil registration in peacetime and the 11,078 is wartime reporting over five weeks, so the two are never divided into one another.

What the letter measured is a five-week rate comparison inside the current war. What the quoted sentence asserts is a record of accuracy across earlier wars, and only the first was tested.

Does the 1.5% to 3.8% range carry a citation?

The historical-accuracy sentence carries zero reference markers, verified in the journal's HTML full text and again in the typeset PDF on 10 September 2026. Markers 1 and 2 close the sentence before it, about political scepticism, and marker 2 closes the sentence after it, about an 8.0% figure, so the range stands in a journal as a bare assertion.

The letter is short enough that this is easy to see rather than easy to miss. Huynh, Chin and Spiegel number their references in the ordinary way, and the markers sit on the sentences bracketing the range on either side.

A reference marker is the mechanism by which a journal converts an author's statement into a checkable one. Without it, the strongest available reading is that Huynh, Chin and Spiegel state the range on their own authority, in a piece the journal classes as Correspondence rather than as refereed research.

This matters out of proportion to its size because of where the sentence travels. The range is the most widely quoted casualty-method figure on this subject, and every restatement of it passes through this one uncited line. A reader who follows the citation back looking for a study finds a letter, and inside the letter finds no pointer at all for that clause.

The range is nonetheless reproducible, because the letter carries a reference two sentences later, and the source behind that marker records numbers from which both endpoints recover exactly. That is arithmetic rather than retrieval, and it is set out in full below (Huynh, Chin and Spiegel, 2024).

Which three wars do those percentages reproduce from?

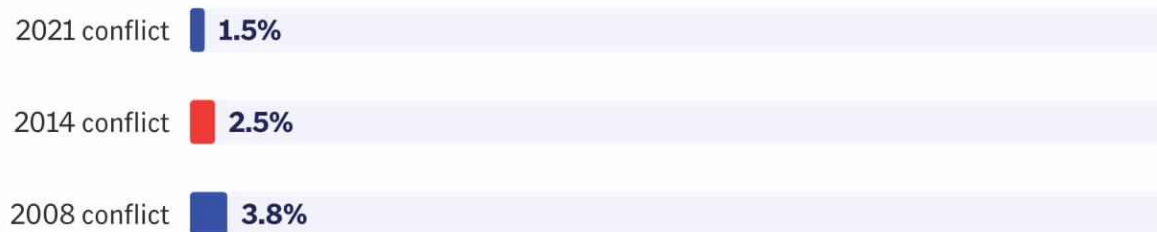
Three dated number pairs, and no percentage at all, sit in the Associated Press explainer of 26 October 2023, updated 6 November 2023, that the letter points to two sentences later. It records the Gaza Ministry of Health's own counts for three earlier conflicts, 1,440 for 2008, 2,310 for 2014 and 260 for 2021, each beside a counterpart toll, and computes nothing.

Computed here on 10 September 2026, a difference of 4 on the 2021 pair gives 1.5% of 260, and one of 55 on the 2008 pair gives 3.8% of 1,440. Those are the two published endpoints, recovered exactly. Each difference is the gap between the two tolls inside a pair, and each divides into the Gaza Ministry of Health's figure rather than into its counterpart.

The 2014 pair falls at 2.55%, and that value appears nowhere in the letter. It is therefore the interior of the range rather than an endpoint, which is what a range built from three values of this kind would look like.

What each conflict's number pair computes to

DIFFERENCE AS A SHARE OF THE HEALTH MINISTRY'S OWN COUNT



Source: Computed from the three number pairs printed in the Associated Press explainer of 26 October 2023. The ministry counts in each pair are that ministry's own.

The November 2012 conflict is absent from the explainer altogether, so “previous conflicts” in the quoted sentence means three of them rather than every earlier war.

The counterpart figures in the pairs are post-war tolls published by the United Nations Office for the Coordination of Humanitarian Affairs, named here only as what the Associated Press explainer of 26 October 2023 records. They carry no finding in this report. The answering figures are the Gaza Ministry of Health's own counts of 1,440, 2,310 and 260, and the arithmetic reproduced from them above.

Whose count is the denominator in that comparison?

The Gaza Ministry of Health's own count, and only its own. Every percentage the letter publishes reproduces exactly when the ministry's figure is the denominator, and none of them reproduces on the counterpart figure, so the range is a share of a party's own count rather than of a separately produced one. Huynh, Chin and Spiegel never state what the range is a share of.

On the ministry base the three differences give 1.5%, 3.8% and 8.0%, matching the letter exactly. On the counterpart base the same three differences give 1.6%, 4.0% and 8.7%, and none of those values appears anywhere in the letter (Huynh, Chin and Spiegel, 2024).

The third value is the letter's own separate figure. Its next sentence states that a comparison between the Gaza health ministry and Israeli Foreign Ministry mortality figures for the 2014 war “yielded an 8.0% discrepancy,” and the Israeli Foreign Ministry reported 2,125 in that

comparison, that ministry's own count, published by a party to the conflict and not independently verified.

The word doing the heaviest work in the quoted sentence is "independent." The Associated Press explainer the letter points to does not use it. Its strongest phrasing is that the ministry's counts "have held up to U.N. scrutiny," and the same explainer records that the humanitarian office worked from medical records, which in Gaza are the ministry's own. On that relay the two counts are not established as drawn from separate record systems, so the adjective belongs to the letter rather than to the source it cites.

Has any study compared a pre-2023 count with another body's?

No such study was located in a search run on 10 September 2026, across the biomedical and preprint paper index in two framings returning 30 results, and across the open web. Nothing in the published literature compares a pre-2023 Gaza Ministry of Health count against any other body's count of the same deaths. The absence is recorded here, and no claim is made in either direction.

What a study of that kind would have to do is specific. It would need two counts of the same deaths, over the same window, produced through record systems that do not feed one another, with a stated matching rule and a stated treatment of the records each system misses.

The nearest items the search returned are each something else. Vaktskjold and colleagues, publishing in *Conflict and Health* in 2016, ran a chart review of non-war mortality in Gaza for July to September 2014, recording 1,241 deaths against 1,232 in the corresponding period of 2013 (Vaktskjold and colleagues, 2016). It is a peer-reviewed measurement of mortality, and it runs no count-against-count comparison.

The only peer-reviewed test ever turned on the ministry's registry is the capture-recapture analysis Jamaluddine and colleagues published in *The Lancet* in 2025, and it covers 7 October 2023 to 30 June 2024. It is a test of the current war and says nothing about any earlier one.

The record therefore holds a widely quoted assertion about three earlier conflicts, number pairs from which it reproduces arithmetically, and no study that ever ran the comparison.

What does the ministry say its two counts mean?

9,715 records whose data was not yet complete, against 28,185 records with complete data as of 30 June 2024, is what the Gaza Ministry of Health states in its own post of 24 July 2024. It defines the pair itself: the general martyr count is everyone who reached the hospitals, and the complete-data count is everyone whose data the ministry has finished.

That definition matters because the pair is routinely read as an identified-against-unidentified split. On the ministry's own wording it is not. It is an administrative state, the difference between a record the Gaza Ministry of Health considers finished and one it does not, and a record can be unfinished for reasons it does not enumerate.

The Gaza Ministry of Health publishes no count of any single missing field: no figure for records missing an identity number specifically, none for a missing date of birth, none for a missing address. The complete-data and not-yet-complete counts are the only completeness figures the issuing body puts out, so any claim about one particular missing field is not the ministry's claim.

The Gaza Ministry of Health also adds to its cumulative total by administrative approval rather than by new deaths, recording 233 additions on 23 March 2025 and 280 on 30 August 2025 as records approved by a judicial committee. Those are not deaths that occurred on those dates.

All of this is a party to the war reporting on its own record, self-reported and not independently verified, and cited here for what the Gaza Ministry of Health states about itself.

What does the ministry say it does not count?

Five exclusions, stated on 7 January 2024 and never withdrawn. The Gaza Ministry of Health states that it does not count the missing and the bodies trapped under rubble, the

unidentified who reached hospitals, the unidentified whose bodies Israel handed over, those buried by their families without passing through a hospital, or the victims in Gaza and North Gaza after its information system stopped in November 2023.

Read together, the five say what kind of object the list is: neither a census of the dead nor a roster of the identified, but a record of deaths that reached a recording system and were resolved within it. The Gaza Ministry of Health names the categories that never reach it.

The fifth exclusion is geographic as well as temporal: Gaza and North Gaza fall out of the ministry's own registration once its information system stopped in November 2023, so coverage is uneven across the Strip in a way the totals do not show.

The list documents carry their own cut-offs. The closing footnote of the list to 29 March 2024 records that for martyrs in the ministry's own records, Gaza runs only to 10 November 2023 while the south runs to 29 March 2024.

This is the issuing body's own scope statement, published by a party to the war and not independently verified. Its usefulness is that it is unusually explicit: a reader setting the ministry's total beside any other count knows, from the Gaza Ministry of Health itself, named categories the total was never built to hold.

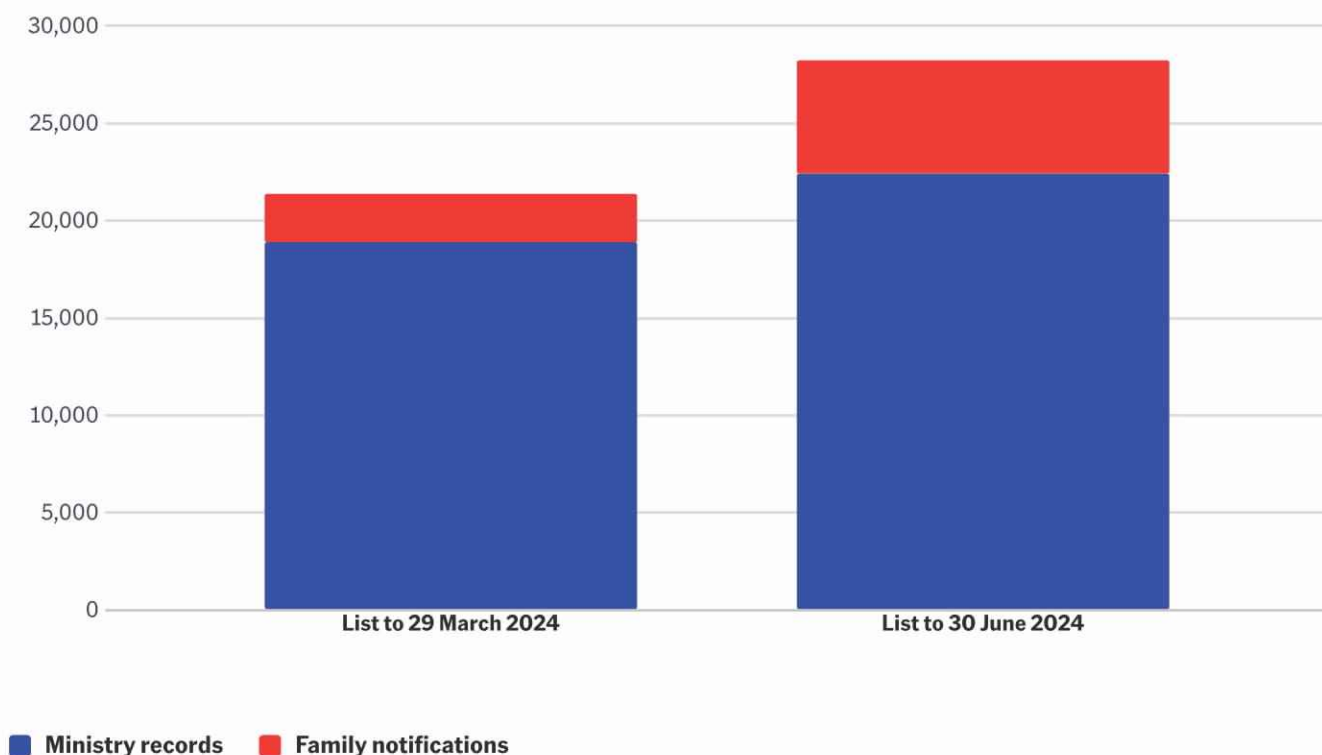
Where does each record on the list say it came from?

5,817 of the 28,185 records on the list to 30 June 2024 carry the Gaza Ministry of Health's own source label of notification by the martyrs' relatives, against 22,368 labelled ministry records. The two add to 28,185 exactly. The provenance column is the ministry's own field, not an outside reconstruction of it.

The earlier round is labelled the same way. The list to 29 March 2024, posted on 3 April 2024, records 21,323 entries and splits into 18,845 ministry records against 2,478 family notifications, and those two add to 21,323 exactly.

How the ministry labels its own records

TWO PUBLISHED MARTYR LISTS, BY THE SOURCE COLUMN EACH CARRIES



Source: Gaza Ministry of Health martyr lists of 3 April 2024 and 24 July 2024, the ministry's own source column and its own count.

Computed here from those published rows, the family-notification stratum moves from 11.6% of the March list to 20.6% of the June list. The share of the record reaching the ministry through relatives rather than through its own registration therefore roughly doubles across three months, on the ministry's own labelling.

Why that matters is a question about data quality rather than about totals. A hospital record and a family notification are produced by different people under different conditions, and the two strata differ visibly in how they are written, as the next section shows. A count in which one stratum is growing is a count whose internal composition is changing even when its definition does not.

This column is the most useful field on the published lists for anyone weighing the count, because it is the issuing body stating, record by record, which of its two channels produced the entry. It is also the field the next section shows is not always present.

Do the lists carry the same fields from round to round?

The Gaza Ministry of Health's list to 30 April 2024 carries six columns where its lists to 29 March, 30 June and 31 August 2024 each carry seven. The April round drops both the date-of-birth column and the source column and adds an address column, and the identity column is headed one way in March and a different way in June and August.

The seven-column schema runs serial number, name, identity or document number, date of birth, sex, age, and source. The six-column April schema runs serial number, name, document number, age, address, and sex. For that round there is no provenance split to read, because the field carrying it is absent.

The heading of the identity column also changes. In the March list it is the word for identity; in the June and August lists it is the phrase for document number. A reader building a series across rounds is matching a field whose label the ministry itself has changed.

Date formats differ by source stratum inside a single document. In the March list, rows labelled ministry records print full four-digit years while rows labelled family notifications print two-digit years with dashes. In the August list the oldest decedents carry two-digit years a mechanical reader takes for the current decade, which the age column in the same row contradicts.

None of this establishes that any record is right or wrong. It describes what the published documents contain, and it bears on what can be computed from them without the Gaza Ministry of Health's own arithmetic.

Does any published list carry a date of death?

None of the four list documents read on 10 September 2026 carries one. All four published by the Gaza Ministry of Health hold a serial number, a name, an identity or document number, a date of birth, sex, age and a source, and the Arabic phrase for date of martyrdom appears in no column header of any of them.

The consequence is structural. A name-by-name list with no date-of-death field cannot be sliced into a daily series, matched to a dated event, or compared period by period against any

other dated record. The cumulative totals in the ministry's daily statistical report are a separate document with a separate construction.

The Gaza Ministry of Health has stated why the field is weak. Its clarification of 29 July 2024 records that the date of death was registered either on the family's report or on the date the body reached the hospital, and that a committee formed to audit the actual date found martyrs who had been under 18 at death while being registered months later.

That is the issuing body describing a known defect in its own record, published by a party to the war and not independently verified. It also explains why the two channels produce different data quality: a family notification carries the date the family reported, a hospital record the date the body arrived.

The practical rule is narrow. Any figure presented as the ministry's count of deaths in a particular month or around a dated event cannot have come from the published lists, because the field it would require is not on them.

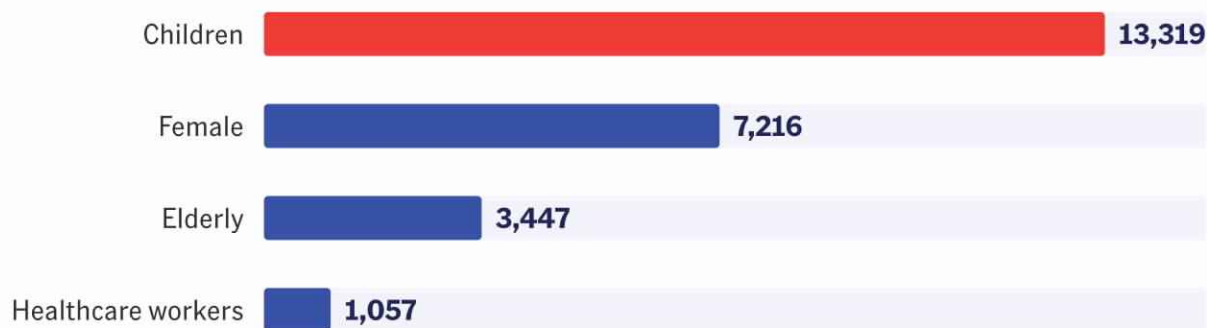
Do the child and women counts share the total's denominator?

13,319 child martyrs, stated "with complete data till October 7, 2024" in the Gaza Ministry of Health's own Health Annual Report, Palestine 2024, is printed beside a total of 43,587 with complete data at 11 December 2024 and 45,553 at 31 December 2024. The numerator's base sits two to three months before either total.

The same section publishes three further category counts on the same October base: 7,216 female martyrs, 3,447 elderly and 1,057 healthcare workers. Any share computed by dividing one of them into a total printed beside it is therefore a share whose base is months out of alignment with its numerator.

Category counts the ministry publishes

NON-EXCLUSIVE CATEGORIES, ALL STATED WITH COMPLETE DATA TO 7 OCTOBER 2024



Source: Ministry of Health, Health Annual Report, Palestine 2024, section 1.1. The ministry's own count.

The categories also partition nothing. The first three sum to 23,982, no men's category is published alongside them, and the healthcare-worker count overlaps all three, since a healthcare worker may also be counted as female or as elderly. A bar chart is the only honest shape for them, because a part-to-whole chart would present four overlapping counts as slices of one pie.

The later annual report changes the form again. For 2023 to 2025 the Gaza Ministry of Health publishes shares rather than counts, at 30% children, 16% women, 7% elderly and 47% men, against a stated total of 71,271. A report reading the two editions together is reading two different constructions of the same categories.

This is the mechanism behind any movement in a published women-and-children share, and it is a mechanism rather than a correction. The question of [what each share actually counts](#) is the subject of its own report.

Does the ministry's arithmetic reconcile with its own daily report?

A 23-record gap, on the ministry's own two numbers. The one place the Gaza Ministry of Health does the subtraction itself, its post of 24 July 2024, states a complete-data count and a not-yet-complete count whose sum lands on the total its daily report published the following morning rather than on the date it names.

The three documents, as the ministry published them:

Ministry document	Date it names	Cumulative total it carries
Daily statistical report	30 June 2024	37,877
Daily statistical report	1 July 2024	37,900
Post of 24 July 2024	30 June 2024	28,185 complete, 9,715 not yet complete

Source: Gaza Ministry of Health daily statistical reports and its post of 24 July 2024, each the ministry's own count, published by a party to the war and not independently verified.

Adding the ministry's own pair gives 37,900, its total for 1 July. A reader subtracting 28,185 from the 30 June total of 37,877 instead gets 9,692, not the 9,715 the Gaza Ministry of Health states. The addition is the ministry's; the subtraction is this report's.

The same slip runs through the annual report, whose period-end pair of 45,553 killed and 108,379 injured for "between October 7, 2023, and December 31, 2024" are the figures the ministry published on 1 January 2025, against its own 45,541 for 30 December.

Neither observation makes a figure wrong. Both mean a ministry period-end figure should be read as the next morning's daily report until it is checked.

Is the one peer-reviewed test independent of the ministry's list?

22,368 and 5,817, the same two numbers on both documents. The two ministry input lists that Jamaluddine and colleagues describe in their capture-recapture study, hospital morgue records and a rolling online mortality survey launched on 1 January 2024, are precisely the two strata the ministry's own list to 30 June 2024 decomposes into under its source column, for the identical window.

The Lancet published that study in 2025, peer-reviewed, and Jamaluddine and colleagues estimate 64,260 deaths due to traumatic injury between 7 October 2023 and 30 June 2024, with a 95% confidence interval of 55,298 to 78,525. It is the only peer-reviewed estimate ever produced against this registry.

Its third list is manually scraped social media obituaries. Two of the three inputs are therefore the ministry's own channels, which means the estimate measures [the completeness of that record](#) rather than counting the dead independently of it. Jamaluddine and colleagues present it as a completeness test (Jamaluddine and colleagues, 2025).

It is also narrower than its headline suggests: it covers traumatic injury alone, excluding deaths from healthcare disruption, food insecurity and disease, and its confidence interval spans more than 23,000 deaths.

The lock between the two halves of this report sits here. The historical claim rests on an uncited sentence about wars no study has examined, and the one study that has examined this war was built from the two strata the Gaza Ministry of Health prints in its own provenance column. On this record the count has never been measured against a record system separate from itself.

Methodology

This report reads named documents and describes what each measured and contains.

Four kinds of source are drawn on. A correspondence letter in a peer-reviewed journal, editorially reviewed rather than refereed (Huynh, Chin and Spiegel, 2024). A peer-reviewed research article (Jamaluddine and colleagues, 2025). A peer-reviewed chart review (Vaktskjold and colleagues, 2016). And the official records of the Gaza Ministry of Health, a party to the war reporting its own count: every ministry figure here is self-reported and none independently verified.

An international news explainer is cited for what it recorded, not as a measurement. The counterpart tolls inside its number pairs were produced by a United Nations humanitarian office and are named only as what the Associated Press explainer of 26 October 2023 records.

Four arithmetic operations are the Institute's own on published rows, marked where they occur: the percentages computed from the number pairs, the same three on the alternative denominator, the two family-notification shares, and the subtraction of the complete-data count from the daily total.

Three limitations bound it. The ministry's list documents are published only through its media office channel and not on any ministry web host, so they were read from a public mirror whose record counts and column sets match the ministry's own description. The literature search behind the absence finding was run on 10 September 2026 across the biomedical and preprint index and the open web, and an absence established by search is bounded by it. Nothing in the sources read establishes whether the pre-2023 counts were accurate against another body's count, because no study has run that comparison.

Conclusion

So has the Gaza Ministry of Health's historical accuracy ever been tested? On the record read here the sentence carrying the claim has never been a test. It is one line in a one-page letter, printed without a reference marker, in a piece The Lancet classes as Correspondence, whose authors measured five weeks of 2023 and nothing before.

Every element of the claim is checkable and none of it is a measurement. The quoted endpoints reproduce from three number pairs in a news explainer that computes no percentage, and only on one denominator, the ministry's own. The 2014 value sits unprinted inside the range, and the literature holds no study that ever ran the comparison. What the Gaza Ministry of Health publishes about itself is concrete by comparison: a complete-data count it defines in its own words, five exclusions it has never withdrawn, a provenance column splitting one list into ministry records and family notifications, a schema that changes between rounds, no date of death on any published list, category counts whose base sits months before the total beside them, and an addition of its own two figures landing on the next morning's total.

A record that names its own gaps is doing something a slogan cannot do in either direction, and it is the only thing here a reader can check line by line. The one peer-reviewed instrument ever turned on it was assembled from two of its own strata.

Which leaves a question about vocabulary rather than about Gaza. When a count has been called accurate for two decades on the strength of a sentence nobody sourced, what exactly has the word been reporting?

Frequently Asked Questions

What would a test of the ministry's reliability actually have to compare?

Two counts of the same deaths, over the same window, from record systems that do not feed one another. No such study exists for any pre-2023 conflict, and the one peer-reviewed analysis of the current war drew two of its three lists from the ministry itself (Jamaluddine and colleagues, 2025).

Are the figures Hamas's own?

The lists and the daily statistical report are published by the Gaza Ministry of Health, a ministry of the authority governing the Strip and a party to the war, and are commonly called Hamas figures. Alongside them the Gaza Ministry of Health publishes a definition of its two counts, five named exclusions, and a provenance column separating its own records from family notifications.

How many records on the ministry's lists are missing an identity number?

No such figure exists. The Gaza Ministry of Health publishes no count of any single missing field, only the pair it defines itself: 28,185 records with complete data and 9,715 not yet complete as of 30 June 2024.

Can the published lists be used to build a timeline of deaths?

No, because none of the four carries a date-of-death field. Any monthly or event-linked figure attributed to the ministry comes from its daily statistical report, a separate document of cumulative totals rather than named records.

What does the 8.0% figure in the letter refer to?

It is a separate comparison for the 2014 war, between the Gaza health ministry's count of 2,310 and the 2,125 the Israeli Foreign Ministry reported, that ministry's own count and not independently verified. Like the others it reproduces only on the Gaza ministry's denominator (Huynh, Chin and Spiegel, 2024).

Does the capture-recapture estimate settle the question?

It measures something narrower than the question asks. Jamaluddine and colleagues estimate 64,260 deaths from traumatic injury to 30 June 2024, with a confidence interval of 55,298 to 78,525, excluding disease, food insecurity and healthcare disruption. Two of its three lists are the ministry's own.

Sources

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

How Does the Gaza Blockade Affect Children? Reading the Child Population Each Bureau Projects and the Counts the Ministry Publishes

1,046,400 children under 18 lived in Gaza at mid-2023 on the bureau's own projection, and the ministry that counts children among the dead counts no missing.

Gaza

Children

Population Statistics

Casualty Counts

Missing Persons



1,046,400 children under 18 lived in the Gaza Strip at mid-2023, 47% of the population the Palestinian Central Bureau of Statistics projects for that date. Every figure a reader is likely to meet about Gaza's children traces to that bureau or to one other body, the Gaza Ministry of Health, which counts children among the dead on lists it compiles and publishes itself. Both are parties to the events they report, and each measures something the other does not. The Gaza Ministry of Health reported 872 infants under one year inside a child count of 15,613 on 23 March 2025, and the same ministry has stated since 7 January 2024 that the missing and the bodies trapped under rubble are not counted at all, which is why the question of how many of Gaza's children are missing has no primary record behind it.

Key Findings

- **1,046,400 children under 18** lived in Gaza at mid-2023, 47% of a projected population of 2,226,544, split 534,000 male and 512,400 female. The Palestinian Central Bureau of Statistics labels the series a revised estimate based on the final results of its census of 1 December 2017, so it is a projection and never an enumeration.
- The Palestinian Central Bureau of Statistics measured Gaza's annual unemployment rate at **45.3% in 2022** against 13.1% in the West Bank, on one household survey run to one set of definitions, with discouraged jobseekers excluded by the Bureau's own stated rule.
- **59.3% of Gazans aged 15 to 29** were unemployed in the second quarter of 2023, against 22.4% in the West Bank. The Palestinian Central Bureau of Statistics measured it, and the World Bank reported it in September 2023 to the Ad Hoc Liaison Committee, in the last such report before 7 October.
- **\$300.7 of output stood behind each Gaza resident** in the third quarter of 2023 at constant 2015 prices, against \$1,129.1 in the West Bank, on quarterly national accounts the Palestinian Central Bureau of Statistics publishes itself. 47% of the people that output was divided among were under 18.
- **872 of 15,613 children** counted among the dead had not completed a first year, on the Gaza Ministry of Health's statement of 23 March 2025, a health ministry under the authority

governing Gaza reporting its own count. The same ministry publishes category lists for children, women, the elderly and the orphans of martyrs, and none for the missing.

How many children lived in Gaza before the war?

1,046,400 children under 18 lived in the Gaza Strip at mid-2023, 47% of the population the Palestinian Central Bureau of Statistics projects for that date. The Bureau labels the series a revised estimate based on the final results of its census of 1 December 2017, so the number is carried forward from a measured base rather than counted.

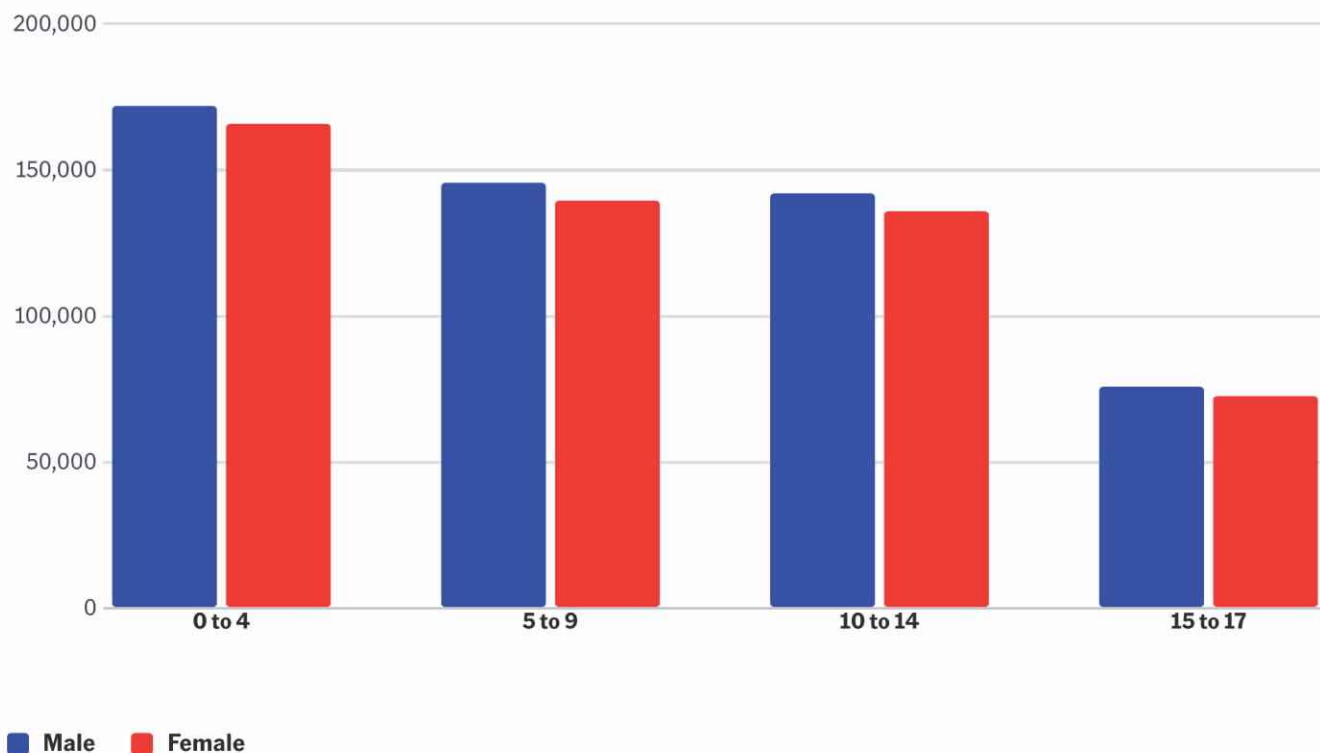
The measured base is the census itself. The Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Gaza Strip on the reference date of 1 December 2017, in the third and most recent census a Palestinian statistical authority has conducted. Every population figure for Gaza after that date, including the one above, is projected off it.

The Bureau publishes the projection broken down. Of the 1,046,400, the Palestinian Central Bureau of Statistics records 534,000 male and 512,400 female, and prints the five-year bands beneath: 171,595 boys and 165,462 girls aged 0 to 4, 145,276 and 139,182 aged 5 to 9, 141,660 and 135,532 aged 10 to 14, and 75,469 and 72,224 aged 15 to 17.

Two properties travel with that figure. The Bureau is a party to the events it reports, and its own later brief states that the Gaza population at the end of 2025 stood below the pre-war projections, attributing the change to war-related deaths, missing persons, reduced births and forced out-migration together. So 1,046,400 is a pre-war quantity, and reading any wartime count against it compares a wartime numerator to a projected pre-war base. The Palestinian Central Bureau of Statistics states that basis on its own source lines, which is what makes both limits checkable rather than inferred.

Gaza's projected child population by age band

CHILDREN UNDER 18 AT MID-2023, PROJECTED OFF THE CENSUS OF 1 DECEMBER 2017



Source: Palestinian Central Bureau of Statistics, 2023, the Bureau's own projection off its 2017 census.

Do the two published child shares, 47% and 40%, disagree?

No: 47% and 40% are two age cut-offs on one population rather than two estimates of one quantity, and the Palestinian Central Bureau of Statistics published them three months apart. The first counts every child under 18, the second stops three years earlier, and the two reconcile exactly on the Bureau's own published age bands.

The arithmetic is short enough to check. Summing the bands the Palestinian Central Bureau of Statistics publishes for ages 0 to 4, 5 to 9 and 10 to 14 gives 898,707 children under 15, which is 40.4% of the projected mid-2023 population of 2,226,544. Adding the 15-to-17 band gives 1,046,400 under 18, which is 47.0% of the same base. That sum is arithmetic on the Bureau's published bands rather than a total the Bureau itself prints.

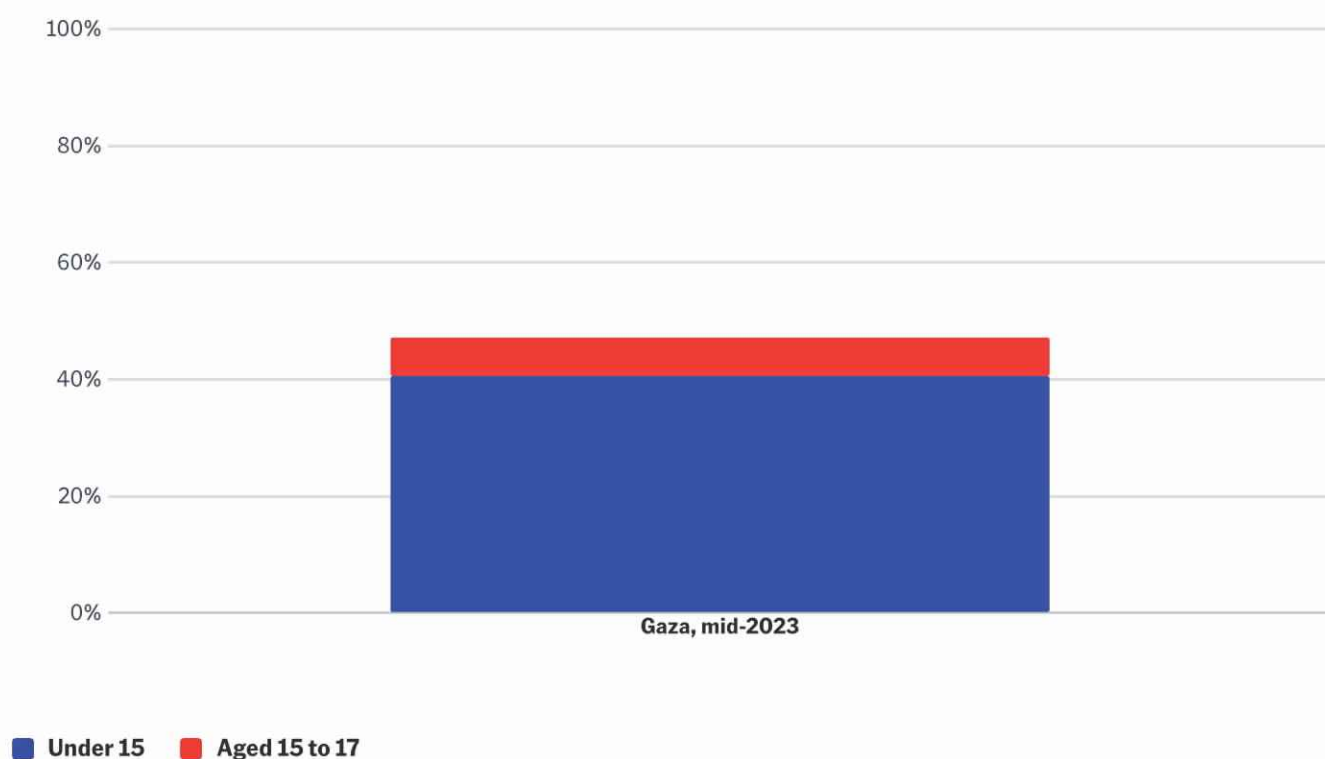
The 15-to-17 band is therefore 147,693 people, 6.6% of the projected population, and it is the whole of the difference between the two published shares. Neither release revises the other. The Palestinian Central Bureau of Statistics published the first for Palestinian Child Day in April 2023, reporting the under-18 population because childhood was its subject, and

published the second for World Population Day three months later, reporting the conventional demographic split at 0 to 14 and 65 and over.

Reading the two as rival estimates of one quantity is the error the pair invites, and it produces a seven-point discrepancy that does not exist. What the pair does show is a structural fact about the population the [blockade-era figures](#) below are divided among: on either cut-off the Gaza Strip's child share runs well above the West Bank's, which the same bureau reported as 41% under 18 and 35% under 15 for the same date.

The two published shares are one population

SHARE OF GAZA'S PROJECTED MID-2023 POPULATION, BY AGE CUT-OFF



Source: Palestinian Central Bureau of Statistics, 2023; the split is arithmetic on the Bureau's own age bands.

Did the same eleven years look the same in the West Bank?

No: the Palestinian Central Bureau of Statistics measured Gaza's annual unemployment rate at **45.3% in 2022** against 13.1% in the West Bank, the far ends of a gap that had been opening

for eleven years. Both series come from one bureau, one household survey and one set of definitions, so the divergence is not an artefact of two methods being set against each other.

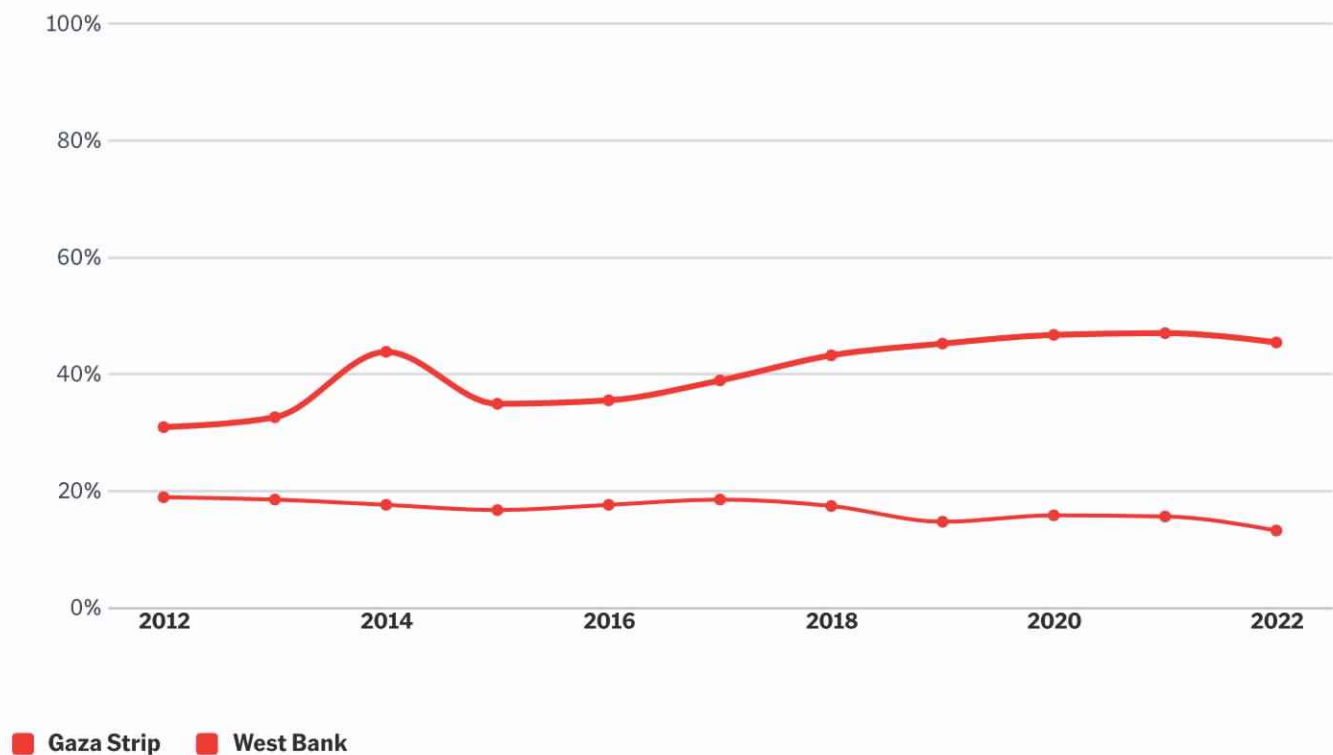
The two series start close and separate. In 2012 the Bureau recorded Gaza at 30.8% and the West Bank at 18.8%, a gap of twelve points. By 2022 it recorded Gaza at 45.3% and the West Bank at 13.1%, a gap of thirty-two. Gaza's rate crossed 40% in 2014, fell back, and then rose in every year from 2015 to 2021 before easing slightly, while the West Bank's drifted down across the same decade.

The definition matters to what the numbers mean. The Palestinian Central Bureau of Statistics counts as unemployed those aged 15 and above who did not work at all in the reference period, were not absent from a job, were available for work and had actively sought a job in the previous four weeks. It states separately that discouraged jobseekers, people available for work who are not currently seeking it but sought it within the past six months, are excluded. In a labour market where seeking work has been unproductive for a decade, an exclusion of that kind pushes the measured rate down rather than up.

This is the environment the 1,046,400 children of the previous section were born into and grew up in. A child who was 7 years old in 2012 turned 18 in 2023, and the eleven-year series the Bureau published is the whole of that child's schooling set beside the same bureau's reading of the territory next door.

Annual unemployment rate, Gaza and the West Bank

PALESTINIAN CENTRAL BUREAU OF STATISTICS LABOUR FORCE SURVEY, 2012 TO 2022



Source: Palestinian Central Bureau of Statistics, 2023, Labour Force Survey; a national statistical office and a party to the events.

What did the labour market record for the generation raised under the blockade?

59.3% of Gazans aged 15 to 29 were unemployed in the second quarter of 2023, against 22.4% of the same cohort in the West Bank. The Palestinian Central Bureau of Statistics measured it on its own source lines, and the World Bank reported it in September 2023 to the Ad Hoc Liaison Committee, in the last such report the Bank produced before 7 October.

The figure splits by sex, and the split is wide. Among young Gazan men the Bureau recorded 54.0%; among young Gazan women it recorded 77.1%. The West Bank comparison runs 17.0% and 42.8%. So the lowest of the four Gaza readings sits more than three times above the lowest West Bank reading, and the highest sits close to eight in ten.

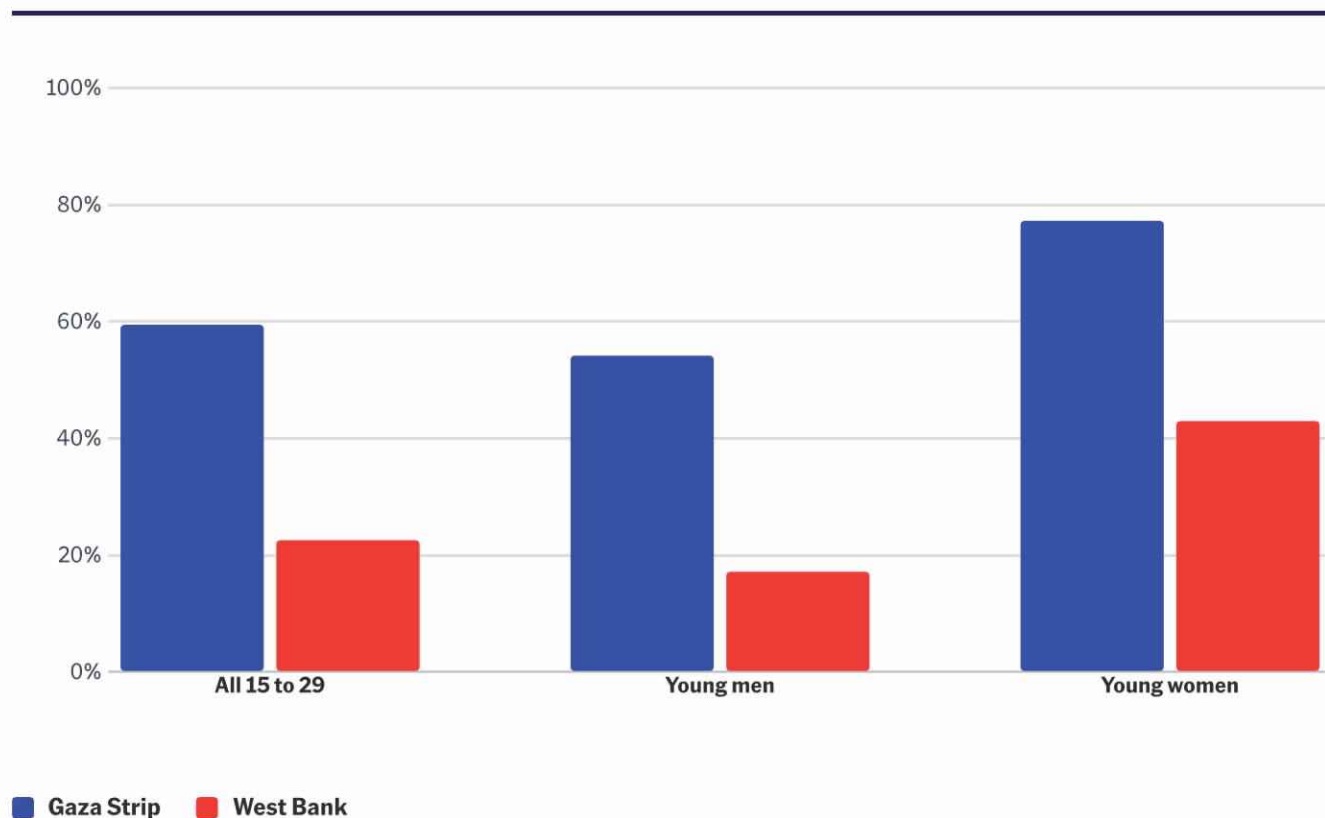
Two features of the underlying survey bound what those shares describe. They are shares of the labour force rather than of the age group: a young person who is not available for work or not seeking it falls outside the denominator entirely, and the Palestinian Central Bureau of Statistics put Gaza's overall labour force participation rate in the same quarter at 39.9%

against 47.8% in the West Bank. The same discouraged-jobseeker exclusion applies here as in the annual series.

The World Bank reported the quarter's other readings alongside. Gaza's economy contracted by 2.6% year on year in the first quarter of 2023 while the West Bank grew 4.3%, a contraction the Bank attributes chiefly to agriculture, forestry and fishing. Every Gaza figure in that report carries a Palestinian Central Bureau of Statistics source line, so the Bank relayed the numbers and supplied the framing and measured none of them itself.

Youth unemployment, ages 15 to 29, second quarter 2023

SHARE OF THE LABOUR FORCE IN EACH COHORT



Source: Measured by the Palestinian Central Bureau of Statistics; reported by the World Bank, September 2023.

What output stood behind each resident in the last full quarter before the war?

\$300.7 of output stood behind each Gaza resident in the third quarter of 2023, at constant 2015 prices, against \$1,129.1 in the West Bank and \$773.0 for Palestine as a whole. The

Palestinian Central Bureau of Statistics publishes those figures in its own quarterly national accounts, and they are quarterly rather than annual.

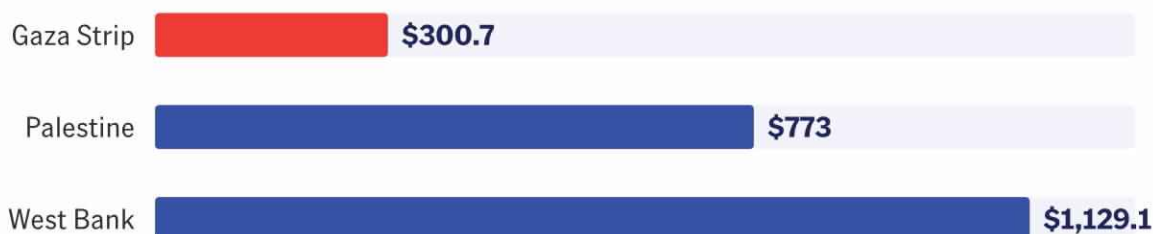
That was the last full quarter before 7 October 2023, and it was not an outlier in the series. The Bureau's quarterly readings for Gaza run 313.9, 318.3, 305.8 and 314.5 across the four quarters of 2022, then 297.7, 290.0 and 300.7 across the first three of 2023. The line is flat and slightly declining, so the third quarter of 2023 is an ordinary reading of a settled level rather than a shock.

Three cautions belong with the comparison. The ratio between the Gaza and West Bank figures is arithmetic a reader performs, not a figure the Palestinian Central Bureau of Statistics publishes. A quarterly per-capita figure cannot be multiplied into an annual one and set against an annual national-accounts total, because the two are different products. And the denominator is the projected population of the first section, so the per-capita line inherits every limit that projection carries.

The reason the figure belongs in a report about children is the denominator itself. 47% of the people among whom that output was divided were under 18, on the same bureau's projection for the same date, the highest child share of the three geographies the accounts report. Output per person is not a measure of any child's circumstances, and the Bureau makes no such claim for it. It is a measure of how much economic activity the territory registered, set against how many people lived there.

Quarterly output per resident, third quarter 2023

GROSS DOMESTIC PRODUCT PER PERSON, CONSTANT 2015 PRICES, ONE QUARTER



Source: Palestinian Central Bureau of Statistics, 2023, quarterly national accounts.

How many of the children counted had not reached their first birthday?

872 of 15,613 children counted among the dead had not completed a first year, on the Gaza Ministry of Health's statement of 23 March 2025. The same statement records 247 children born and killed during the war. Both are the count of a health ministry under the authority governing Gaza, reporting on its own record, and neither is independently verified.

The Gaza Ministry of Health issued that statement alongside its daily report for the same date, which recorded 50,021 dead and 113,274 injured. The child figure is drawn from the same record and on the same date, which is the only basis on which the infant breakdown can be read, since dividing 15,613 into a total published for a different day compares two moving series.

An earlier statement from the same ministry, dated 13 August 2024, had put 115 infants born and killed during the war. The figure of 247 published seven months later is a later reading of the same category by the same body rather than a second body's estimate.

What the infant figure describes is narrow and worth stating plainly. It counts deaths of children under one year that entered the ministry's record, so it inherits every exclusion the Gaza Ministry of Health states for that record, and it says nothing about causes, which the ministry does not classify. It is also the finest age resolution this publisher offers. Below the age of one the ministry publishes a number; above it, the record carries a date of birth per entry and no published breakdown by year of age. A [child share of the recorded dead](#) is a different quantity again, and moves with whichever total it is set against.

Why is a child's age in that list an uncertain field?

Because the date was registered on the family's report or on the day the body reached a hospital, and the Gaza Ministry of Health stated so itself on 29 July 2024. A committee it then formed to audit the actual date found that a number of those counted had been under 18 at death while being registered several months later, on the ministry's own account of its own record.

The lists the Gaza Ministry of Health publishes compound the problem in a second way. Their columns carry a serial number, a name, an identity or document number, a date of birth, a sex, an age and a source. They carry no column for the date of death. So the field that fixes a person's age at the moment that matters is the one field the list does not print, and the age column is computed against a registration date the ministry has itself described as unreliable.

The schema is also not stable between rounds. Three of the four lists the ministry published across 2024 carry a date-of-birth column and a source column; the list of 30 April 2024, running to 24,682 records, carries neither, substituting an address column instead.

List	Records	Date of birth	Source column
29 March 2024	21,323	published	published
30 April 2024	24,682	absent	absent
30 June 2024	28,185	published	published
31 August 2024	34,344	published	published

Source: Ministry of Health, Gaza, the published martyr lists; each is the ministry's own record and none is independently verified.

The source column, where it appears, is the ministry's own provenance label, and it decomposes the list into two strata. The list to 30 June 2024 holds 22,368 records marked as ministry records and 5,817 marked as notification by relatives, which are precisely the two input lists Jamaluddine and colleagues used in the capture-recapture analysis The Lancet published in 2025. The list of 30 April, which drops that column, cannot be read the same way at all.

How many children are missing?

The Gaza Ministry of Health publishes no count of missing children, and has stated five exclusions from its record since 7 January 2024, the first of which is that the missing and the bodies trapped under rubble are not counted. The ministry has never withdrawn those

exclusions. Its category lists cover children, women, the elderly and the orphans of martyrs, and it publishes no equivalent list for the missing.

The other four exclusions the Gaza Ministry of Health states are of a piece with the first. Unidentified people who reached hospitals are not counted. Unidentified people whose bodies were handed over are not counted. Those buried by their families without passing through a hospital are not counted. And victims in Gaza and North Gaza after the information system stopped in November 2023 are not counted.

So the body that publishes a child count publishes no child-missing count, and says why in its own words: its list is a record of deaths that reached its facilities or were reported to it on a form, which is a different object from a census of the dead and a very different object from a register of the unaccounted for.

This absence is bounded and should be stated with its bounds. It is an absence in the output of one publisher, read across the lists it published, the daily statistical reports it publishes and the completeness statements that travel with them, to 10 September 2026. It is not a finding that no such figure exists anywhere, and it is not a claim about how many children are missing, which no record read here supports in either direction. What it is, is the answer the primary record returns when the question is put to it. The publisher that counts children among the dead does not count the missing, has stated so for more than two years, and publishes nothing that would allow the number to be derived from what it does count.

Which records did reach the count from the missing-persons file?

233 records were added to the Gaza Ministry of Health's cumulative total on 23 March 2025 and 280 on 30 August 2025, described by the ministry as records completed and approved by a judicial committee following the notifications and missing-persons file. A further 160 were added during August 2026 by a martyrs' approval committee. Each is the ministry's own administrative act.

These are the only trace the missing leave in this primary record, and the trace is of a particular kind. An addition of this sort does not register a new death. It registers a file that

an approval committee has finished working on, so movement in the total reflects administrative completion rather than an event, and the date attached to the addition is the date of the approval rather than the date of the death.

The scale is worth stating against the counts the same ministry publishes. The three additions total 673 records across seventeen months, set against a cumulative figure the Gaza Ministry of Health reported at 73,670 on 10 September 2026. They are a rounding movement in the total and a substantial body of individual files at the same time.

What they do not do is answer the question of the previous section. A record that completes and enters the count has by definition stopped being a missing-person file, so the additions describe the flow out of that file and never its size. No statement the ministry has published gives the number of files remaining in it, the number of children among them, or the rate at which a committee works through them. The additions are visible; the pool they are drawn from is not.

Records added by administrative approval

ADDITIONS TO THE MINISTRY'S CUMULATIVE TOTAL FOLLOWING THE NOTIFICATIONS AND MISSING-PERSONS FILE



Source: Ministry of Health, Gaza; the ministry's own count of its own administrative additions.

Methodology

This report reads two publishers, both parties to the events they report, and labels each figure by the body that produced it, the date it covers and its source type.

Official statistics from a national statistical office. The Palestinian Central Bureau of Statistics supplies the child population and its age bands, the unemployment series for 2012 to 2022 and the definitions behind it, the quarterly national accounts for 2022 and 2023, and the youth-unemployment readings for the second quarter of 2023. The Bureau is a party to the events, and every population figure it publishes for Gaza after 1 December 2017 is a projection off the census of that date, in which the Palestinian Central Bureau of Statistics counted 1,899,291 residents. The Bureau labels the series itself as a revised estimate based on the final results of that census. Its brief on the status of the Palestinian people at the end of 2025 is cited for the downward revision it applies to the pre-war projections.

A party's own record. The Gaza Ministry of Health supplies the child count, the infant breakdown, the five stated exclusions, the account of how a date of death was registered, the list schemas and the three administrative additions. It is the health ministry of the authority governing Gaza, self-reported throughout, and none of its figures is independently verified.

Compiled reporting and peer-reviewed research. The World Bank reported the second-quarter 2023 labour-market readings in *Racing Against Time*, its September 2023 report to the Ad Hoc Liaison Committee, on Palestinian Central Bureau of Statistics source lines, and measured none of them. Jamaluddine and colleagues published the capture-recapture analysis in *The Lancet* in 2025, cited here only for the two ministry input lists it worked from.

Five limits bear on the reading. A projected population is not a count, and the word projected is used throughout for that reason. The 47% and 40% shares are two age cut-offs from one bureau and are never presented as competing estimates. The 898,707 and 147,693 figures are arithmetic on the Bureau's own published bands and are marked as such. No figure from the ministry is divided into a total published on a different date. And the absence recorded in the missing-children section is bounded to one publisher's own output, read to 10 September 2026, rather than offered as a statement about the wider record.

Conclusion

So how does the blockade show up in the record of Gaza's 1,046,400 children? It shows up as two publishers and one gap between them. The Palestinian Central Bureau of Statistics projects that child population at 47% of the whole and measures the market the generation

entered: 45.3% unemployment in 2022 against 13.1% next door, 59.3% among 15 to 29 year olds in the last measured quarter before the war, and \$300.7 of quarterly output per resident against \$1,129.1 in the West Bank. The Gaza Ministry of Health counts children among the dead, 872 of 15,613 of them too young to have finished a first year, on a list whose age column is computed against a registration date the ministry itself has called unreliable.

Neither publisher conceals what it cannot do. The Bureau prints the source line that says its population is projected. The ministry printed five exclusions on 7 January 2024, has never withdrawn them, and put the missing at the head of the list. Between the two, almost every quantity a reader could want about Gaza's children is published by somebody, dated, and checkable against the body that produced it.

The one quantity neither publishes is the one the question keeps returning to. A ministry that issues separate lists for children, for women, for the elderly and for the orphans of the dead issues none for the missing, and the only trace they leave in its record is 673 files an approval committee finished and moved into the count. Those children were entered on the day the paperwork closed, not on the day they died.

An absence in a record is still a fact about the record, and this one has a shape: a number that exists in the world and in no ledger, held by families rather than by a bureau. What does a society owe a child whose death is certain to someone and unrecorded everywhere, and who decides when the counting of them begins?

Frequently Asked Questions

Why is Gaza's population described as projected rather than counted?

Because the last enumeration was the census of 1 December 2017, in which the Palestinian Central Bureau of Statistics counted 1,899,291 residents of the Gaza Strip. The Bureau carries every later figure forward from that base and labels the series a revised estimate based on the census's final results, so a mid-2023 population is a modelled figure and not a head count.

Which body publishes Gaza separately from the West Bank?

The Palestinian Central Bureau of Statistics does, across its population, labour-force and national-accounts products. That separation is what makes the comparisons in this report possible at all, since the same bureau runs one survey to one definition across both territories and reports the two side by side.

Does the unemployment rate include people who stopped looking for work?

No. The Palestinian Central Bureau of Statistics counts as unemployed those 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, and it states that discouraged jobseekers are excluded from that count. A discouraged jobseeker is someone available for work who is not currently seeking it but sought it within the past six months.

Why does the report give output per resident by quarter rather than by year?

Because that is how the Palestinian Central Bureau of Statistics publishes it. The quarterly national accounts report gross domestic product per person for each three-month period at constant 2015 prices, and multiplying a quarterly figure by four produces a number the Bureau does not publish and would not endorse.

Does the Gaza Ministry of Health publish a cause of death for children?

No. The lists it publishes carry a serial number, a name, an identity or document number, a date of birth, a sex, an age and, in three of the four 2024 rounds, a provenance label. There is no cause field and no combatant or noncombatant field, so no share of any kind can be derived from the list on either question.

What is the difference between the ministry's daily total and its named lists?

The daily statistical report the Gaza Ministry of Health publishes gives a cumulative total of everyone it records as having reached its facilities, while the named lists carry only those records whose data the ministry has finished. The two move at different rates, which is why a figure from one is never subtracted from a figure from the other.

Who added the 233 and 280 records, and on what basis?

The Gaza Ministry of Health did, describing them as records completed and approved by a judicial committee following the notifications and missing-persons file, on 23 March 2025 and 30 August 2025. A further 160 were added during August 2026 by a body the ministry names as a martyrs' approval committee. All three are the ministry's own administrative acts on its own record.

Does any published figure say how many children remain unaccounted for?

None was found in the output of the body that publishes the child count. The Gaza Ministry of Health states that the missing and the bodies under rubble are outside its record, publishes no missing-persons list alongside its category lists, and releases nothing from which such a number could be derived.

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DATA REPORT BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

Are Israeli Forces Targeting Palestinian Children? Reading the Registers That Count Children and Each Party's Own Records

One register counts Gaza's children as children: the Gaza Ministry of Health's, at 15,613 of 50,021. What its own documents record, and what Israel's do not.

Gaza

Children

Casualty Counts

Provenance

Official Records



The Gaza Ministry of Health is the one body that publishes a count of Palestinian children killed in Gaza as children: its Director General stated on 23 March 2025 that 15,613 of the 50,021 people then on the ministry's register were children, 872 of them under a year old. That is a party to the war reporting its own count, self-reported and not independently verified. The question is usually answered by a single unnamed authority, "UN findings," which never reaches that register or the documents that build it. This report reads those documents: how a child's age arrives in the record, which children the ministry's own stated exclusions leave outside it, and what the other party's records carry on the same axis.

Key Findings

- **15,613 of the 50,021 people on the Gaza Ministry of Health's register were children**, and 247 of them were born and killed during the war, on the statement its Director General issued on 23 March 2025. Every figure here is the ministry's own count, self-reported by a party to the war and not independently verified.
- **The ministry publishes children as a separate list rather than as a share of another count.** Beside a combined list of 24,682 records running to 498 pages for the round to 30 April 2024, it published category lists for children, women, the elderly and the orphans of martyrs, and continued the practice through the rounds of 15 June and 15 July 2025.
- **No published round of the list carries a date of death.** The Gaza Ministry of Health stated on 29 July 2024 that a death was registered on the family's report or on the date a body reached a hospital, and that a committee it then formed to audit the actual date found martyrs who had been under 18 at death registered several months later.
- **The 13,319 child figure and the total printed beside it do not share a base.** The ministry's Health Annual Report, Palestine 2024 states 13,319 child martyrs with complete data to 7 October 2024 against a total of 43,587 at 11 December 2024, so a share taken from the pair divides a numerator into a base two months later.
- **Israel's own investigation record carries no category defined by the age of the person harmed.** The Military Advocate General's Corps counts 74 criminal investigations opened

as at 3 August 2024 in five categories, against over 1,000 incidents referred for factual assessment. The count is the Corps' own, of investigations opened rather than of findings.

Which body publishes a count of Palestinian children killed in Gaza?

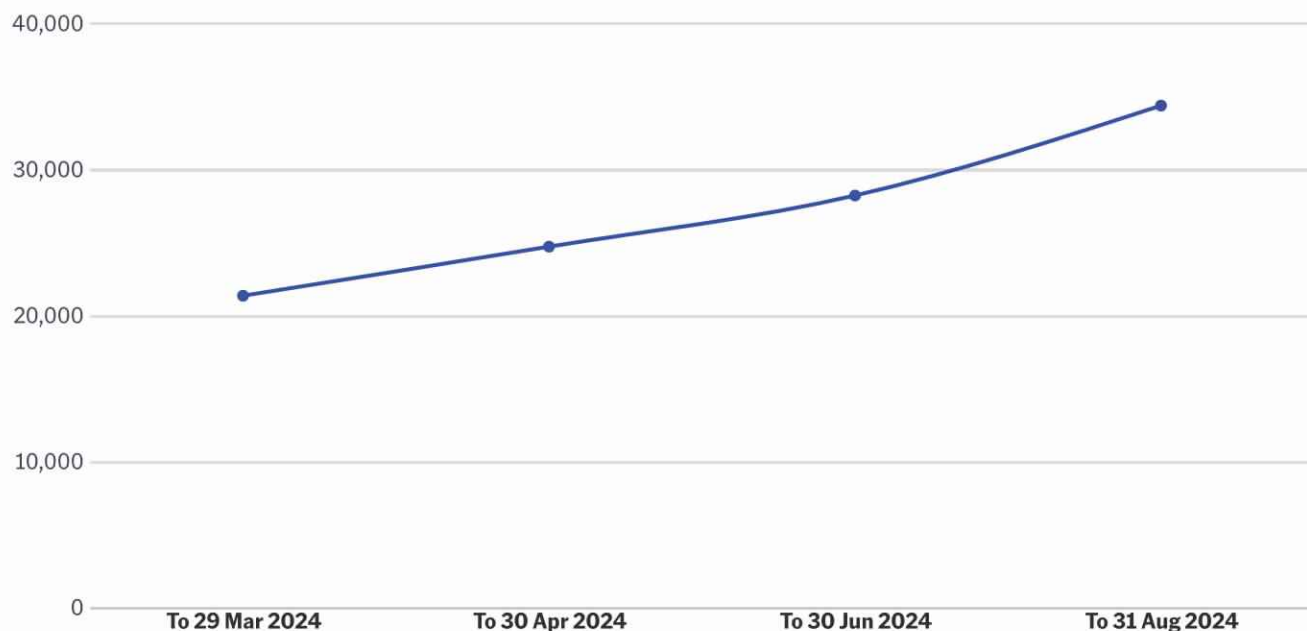
The Gaza Ministry of Health publishes it, and it is a party to the war. Its Director General stated on 23 March 2025 that 15,613 of the 50,021 people then on the ministry's register were children, and that 872 of them had not completed their first year. The count is the ministry's own, self-reported and not independently verified.

The same statement puts 247 children among the dead as born and killed during the war. The Gaza Ministry of Health stated 115 infants in that category on 13 August 2024, so it has published the figure more than once and revised it upward as its register grew.

The register is name by name rather than a bare total. The Gaza Ministry of Health publishes periodic lists of people whose data it describes as complete, each line carrying a serial number, a name, an identity or document number, sex and age. Four rounds are on the record: 21,323 records to 29 March 2024, 24,682 to 30 April 2024, 28,185 to 30 June 2024 and 34,344 to 31 August 2024.

Records on the published list, by round

PEOPLE WHOSE DATA THE MINISTRY STATES IS COMPLETE, FOUR PUBLISHED ROUNDS OF 2024



Source: Ministry of Health, Gaza, published martyr lists, 2024. A party to the war reporting its own count, self-reported and not independently verified.

Two counts run in parallel and are not the same quantity. The cumulative total in the ministry's daily statistical report counts everyone who reached a hospital; the list counts only the records the ministry has finished. The Gaza Ministry of Health stated the pair itself on 24 July 2024: 28,185 with complete data and 9,715 whose data was not yet complete.

The register also grows by administrative approval rather than by new deaths. The Gaza Ministry of Health recorded 233 additions on 23 March 2025 and 280 on 30 August 2025, describing them as records completed and approved by a judicial committee working from the notifications and missing-persons file, and 160 more during August 2026 through what it calls a martyrs' approval committee.

All of it is one party's own reporting, published through the ministry's own media office by the health ministry of the authority governing Gaza. The labelling duty that binds those figures binds the Israeli figures in the sections below in exactly the same way.

Does the ministry publish children as their own list?

The Gaza Ministry of Health published category lists for children, women, the elderly and the orphans of martyrs beside the combined list of 24,682 records for the round to 30 April 2024, a document running to 498 pages, and continued the practice through the rounds of 15 June and 15 July 2025. The category lists are the ministry's own, self-reported and not independently verified.

That is a different object from a percentage. A category list is a set of rows, each row a record the ministry states it has completed, so the child count it yields is a count of finished records rather than a share estimated from a total. Whatever else is true of the register, the children in it are enumerated in a document of their own.

The schema is not stable across rounds, which is why a claim about what the ministry publishes has to name the round. The list to 30 April 2024 carries six columns: serial number, name, document number, age, address and sex. The rounds to 29 March, 30 June and 31 August 2024 carry seven, dropping the address and adding a date of birth and a source column. So the fields available to check an age against differ between one published round and the next.

This matters for a question the Institute has already answered the other way. Its report on [what UN documents find about children](#) recorded, on the evidence base assembled there, that no register in it counted Gaza's children as children, and its report on [what each share counts](#) recorded the same absence for military-violence deaths. Read directly, the ministry's own channel holds the register both reports could not find. It is a party's register rather than an independent one, which is the reason to read how it is built rather than to stop at the total it produces.

How does a child's age reach the record?

No date-of-death column appears in any of the four published rounds of the Gaza Ministry of Health's list; three carry a date of birth and the round to 30 April 2024 carries age and address instead. The ministry stated on 29 July 2024 that a death was registered on the family's report or on the date a body reached a hospital.

The same statement records what the Gaza Ministry of Health found when it checked. It formed a committee to audit the actual date of death, and that committee found that a number of martyrs had been under 18 at death while being registered several months later. The Gaza Ministry of Health published that finding itself, which is the strongest available description of how age and date interact inside the register.

The mechanism follows from the columns. A record fixes a birth date and a registration event, and the age it prints is the distance between them. Where a body reached a hospital months after death, or where a family reported a death months after it occurred, the registration event is not the death, so the age in the row and the age at death can differ. The Gaza Ministry of Health recorded that finding itself, which is the evidence that this happened.

The Gaza Ministry of Health records where each row came from, and the two strata are separately counted. In the round to 29 March 2024, 18,845 records are marked as ministry records and 2,478 as notifications by the martyrs' relatives. In the round to 30 June 2024 the split is 22,368 to 5,817. Both pairs reconcile exactly against their round totals, so the provenance of every row is on the face of the document.

The two strata are recorded differently. Ministry-record rows print full dates; family-notified rows print two-digit years, which a reader has to check against the age column rather than parse directly. None of that is a criticism of the register. It is a description of what the register is: a party's administrative record, published with its own provenance field, in which the age of a child is derived from a birth date rather than measured at the moment of death.

Do the ministry's two published child counts rest on the same base?

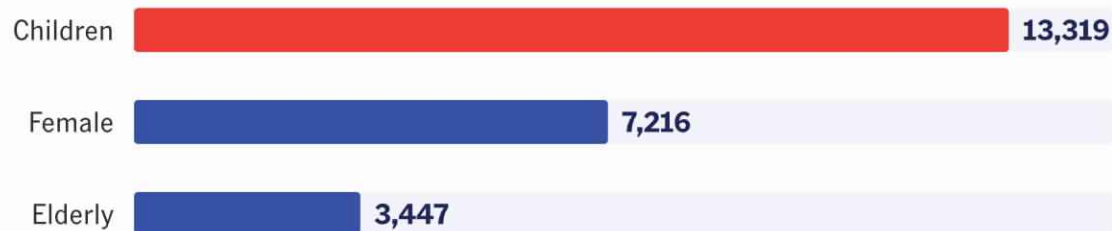
The Gaza Ministry of Health's Health Annual Report, Palestine 2024 states 13,319 child martyrs with complete data to 7 October 2024 and prints it beside a total of 43,587 at 11 December 2024. Dividing the one into the other produces a share of a base two months later than its numerator, and both figures are the ministry's own, self-reported and not independently verified.

The gap widens with the other total the same report prints. The Gaza Ministry of Health reports 45,553 for the whole period to 31 December 2024, which is almost three months past the date the child figure is stated to. Three numbers therefore sit on one page with three different cut-offs, and any share built from them inherits whichever mismatch the reader happens to pick.

The published categories do not partition anything either. Alongside 13,319 children the report gives 7,216 female and 3,447 elderly martyrs. Those three sum to 23,982, a little over half the total printed beside them, and the Health Annual Report publishes no men's category at all. A fourth figure, 1,057 healthcare-worker martyrs, overlaps all three.

Three categories the ministry publishes

MARTYRS WITH COMPLETE DATA TO 7 OCTOBER 2024



Source: Ministry of Health, Gaza, Health Annual Report, Palestine 2024, section 1.1. The three sum to 23,982 against a stated total of 43,587 at 11 December 2024, and no men's category is published. A party's own count, not independently verified.

So the Gaza Ministry of Health publishes two child counts on two bases. The 15,613 of March 2025 is stated against a register total of 50,021 at the same date, and those two do share a base. The 13,319 of the annual report is stated against totals recorded weeks and months later, and those do not. A reader who takes the second pair and divides is not making an error of arithmetic; the document invites the division and supplies mismatched dates for it.

Neither figure is an estimate of children killed. Each is a count of records the ministry states it has completed, on a register whose own stated exclusions are the subject of the next section.

Which children does the ministry state its own count leaves out?

Five classes of person, on the ministry's own statement of 7 January 2024, which it has not withdrawn: the missing and the bodies trapped under rubble, the unidentified who reached hospitals, the unidentified whose bodies were handed over, those buried by their families without passing through a hospital, and the victims in Gaza and North Gaza after the information system stopped in November 2023.

The Gaza Ministry of Health states there the scope of its own count, rather than an outside body criticising it, and it is the most consequential document in this report for anyone reading a child figure. Four of the five exclusions turn on a body reaching a hospital or being identified there, which is the event the register is built around.

Two of them bear directly on children. A child buried by a family without passing through a hospital is outside the register by the ministry's own rule, and the Gaza Ministry of Health publishes no estimate of how many such burials occurred. A child killed in Gaza or North Gaza after the information system stopped in November 2023 is likewise outside it, and those two governorates held 87 of the Strip's education facilities and a substantial share of its population before the war.

The exclusions also explain the two-count structure described earlier. The daily report's cumulative total counts arrivals at hospitals, the list counts finished records, and both sit inside the boundary the 7 January statement draws. Nothing the ministry publishes reaches past that boundary, and the ministry does not claim it does.

What the exclusions do not do is point in one direction only. They describe deaths the register cannot see, which is a statement about incompleteness rather than about accuracy, and the Gaza Ministry of Health records the boundary moving as files are completed, adding approved records by committee months afterwards. A reader weighing any child figure from this source is weighing a count of completed records inside a stated scope, published by a party to the war, and the scope statement is on the ministry's own channel for anyone who wants to check it.

Children were 47% of Gaza's population before the war

1,046,400 Gaza residents were children at mid-2023, 47.0% of a population of 2,226,544, on figures the Palestinian Central Bureau of Statistics reports as projections off the 2017 census. The Gaza Ministry of Health separately puts children at 30% of its own martyr total for 2023 to 2025.

Those two figures are set down here in the same section and never in the same arithmetic operation, because they are not comparable. The 47.0% is a pre-war share of a projected population; the 30% is a wartime share of a party's own register. A ratio between them would be a wartime numerator divided by a pre-war projected denominator, and it would not measure anything.

Each carries its own limits, and the Palestinian Central Bureau of Statistics states the first set plainly. The Bureau counted 1,899,291 residents of the Gaza Strip on a reference date of 1 December 2017, the last enumeration of the territory, and the mid-2023 population is projected forward from it. The Palestinian Central Bureau of Statistics then records a downward revision of its wartime Gaza projections of 6% to 10%, attributing the change to deaths, missing persons, reduced births and out-migration together, so the denominator underneath the 47.0% is a projection the Bureau has itself since marked as too high.

Age cut-offs differ between the Bureau's own releases, which is worth stating because the two circulate together. The 47.0% is the share under 18; a separate release three months later gives the under-15 share as 40% and the share aged 65 and over as 3%. Both are figures the Palestinian Central Bureau of Statistics reports for mid-2023, and they reconcile exactly, since the 15 to 17 band between them holds 147,693 people.

The Gaza Ministry of Health states a total of 71,271 martyrs to the end of 2025 in its Health Annual Report, Palestine 2025, and gives children, women, the elderly and men as shares of it. Those percentages were read from a rendered page on which the labels and the values are not paired in the underlying text, so the figure is carried here with that caveat attached. It is, in any case, a party's own share of a party's own register.

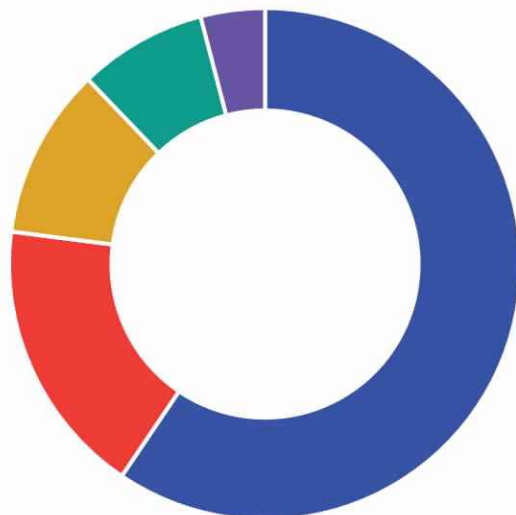
Does Israel's own investigation record carry a category defined by a child?

The Israel Defense Forces' Military Advocate General's Corps counts 74 criminal investigations opened as at 3 August 2024 in five categories, of which 44 concern the death of detainees and 13 alleged pillaging. None of the five is defined by the age of the person harmed, and the count is the Corps' own, of investigations opened rather than of findings.

The remaining three categories are 8 investigations into alleged detainee mistreatment, 6 into alleged illegal use of force and 3 into alleged destruction of civilian property without military necessity. The five sum exactly to 74, so the published breakdown is complete on its own terms.

74 investigations, by category

CRIMINAL INVESTIGATIONS OPENED AS AT 3 AUGUST 2024



■ Death of detainees ■ Alleged pillaging ■ Alleged detainee mistreatment ■ Alleged illegal use of force
■ Destruction of civilian property

Source: Military Advocate General's Corps, Israel Defense Forces, 2024. The Corps' own count of investigations opened, not of findings, and not independently verified.

What the categories are defined by is the conduct alleged and, in the largest of them, the status of the person harmed as a detainee. Age appears in none of the five. There is therefore no line in this record that could be read as an investigation into the killing of a child as a child, and no subtotal that could be extracted as one.

The counts sit against a much larger referral figure. The Military Advocate General's Corps states that over 1,000 incidents were identified as requiring factual assessment and referred to the General Staff's Fact-Finding and Assessment Mechanism, with hundreds still undergoing material collection at the time of writing. The Mechanism was created during the 2014 Gaza conflict on a recommendation of the Turkel Commission and now operates as a permanent body.

The Military Advocate General's Corps states the threshold that produces the 74, and it travels with the number. In armed conflict, it holds, death or injury to a civilian or harm to civilian objects, while tragic and regrettable, in most cases do not by themselves indicate a reasonable suspicion of criminal conduct, because they can be explained as reasonable aftermath of lawful operational activity. An investigation count is a function of that threshold, so 74 against over 1,000 is a ratio a reader can only interpret once the standard is on the page.

What does the other party publish about the age of those it counts?

The Israel Defense Forces stated at a press briefing on 29 February 2024 that it had eliminated over 13,000 people it describes as terrorists in Gaza since the war began. The figure is written as a floor, rests on the IDF's own classification, is not independently verified, and carries no age field of any kind.

That is the whole of what the operational count says about who was killed. It is a single number with a single label attached, and the label is a characterisation the IDF applies itself rather than a verified classification. Nothing in it distinguishes an adult from a child, and no breakdown accompanies it.

The absence is not confined to that one figure. The IDF also publishes an account of the precautions it states it takes before a strike: telephone calls, text messages and leaflets warning civilians, a loud non-lethal munition fired at a roof before a building is struck, strikes aborted when civilians are present, and a numbered evacuation-area map. That account contains no counts at all. The IDF publishes no number of warnings issued, no number of roof-knocks performed and no number of strikes aborted, so the measures are described without a magnitude.

The IDF states on the same page that military infrastructure is sited in residential buildings, hospitals, mosques and schools, and that residents were told to ignore evacuation warnings. Those are a party's stated positions about the other side's conduct, published by that party, and they carry no figures either.

Set beside the ministry's register, the shape of the comparison is clear enough. One party publishes a name-by-name list with a date of birth on most rows and separate child lists beside it. The other publishes a single operational total with no age field, and an account of precautions with no counts. Neither is independently verified, and the two are not two measurements of one quantity. They are two parties' records, built for different purposes, and only one of them was built in a way that can answer a question about children at all.

Has any court registered a finding on the targeting of children?

The Israel Defense Forces' Military Advocate General's Corps states the threshold that produces its counts: in armed conflict, death or injury to a civilian or harm to civilian objects "in most cases do not by themselves indicate a reasonable suspicion of criminal conduct, as they can be explained as reasonable aftermath of lawful operational activity." No court judgment in the record read here registers a finding on the targeting of children.

It is often said that Israeli forces are targeting Palestinian children, and the sentence is usually offered as a finding. What the record read here holds is a set of statements of different classes, and telling them apart is most of the work.

The Gaza Ministry of Health's 15,613 is a party's administrative count of completed records inside a stated scope. The Corps' 74 is a party's count of criminal investigations opened under

a stated threshold, not of findings, indictments or convictions, and the Corps' own count is explicitly of process rather than outcome. The IDF's over 13,000 is a party's operational total under a classification it applies itself. None of the three is a determination by any body outside the war about why any particular person was killed.

Bodies outside the war do hold positions on the question. A United Nations commission of inquiry reported in June 2026 and holds one; it is named here with its date and supplies no figure to this report. Positions of that kind are published characterisations of conduct, which is a fourth class of statement again, and they are not judgments of a court.

What is absent from the record read here is a register that records why. No document assembled for this report carries a field for the reason a person was killed, on either party's side, and no adjudicated finding on the targeting of children appears in it. The intent question is therefore not answered by any of the counts in circulation, because none of the bodies producing those counts built an instrument that asks it.

Methodology

This report reads the published documents of the two parties to the war and labels each figure by the body that produced it. Every count in it is a party's own count, self-reported and not independently verified, and that label is attached in the same sentence as the figure throughout. No independent enumeration of Gaza's dead has been possible since the war began.

The Gaza Ministry of Health publishes the register read here. Read here are its four published lists of people whose data it states is complete, to 29 March, 30 April, 30 June and 31 August 2024; its daily statistical report; its completeness and exclusion statements of 7 January 2024, 24 July 2024 and 29 July 2024; its Director General's statement of 23 March 2025; and its Health Annual Report, Palestine 2024 and Palestine 2025. The lists are name-by-name records published through the ministry's own media office, which is the only venue in which they appear. The percentages in the 2025 annual report were read from a rendered page on which labels and values are not paired in the underlying text, and are carried with that caveat.

The Palestinian Central Bureau of Statistics publishes the pre-war population baseline. Its mid-2023 figures are projections off the census of 1 December 2017, which counted 1,899,291 residents of the Gaza Strip, and the Palestinian Central Bureau of Statistics records them as projections and has since revised its wartime Gaza figures downward by 6% to 10%. The pre-war child share and the wartime child share of the ministry's register are set down in the same section and never divided into one another.

The Israeli record comes from three published sources: the Military Advocate General's Corps page on alleged misconduct in the Gaza war, updated 3 August 2024; the IDF Spokesperson's press briefing of 29 February 2024; and the IDF's published account of its stated precautions and its human-shields position, which carries no counts.

Three limits bind the whole. The bodies here count different populations on different definitions over different windows, so their figures are not summed or compared. No legal instrument protecting children in armed conflict was available to this report, so no section measures conduct against a child-protection standard. And nothing assembled here records why any person was killed, which is the field a targeting question would need.

Conclusion

So which register counts the children of the Gaza Strip as children? One does. The Gaza Ministry of Health publishes children as an enumerated category with lists of their own, 15,613 of 50,021 on its register at 23 March 2025, and it is the health ministry of a party to the war reporting its own count.

Read as documents rather than as a headline, those lists carry a date of birth and no date of death, and the ministry's own audit committee found martyrs who had been under 18 at death registered months afterwards. The Health Annual Report records a child count to one date beside totals to two later ones, and publishes three categories that sum to a little over half the total with no men's category among them. The Gaza Ministry of Health stated on 7 January 2024 five classes of person the register does not reach, including children buried by their families and everyone in two northern governorates after the information system stopped. The other party's records answer the age question not at all: 74 investigations in five

categories, none defined by age, and an operational total of over 13,000 with no age field and no breakdown.

Neither record was built to answer the question the public asks of it. A register of completed administrative records answers how many; a count of investigations opened under a stated threshold answers how many files; an operational total under a party's own classification answers neither. The reason a person was killed is a field that exists in no document read here, on either side.

Which leaves a plain thing to sit with. The most-cited answer to a question about children rests on the paperwork of the two sides that fought, one of which enumerates children and one of which does not record age at all, and the field that would settle what anyone intended has never been written down by anybody. What is a public supposed to do with a question whose answer was never recorded?

Frequently Asked Questions

Who publishes the name-by-name lists of the dead in Gaza?

The Gaza Ministry of Health, through its own media office channel, which is the only venue in which the lists appear. Its own website has published no file since October 2023. Each round is a list of people the ministry states have complete data, and every figure in it is a party's own count, not independently verified.

What is the difference between the ministry's daily total and its published list?

The daily statistical report gives a cumulative total of everyone who reached a hospital; the list counts only the records the ministry has finished. The Gaza Ministry of Health stated both on 24 July 2024: 28,185 with complete data and 9,715 whose data was not yet complete. The two are different quantities and are not subtracted from one another.

Does the ministry record whether a death was caused by a strike, a shooting or something else?

No such field appears in any published round of the list. The columns are a serial number, a name, an identity or document number, sex, age, and on three of the four rounds a date of birth and a provenance marker. Cause and circumstance are not among them.

Why do the ministry's child figures differ between its own documents?

They are stated to different dates against different totals. The 15,613 of March 2025 is given against a register total of 50,021 at the same date; the 13,319 in the Health Annual Report, Palestine 2024 is stated to 7 October 2024 against totals recorded on 11 December and 31 December 2024.

How many children lived in Gaza before the war?

The Palestinian Central Bureau of Statistics reports 1,046,400 residents under 18 at mid-2023, 47.0% of a projected population of 2,226,544. Both are projections off the 2017 census rather than counts, and the Bureau has since revised its wartime Gaza population figures downward by 6% to 10%.

Has Israel opened any investigation defined by the age of the person harmed?

None appears in the published record. The Military Advocate General's Corps counts 74 criminal investigations in five categories, defined by the conduct alleged and, in the largest, by the status of the person as a detainee. The Corps' own count is of investigations opened, not of findings.

Does the IDF publish how many warnings it issued before strikes?

The IDF publishes none. Its account of stated precautions describes telephone calls, text messages, leaflets, roof-knocks, aborted strikes and a numbered evacuation map, and attaches no count to any of them. The measures are described by a party to the war without a magnitude.

What would a record have to contain to answer the targeting question?

A field recording why each person was killed, and a body outside the war able to fill it. No document read for this report carries such a field on either side, so the counts in circulation answer how many and under what threshold a file was opened, and nothing about intent.

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METHOD BY THE HANOVER INSTITUTE SEPTEMBER 14, 2026

Are Gaza's Casualty Figures Propaganda? Reading the Ministry's Own Published Lists, Document by Document

*The Ministry of Health in Gaza published 21,323 named records to 29 March 2024.
What its four lists hold, what it excludes, and what no column records.*

Gaza

Casualty Counting

Ministry of Health

Primary Documents

Measurement



21,323 named records across 454 pages is what the Ministry of Health in Gaza published on 3 April 2024 as its list of the dead to 29 March, a party to the war reporting its own count and not an independently verified one. The document has seven columns, and a reader can see what it holds: a source column splitting every entry into a ministry record or a family's notification, a date of birth but no date of death, and no column anywhere for combatant status. Three more lists followed that year, and the ministry states five categories of death it does not count.

Key Findings

- The list to 29 March 2024 carries **21,323 records across 454 pages** in seven columns, serial number, name, identity number, date of birth, sex, age and source, which the Ministry of Health in Gaza published as its own count.
- The provenance column splits the record in two: on the list to 30 June 2024, the Ministry of Health in Gaza records **22,368 of 28,185 entries** as ministry records and 5,817 as notifications by relatives, the two summing exactly to the total.
- The Ministry of Health in Gaza states **five categories of death it does not count**, among them the missing and those under rubble, the unidentified who reached hospitals, and those buried by families without passing through a hospital, in a statement of 7 January 2024 it has never withdrawn.
- No column in any of the four lists records combatant status, and a university research project report that is not peer-reviewed states that the ministry publishes **no combatant-noncombatant breakdown at all** (Crawford, 2025).
- The range most often quoted for the ministry's historical accuracy, **1.5% to 3.8%**, sits in a one-page Lancet correspondence letter measuring 35 days from 7 October 2023, in a sentence carrying no reference marker (Huynh, Chin and Spiegel, 2024).

What does the Gaza health ministry actually publish?

21,323 named records across 454 pages is the list of the dead to 29 March 2024 that the Ministry of Health in Gaza published on 3 April 2024, a party to the war reporting its own

count and not an independently verified one. Seven columns run across each page: serial number, name, identity number, date of birth, sex, age, and source.

The file runs to roughly 15 MB. Each row is a person, and the final column records which channel produced that record. The Ministry of Health in Gaza states its own coverage limits in a footnote closing the document: for decedents held in ministry records, Gaza governorate runs only to 10 November 2023 and the southern governorates to 29 March 2024, except Nasser, which runs to 14 February 2024.

Three further lists followed. The Ministry of Health in Gaza published 24,682 records to 30 April 2024 across 498 pages, 28,185 records to 30 June across 532 pages, and 34,344 to 31 August across 649 pages. The schema is not stable across them: the April document carries six columns and a different set, with an address field, no date of birth and no source column at all. The June and August documents return to seven, with the identity field relabelled a document number.

Records on each list the ministry published

NAMED LISTS OF DECEDENTS WITH COMPLETE DATA, 2024



Source: Ministry of Health, Gaza, the four published lists; the ministry's own count.

None of this is an independently verified count. It is a party to the war publishing a register of its own dead, and the arithmetic, the provenance and the gaps in it are that party's own. What it is not is an unexplained figure, because the columns are there to be read.

Where does the ministry publish the lists?

2,536 PDF files sit in the media library of the Gaza health ministry's own website, the newest dated 21 October 2023, and not one of them is a casualty list. The Ministry of Health in Gaza has published no file to its own web host since that date. Its lists reach a reader only through its media office channel on Telegram, which serves message text and serves no file.

That leaves the most granular casualty record any party to this war has issued sitting on no government web host at all. The statistics page the Ministry of Health in Gaza publishes for cumulative Gaza Strip figures is an empty shell dated 10 May 2023, and the platform it now names for interactive statistics returned a not-found error on the path the ministry itself gives.

The consequence is easy to state and rarely stated. Almost every reader who holds an opinion about these numbers, in either direction, is working from a relay: a news summary, a dataset mirror, a study, or somebody's characterisation of a document they have not opened. The four files read for this report came from a public dataset mirror, and the March file matches the size and the record count the ministry's own posting states for it.

That is a fact about the record rather than about anyone's conduct, and it cuts both ways. A party that wanted its count taken on trust would have reason to host it, and a reader who wants to check it has to leave the issuing body's site to do so.

Which deaths does the ministry say it does not count?

Five categories of death sit outside the count, on a statement of 7 January 2024 that has never been withdrawn. The Ministry of Health in Gaza states that it does not count the missing or the bodies under rubble; the unidentified who reached hospitals; the unidentified whose bodies Israel handed over; those buried by families without passing through a hospital; or victims in Gaza and North Gaza after its information system stopped in November 2023.

Each exclusion is a different kind of gap. The first is a category the ministry cannot see. The second and third are deaths it has physically registered but cannot name, so they cannot enter a list built on names. The fourth never touched the health system. The fifth is a hole in time

and place: the system feeding the record stopped working in two governorates partway through the first month of the war, which is the same fact the March list's footnote records when it caps Gaza governorate at 10 November 2023.

Read together, the five describe an instrument rather than a census. The register counts people who reached a hospital and could be identified there, or whose families came forward and were entered. That construction has a direction: every one of the five exclusions removes deaths from the record rather than adding them.

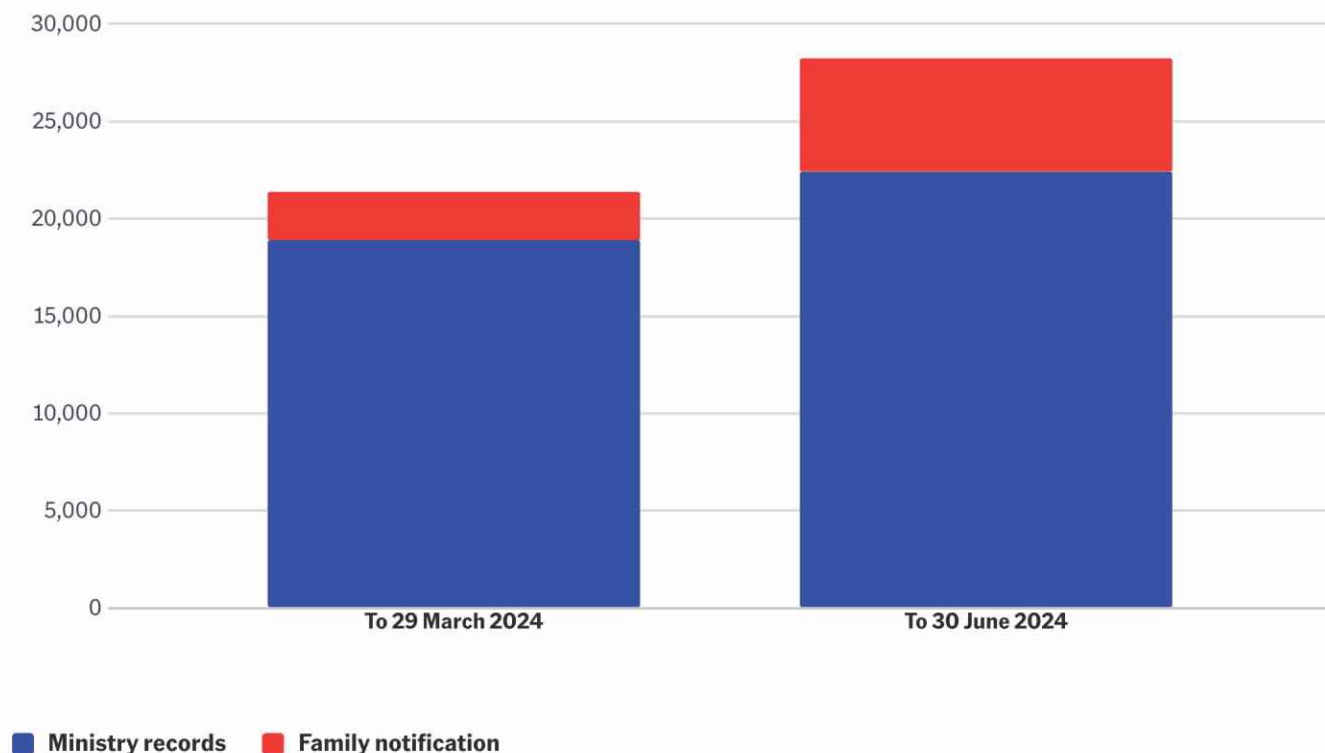
What the exclusions do not settle is any total. They establish what the instrument was built to capture and what it was not, and the Ministry of Health in Gaza stated them itself, on a date a reader can check.

Where does each name on the list come from?

22,368 of the 28,185 records on the list to 30 June 2024 are labelled سجلات وزارة الصحة, ministry records, and the remaining 5,817 are labelled تبليغ ذوي الشهداء, notification by the decedents' relatives. The two add to the published total exactly, entry by entry, on the ministry's own count.

Where each name on the list came from

RECORDS BY THE LIST'S OWN SOURCE COLUMN, MINISTRY'S OWN COUNT



Source: Ministry of Health, Gaza, the source column of its own lists.

The earlier list to 29 March splits the same way, 18,845 ministry records against 2,478 family notifications, again summing exactly to its published total. This is the most useful field in the document and the one least often mentioned in argument about it. A reader is not asked to accept one undifferentiated number: the Ministry of Health in Gaza records, entry by entry, which of two channels produced it.

The family-notified share also grew fast, from 11.6% of the March list to 20.6% of the June list, as the first channel degraded and the second opened on 1 January 2024. That shift is visible in the document itself rather than inferred from anything outside it.

Those two strata are the same two lists a capture-recapture study later used as inputs when it tested [the completeness of that registry](#): the hospital morgue records and the ministry's own rolling online mortality survey, described for the identical window (Jamaluddine and colleagues, 2025). The study and the register are therefore not two independent counts of one thing. The first is built out of the second, which is a property of the test rather than a defect in either the study or the register.

Does the list record when each person died?

No column in any of the four documents is a date of death. The string تاريخ الاستشهاد, date of martyrdom, appears in no column header of the lists to 29 March, 30 April, 30 June or 31 August 2024. What the lists carry instead is a date of birth, which the April document drops altogether.

The Ministry of Health in Gaza has stated why. In a clarification of 29 July 2024 it recorded that the date was registered either on the family's report or on the date the body reached the hospital, and that a committee formed to audit the actual date of death found decedents who had been under 18 when they died but were registered several months later.

That is a party's own audit of its own record rather than an external one. It is also specific: the defect it names is a lag between death and registration, running in a known direction, with a named consequence for the age field.

The date fields the lists do carry are not clean either. On the March list, ministry-record rows print full dates in the form 30/03/1993 while family-notified rows print two-digit years with dashes, 13-02-97. On the August list the oldest decedents carry 01-01-27, 01-01-24 and 01-01-22 against ages of 97, 100 and 101, which a reader parsing the column mechanically would read as 2027, 2024 and 2022.

So the register is a list of people the Ministry of Health in Gaza states died, with no person date of when. A toll for any window cannot be built from these documents by filtering a column, because the column is not there.

Does any column carry combatant or civilian status?

None of the seven columns on any of the four lists is combatant status, and a university research project report that is not peer-reviewed states that the Ministry of Health in Gaza publishes no combatant-noncombatant breakdown at all (Crawford, 2025). Serial number, name, identity or document number, date of birth, sex, age and source is the complete set.

The ministry does publish demographic shares. Its Health Annual Report for 2025 records children at 30%, women 16%, elderly 7% and men 47% of decedents for 2023 to 2025, against

a stated total of 71,271. Those four shares partition the whole. They are a breakdown by age and sex, and they carry nothing about whether anyone counted was a combatant.

This is what makes any subtraction across the books hazardous. A fighter count published by one party and a decedent count published by another are records with no shared identifier and no common field, so there is nothing in either document to reconcile them against. That is the structural reason [what each body counts](#) is the first question to ask of a casualty figure.

The absence is not a contested inference. It is visible in the column headers of every list the Ministry of Health in Gaza has published, it holds across the schema change between the March and April documents, and it is what a reader finds on opening the file rather than what anyone says about it. A register that records sex and age and not status can support a demographic claim and cannot support a combatant one.

Does the ministry publish a separate count of natural deaths?

No ministry document separates natural deaths from war deaths. The Ministry of Health in Gaza stated on 24 July 2024 that its general count is everyone who reached the hospitals, and it publishes no second series netting out deaths from other causes. The lists carry no cause-of-death column, just as they carry no status column.

The only published number attaching to natural deaths in Gaza during the war therefore sits inside another body's arithmetic. The Jerusalem Center for Security and Foreign Affairs published in 2025 a ceiling of at most 41,000 civilians in Gaza who died of war-related causes, reached by removing estimated natural deaths and Israel's count of 21,000 fighters killed from the ministry total for the war through October 2025.

The Jerusalem Center states on the same page that neither what it calls the Hamas claim of the Gaza total nor Israel's estimate of fighters killed has been independently confirmed, and that the first of the two has been challenged. It presents the 41,000 as a stated ceiling rather than a count. Both inputs are a party's own reported figure, one from each side, and the natural-mortality term is an estimate that institute supplied rather than one drawn from any register.

So the question of whether natural deaths sit inside the published total has two accurate answers, and they are not in tension. The ministry's own definition covers everyone who reached a hospital, which does not exclude them by construction. And no document from the ministry, in any of the four lists or in either annual report read here, breaks them out.

Do the ministry's own totals reconcile with each other?

The ministry's two published components for 30 June 2024 add to 37,900, which is the cumulative figure in its own daily report of the following morning rather than the 37,877 its report for 30 June states. The Ministry of Health in Gaza published both components together on 24 July 2024, and they do not reconcile against the total it had itself issued three weeks earlier.

The components are 28,185 records with complete data and 9,715 whose data was not yet complete. The gap is twenty-three records and one day, and it is not a rounding artefact: a reader subtracting 28,185 from the 30 June total gets 9,692. It is the signature of a period-end figure taken from the next day's report, and the same slip runs through the ministry's annual reporting. The Health Annual Report for 2024 states 45,553 decedents and 108,379 injuries for the period between 7 October 2023 and 31 December 2024. Those are exactly the figures in the daily report of 1 January 2025, while the ministry's own figure for 30 December 2024 is 45,541, and it issued no report at all on 31 December.

Two things follow, pointing in different directions. The first is that the ministry's published numbers do not always agree with each other, which anyone quoting one of them should know. The second is that the discrepancy is recoverable: it resolves to a one-day offset, it is the same offset in both places, and it is found by comparing the ministry's documents against each other rather than against anything external.

What does the ministry add by committee approval?

233 records entered the cumulative total on 23 March 2025, not because 233 people had newly died, but because a judicial committee had completed and approved them following

the notifications and missing-persons file. The Ministry of Health in Gaza recorded the addition in those terms itself, and it has repeated the practice twice since.

Records added by committee approval

ADDITIONS TO THE CUMULATIVE TOTAL, NOT NEWLY OCCURRING DEATHS



Source: Ministry of Health, Gaza, its own posts; the ministry's own count.

The ministry's daily report that same day put the cumulative total at 50,021. The Ministry of Health in Gaza then recorded 280 further records on 30 August 2025 and 160 during August 2026, the last credited to a martyrs' approval committee. This is the mechanism that moves a cumulative total without a corresponding event, and the ministry announces it rather than absorbing it silently. The additions are records that already existed as reports or as missing-persons entries and were later adjudicated into the count, which is the back end of the same two-channel structure the source column describes.

It also means the cumulative total and the named list are different objects on different clocks. The list grows when data is completed. The total grows both when deaths are reported and when a committee approves a backlog, and the headline figure does not distinguish the two.

A reader comparing the total on two dates is therefore not reading a count of deaths between them. In all, 673 records entered the running total across those three announcements alone, each one a record completed rather than a death occurring in the announcement window.

What did the letter cited for the ministry's accuracy measure?

35 days is the entire measurement window of the study most often produced as evidence that the ministry's figures are accurate: 7 October to 10 November 2023. The Lancet published it in 2024 as a one-page correspondence letter, editorially reviewed and not peer-reviewed, and it measures nothing at all before 2023 (Huynh, Chin and Spiegel, 2024).

What the letter measures is a comparison of cumulative reported deaths over those 35 days against staff deaths the United Nations Relief and Works Agency published for the same window, an agency with a position in the conflict, named here only as a component of that comparison. The letter reports a mortality rate for the ministry's figures lower than the rate for the agency's staff, and reasons from that direction.

The title is an absence claim, and the distinction is load-bearing. No evidence of inflated reporting is not the same proposition as verified, and the letter's own text states that the ministry's figures over the period "might have been under-reported" because of reduced capacity. It adds that difficulty obtaining accurate figures should not be read as intentional misreporting, which is a caution against the inference in the other direction.

So a document written about five weeks of a war, by three authors at one school of public health, in a journal's correspondence section, carries a claim about a decade of counts. That is a mismatch between what was measured and what is cited, and it is visible from the letter's own first paragraph.

Where does the 1.5% to 3.8% accuracy range come from?

The sentence carrying the 1.5% to 3.8% range bears no reference marker at all. In the journal's own typesetting the superscript markers close the sentences on either side of it, and the sentence stating that the ministry's reporting differed from independent analyses by that range in previous conflicts carries none (Huynh, Chin and Spiegel, 2024).

The arithmetic behind it is nonetheless reproducible, and it terminates in a news article. The letter's adjacent reference is an Associated Press explainer published on 26 October 2023 and updated the following month, which prints three dated pairs of figures and no percentage anywhere. For 2008 the Ministry of Health in Gaza reported 1,440 against a United Nations

humanitarian office's post-war toll of 1,385; for 2014, 2,310 against 2,251; for 2021, 260 against 256.

Divide each difference by the ministry's own count and the three published figures appear exactly: 1.5% for 2021, 2.6% for 2014 and 3.8% for 2008. Divide by the other body's count instead and they do not. So the range is a share of the ministry's own denominator, which the letter never states, and the 2014 case sits inside the range rather than at either end, which means the endpoints are the smallest and largest of three cases and not a bound on anything.

The same explainer carries the Israeli Foreign Ministry's own count of 2,125 for 2014, which against 2,310 gives the 8.0% figure the letter reports separately in the next sentence. That sentence does carry a marker.

Has any study tested a pre-2023 ministry count?

None was located. A search run on 10 September 2026 across the biomedical and preprint paper index, in two framings returning thirty results, and across the open web, found no published study comparing a Gaza health ministry count from before 2023 against any other body's count. An absence, not a finding, is what the literature holds on the question most often treated as settled.

The nearest published item is a different object. A chart review in *Conflict and Health* covering non-war mortality in Gaza from July to September 2014 recorded 1,241 deaths against 1,232 in the same months of 2013 (Vaktskjold and colleagues, 2016). It studies ordinary mortality in a health system and runs no comparison of one body's count against another's.

The only peer-reviewed test of the register that does exist covers 2023 to 2024 and nothing earlier, and it was built from the ministry's own two channels (Jamaluddine and colleagues, 2025). So the record holds one modern test, of one recent window, using the register's own inputs.

That is worth stating plainly because of the weight the absent study is carrying. The claim that the Ministry of Health in Gaza has historically reported accurately is doing real work in

public argument, and it rests on one uncited sentence in a correspondence letter, reproducing from three number pairs in a news explainer, comparing a party's own count against a second body's post-war tolls for three conflicts. Whatever else that is, it is not a study, and no study of it was found.

Methodology

This report reads documents. The primary material is the four named lists of decedents the Ministry of Health in Gaza published in 2024, covering deaths to 29 March, 30 April, 30 June and 31 August, together with its daily statistical reports, its dated statements on exclusions, dates of death and committee approvals, and its Health Annual Report for 2024 and for 2025. Every figure drawn from them is a party's own count, published by a health ministry under the authority governing Gaza, and is labelled as such wherever it appears.

Column sets, record counts and source-column splits were read from the list files rather than from any description of them. Because the ministry hosts no casualty list on its own site, the four files came from a public dataset mirror; the March file matches the size and the record count the ministry's own posting states.

Two secondary sources are read closely rather than relayed: the correspondence letter in The Lancet, 2024, in its full text and its typeset form, and the Associated Press explainer that letter cites. Figures inside the letter that originate with United Nations agencies are named as components of that comparison and support no finding here.

The lists name every decedent individually, and no name from them appears in this report. Arabic column headers were read in the original and are glossed in English. Where the ministry's documents disagree, both figures are given with their dates rather than reconciled.

Conclusion

Open the four lists and the question changes shape: 21,323 rows on the first of them carry a name and an identity number, and a provenance column says which of two channels produced each entry. A date of birth sits where a reader expects a date of death. Five stated

exclusions each remove deaths rather than add them. A twenty-three-record disagreement between two of the ministry's own totals resolves to a one-day offset, and hundreds of records enter the running total by committee approval rather than by anyone dying.

None of that is a verification, and the Ministry of Health in Gaza is a party to the war reporting on itself. But it is not an unexplained number either, and the strongest claim in either direction turns out to rest on the least document. The range quoted for the ministry's historical accuracy is one uncited sentence in a one-page correspondence letter whose own measurement covers thirty-five days, and no study comparing a pre-2023 ministry count against another body's count was found to exist.

The word in the question does work the documents do not. Calling a figure propaganda and calling it verified are both claims about provenance, and provenance is the one thing these files are unusually explicit about: which channel, which cut-off date, which categories left out, which committee approved what and when. The lists the Ministry of Health in Gaza published have been public since April 2024 and run to name and identity number, and the argument over them has been conducted almost entirely by people who have not opened one. When a number arrives already wearing the word that decides how it will be read, what is left for the columns underneath it to change?

Frequently Asked Questions

How many lists has the Gaza health ministry published?

Four dated lists of decedents with complete data were read for this report, covering deaths to 29 March, 30 April, 30 June and 31 August 2024. The Ministry of Health in Gaza also publishes separate category lists for children, women, the elderly and the orphans of decedents.

Does the ministry publish a daily figure as well as the lists?

Yes. The Ministry of Health in Gaza publishes a daily statistical report carrying cumulative totals, which on 10 September 2026 stood at 73,670 decedents and 174,682 injuries on its own count. The daily total and the named list move on different clocks.

What does the ministry mean by a record with complete data?

It gave both definitions itself on 24 July 2024. The general count is everyone who reached the hospitals; the complete-data count is everyone whose record the ministry has finished processing. The named lists publish only the second, which is why each list is smaller than the cumulative total on its date.

Does the ministry publish figures on children specifically?

Yes, separately from the lists. On 23 March 2025 the ministry's Director General reported 15,613 children among a cumulative 50,021 decedents, of whom 872 had not completed their first year, and 247 children born and killed during the war. These are a party's own counts.

Does the Palestinian statistical authority produce its own casualty count?

No. The Palestinian Central Bureau of Statistics reported 70,942 deaths in Gaza by the end of December 2025 and attributed the figure to the Palestinian Ministry of Health rather than measuring it. Its own work in that brief is a demographic accounting of population change.

Do other bodies republish the ministry's figures as their own?

They republish them as the ministry's. A Costs of War project report carries 67,075 killed and 169,430 injured as of 3 October 2025 and names the Gaza Ministry of Health as the source, taken from a United Nations dashboard that relays it (Crawford, 2025).

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Gaza

Polling



A word can reach a conversation long before the facts behind it do, and the American use of this one has been measured: the Quinnipiac University Poll recorded 50% of 1,220 self-identified registered voters saying, in August 2025, that they think Israel is committing genocide in Gaza, on a question that names Israel as the actor and asks the respondent what they happen to know. Nineteen months earlier a randomised split sample that named no actor at all moved the yes share from 32% to 40% by exchanging a single noun, and by 18 percentage points among respondents 65 and older (YouGov, 2024). Inside an earlier grid on the same stem the word attached more readily to Jewish people in Israel than to Arabs in Gaza, and reached 72% only for Europe between 1939 and 1945 (YouGov, 2023). Four readings of the word exist in the published record, they are four instruments rather than four points on a line, and that is the finding rather than the caveat.

Key Findings

- The Quinnipiac University Poll recorded 50% of self-identified registered voters saying Israel is committing genocide in Gaza, against 35% saying it is not and 15% offering no opinion (n = 1,220, fielded 21 to 25 August 2025, margin of error plus or minus 3.4 percentage points including the design effect). It publishes no first-asked date and no trend line for the item, so the reading is a level rather than a movement.
- The two party columns on that item stand 57 points apart: 77% of Democrats answered yes against 20% of Republicans, with independents at 51%. The Quinnipiac University Poll publishes no subgroup base sizes for the item, so every column runs with its label and no interval.
- Changing one noun moved the yes share 8 points inside a single survey. In a randomised split sample fielded from 12 to 17 January 2024, the row reading “Arabs in the Gaza Strip (2023 - present)” drew 32% yes and the row reading “Palestinians in the Gaza Strip (2023 - present)” drew 40%, on an unweighted 500 respondents in each arm (YouGov, 2024). The topline reports no significance test for the gap and the two arms overlap.
- On the identical stem, inside one sample of 1,000 US adult citizens fielded from 21 to 29 November 2023, the yes share read 39% for the row naming Jewish people in Israel against

34% for the row naming Arabs in the Gaza Strip, and 72% for the row naming Jewish people in Europe, 1939 to 1945 (YouGov, 2023).

- Neither of the two organisations with a standing American series on the conflict asks the word. Pew Research Center reports a two-year study fielded from 22 to 28 September 2025 among 3,445 adults whose full text contains “genocide” zero times and which measures the subject as whether Israel’s military action “has gone too far”; Gallup’s Middle East series records approve-or-disapprove items and a forced-choice sympathies question, and no item using the word.

How many registered voters say Israel is committing genocide in Gaza?

The Quinnipiac University Poll recorded **50%** of self-identified registered voters saying they think Israel is committing genocide in Gaza, against 35% saying they do not ($n = 1,220$, fielded 21 to 25 August 2025, margin of error plus or minus 3.4 percentage points including the design effect). It published the reading on 27 August 2025.

A further 15% offered no opinion, the third figure the topline carries and the one most often dropped when the reading is quoted. Quinnipiac University states the row in full: “Fifty percent of voters think Israel is committing genocide based on what they know about the situation in Gaza, while 35 percent do not think Israel is committing genocide and 15 percent did not offer an opinion.”

The population is narrower than the public. These are self-identified registered voters, not all adults and not a general-population sample, so the reading describes the people the instrument reached across those five days, and the margin of error it reports, plus or minus 3.4 percentage points, expressly includes the design effect and applies to the whole sample (Quinnipiac University Poll, 2025).

One feature of the release settles what kind of statement the 50% can carry. The Quinnipiac University Poll dates its own trends, giving a first-asked date of 2 November 2023 for the military-aid item that precedes this one and December 2001 for the sympathies item that

opens the block. For the genocide item it published no first-asked date, no earlier reading and no trend line, so nothing in the document supports a claim that the share has risen or fallen.

The word also sits in dated institutional circulation that has nothing to do with polling. The International Court of Justice issued provisional-measures orders on 26 January, 28 March and 24 May 2024, a United Nations commission of inquiry published findings in September 2025, and Amnesty International, B'Tselem and Physicians for Human Rights-Israel have each published positions under their own names. Those are dated positions held by named bodies, and what the Convention requires of a finding is the subject of [a separate report on the Convention standard](#).

What exactly did the question say?

Question 24 read, in full: “In thinking about what you know about the situation in Gaza, do you think Israel is committing genocide, or not?” The Quinnipiac University Poll published no definition beside it, no reference to any legal standard and no follow-up prompt.

Two features of that stem do most of the work. The first is the prefatory clause, which asks the respondent to reason from what they happen to know. That makes the item a report of an impression formed against whatever the respondent has encountered, not a judgment measured against a stated threshold. The second is the actor: Israel is named and the verb stands in the present tense, so an answer of yes is an attribution to a named party rather than a characterisation of an event.

The standard a court applies is a different object, and the legal literature says so in its own terms. A peer-reviewed forum contribution to the Journal of Genocide Research describes the inference rule courts work to as a high legal requirement (Sultany, 2024). A named-author commentary published on the EJIL:Talk! blog on 18 September 2025, editorially curated and not peer-reviewed, states that fact-finders who are not courts, “governments, NGOs, academics, or ordinary people”, are “not bound to apply a high standard of proof” (Milanovic, 2025). A survey respondent sits in that second category by construction, and this stem puts them there explicitly.

So the item records an utterance. The Quinnipiac University Poll documents what a sample said when asked, in one field period, and that is evidence about the sample and about the question rather than about events in Gaza.

A second construction exists in the published record and is built the other way round. It names no perpetrator, asks about the treatment of a named group in a named time and place, and leaves the actor out of the sentence entirely. The two constructions return different numbers, and the size of that difference is measurable because one survey organisation ran both forms in a controlled comparison.

Where in the questionnaire is the word reached?

The word is reached at question 24 of the 27 printed questions, and at the end of a four-item block on Israel. The Quinnipiac University Poll recorded 60% opposing more United States military aid on the item immediately before it, the highest opposition it reports since first putting that question to registered voters on 2 November 2023.

The block runs in a fixed order. Question 21 asked where the respondent's sympathies lie and returned 37% more with the Palestinians, 36% more with the Israelis and 27% offering no opinion, which the release calls an all-time high for the Palestinians and an all-time low for the Israelis since it began asking registered voters in December 2001 (Quinnipiac University Poll, 2025). Question 22 asked about United States support for Israel. Question 23 asked about military aid. Question 24 asked about genocide.

The release measures no order effect, and none is claimed here. What is established is the position: a respondent reaches the word only after three items that have already placed the conflict, American support for it and American military aid in front of them, and only after supplying an answer to each.

That position matters because placement is known to move shares on questions of this kind. A methodology article on the forced-choice Middle East sympathies question documents that where the item sits inside a survey changes the shares it produces (Gallup, 2018). That is a finding about one house's instrument rather than a measurement of this one, and it is the reason the sequence is worth setting out.

The sequence is reconstructable at all because the Quinnipiac University Poll publishes every question it asked. All 27 items appear with their toplines, so a reader can see what preceded the word and in what order. That is not true of every instrument in this record, and the difference becomes material below.

How far apart are the partisan columns?

The two party columns stand **57 points apart**: the Quinnipiac University Poll recorded 77% of Democrats answering yes against 20% of Republicans (n = 1,220, fielded 21 to 25 August 2025, margin of error plus or minus 3.4 points on the whole sample). Independents sat between them.

The full columns the Quinnipiac University Poll reports read 77% yes, 11% no and 13% no opinion among Democrats; 20% yes, 64% no and 16% no opinion among Republicans; and 51% yes, 34% no and 14% no opinion among independents. The independent column sits closer to the Democratic one than to the Republican one on the yes share.

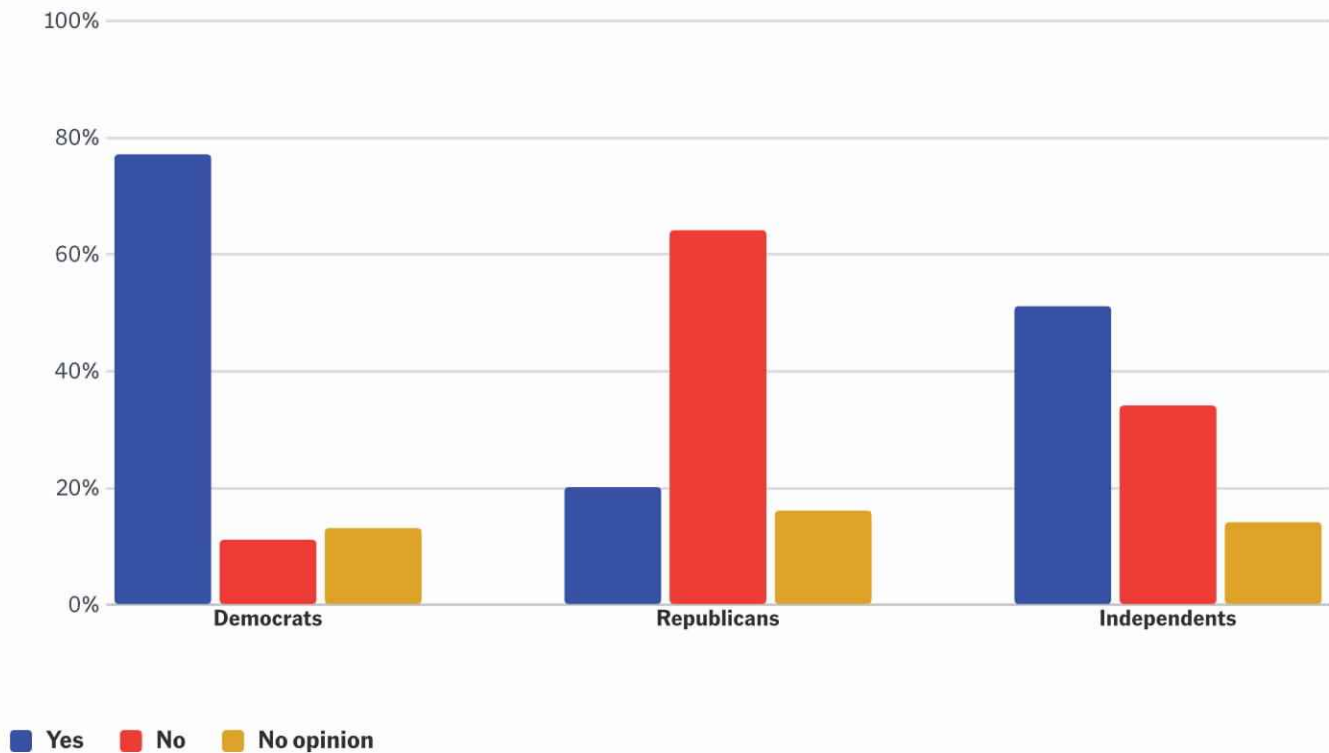
Every one of those figures runs here with its column label and no interval, and the reason is in the document rather than in an editorial choice. The plus or minus 3.4 percentage points is the whole-sample figure and expressly includes the design effect; no base sizes are published for the party columns, so no interval can be computed for any of them.

Quinnipiac University published a second cut alongside it. Among men the item read 45% yes, 44% no and 12% no opinion; among women it read 55% yes, 27% no and 18% no opinion, a 10-point gap on the yes share and a 17-point gap on the no share. Both columns carry the same limitation as the party columns.

A spread of this size is a fact about the sample rather than an explanation of it. Nothing in the release measures what the columns are tracking, and one cross-sectional reading cannot separate party identification from prior attitude toward the conflict or anything else. What it establishes is that a national figure of 50% averages columns that disagree with each other by more than the figure itself.

One question, three party columns

SELF-IDENTIFIED REGISTERED VOTERS, 21 TO 25 AUGUST 2025



Source: Quinnipiac University Poll (2025), $n = 1,220$; the plus or minus 3.4 point margin is the whole-sample figure and no subgroup bases are published.

Changing one noun moved the yes share 8 points

One noun moved the yes share **8 points**. In a randomised split sample fielded in January 2024, one half of the survey met a row reading “Arabs in the Gaza Strip (2023 - present)” and returned 32% yes, while the other half met “Palestinians in the Gaza Strip (2023 - present)” and returned 40% (YouGov, 2024). Same event, same date range, same stem, same field period, one noun changed.

The YouGov Wording Test topline states the design in its own words: “A random half of respondents was asked one of the two Gaza Strip questions and the other half was asked the other one.” Each arm holds an unweighted 500 respondents. The arm naming Arabs read 32% yes, 32% no and 37% not sure; the arm naming Palestinians read 40% yes, 30% no and 30% not sure, and the first of those crosstabs carries a stated total of 101% from rounding.

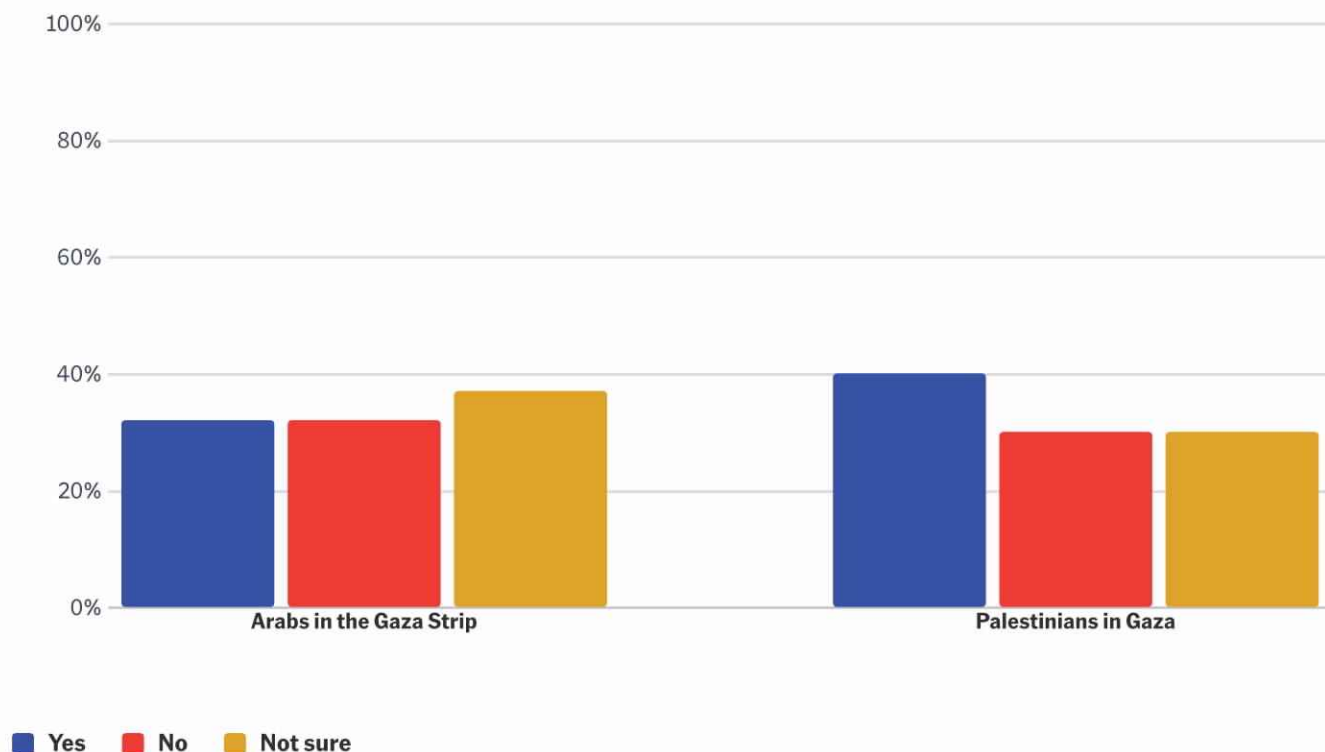
What did not change is a longer list than what did. The stem was identical: “Do you consider the way the following people were treated in the specified time and place to be a genocide?” The time and place were identical, the response options were identical, and the panel, the weighting and the fielding window of 12 to 17 January 2024 were identical. The only difference between 32% and 40% was which noun named the people.

The gap has to be reported as the size of a difference measured rather than an effect established. The margin of error published on that survey, plus or minus 3.9 percentage points adjusted for weighting, is the whole-sample figure and covers neither arm; each arm rests on an unweighted 500 and therefore carries a wider interval than the published one. The YouGov Wording Test topline reports no significance test, and the two arms overlap.

That caveat narrows the claim without dissolving it. Two halves of one survey, matched by design, returned different numbers about the same event, and the variable between them was a word.

Two arms of one survey, one noun apart

RANDOMISED SPLIT SAMPLE, 12 TO 17 JANUARY 2024



Source: YouGov (2024), unweighted 500 respondents per arm; the published plus or minus 3.9 point margin is the whole-sample figure and covers neither arm.

Which age group moved most when the noun changed?

18 percentage points is the size of the wording effect among respondents 65 and older, the age contrast printed for the January 2024 split sample: 24% answered yes for the row naming Arabs in the Gaza Strip, and 42% for the row naming Palestinians (YouGov, 2024).

The YouGov Wording Test write-up states it directly. The wording change, it reports, “has no effect among adults under 30, while increasing the share of people 65 and older who characterize the events as genocide by 18 percentage points.”

The first half of that sentence rests on cells the topline does not carry. The YouGov Wording Test crosstabs record the 18-to-29 cells with a suppression asterisk in both Gaza arms, on an unweighted 54 respondents in the arm naming Arabs, so the reported absence of an effect among the youngest adults is not a result a reader can check against the published table. Only the 65-and-older contrast is printed, and only that contrast is carried here.

An age contrast inside a wording experiment is a statement about the wording, not about how an age group views Gaza. It establishes that the two nouns are not interchangeable for these respondents, and says nothing about why. The same topline reports the gap running in the same direction across party groups, which is evidence that the effect is not a partisan artefact, and it publishes no test of the age difference any more than of the headline gap.

The reading also has to be held against the base it rests on. A crosstab cell for respondents 65 and older inside a 500-responder arm is a small cell, and no interval is published for it. The contrast of 24% against 42% is the largest printed movement the experiment produced, and it is printed without a bound, which is the honest statement of what the topline contains.

Did the same survey ask the question in both directions?

A November 2023 grid put the word in both directions on one stem, in one sample and in one field period: **39% yes** for the row naming Jewish people in Israel, against 34% for the row

naming Arabs in the Gaza Strip (YouGov, 2023).

The sample was 1,000 US adult citizens, interviewed online between 21 and 29 November 2023, with a margin of error of plus or minus 4.3 percentage points adjusted for weighting. YouGov's November grid recorded 39% yes, 32% no and 29% not sure for Jewish people in Israel, and 34% yes, 32% no and 35% not sure for Arabs in the Gaza Strip. Both were rows in one grid, put to one set of respondents on one screen.

In the January 2024 battery the Israel row read 35% yes, 37% no and 28% not sure (YouGov, 2024). The battery itself changed between the two surveys, from thirteen rows to eight, so the two Israel readings were reached after different run-ups and are not two points on one line either.

Neither reading is a judgment about either case, and the stem is built so that it cannot be. It asks whether the respondent considers the way a named group was treated, in a named time and place, to be a genocide. It names no perpetrator anywhere, for any row, which is precisely why the word can be applied in both directions inside a single battery without the instrument contradicting itself.

What the pair establishes is narrow and worth stating plainly. On one stem, in one room, on one day, the word attached slightly more readily to one of the two groups in the current conflict than to the other, and the five points between them sit well inside the interval published for the whole sample. A reader who takes only the Gaza row out of that grid has taken half of what the instrument recorded.

How does the public apply the word to cases already settled?

72% said yes for the row naming Jewish people in Europe, 1939 to 1945, against 47% for the row naming the Tutsi, moderate Hutu and Twa in Rwanda in 1994 (YouGov, 2023). Both rows sat in the same battery, on the same stem, in the same field period as the Gaza row.

YouGov's November grid records 56% for the row naming Native Americans in North America across the 15th to the 19th centuries. The not-sure column is where the grid is most

revealing: 22% were not sure about the Europe row, and 46% were not sure about the Rwanda row, a share within a point of that row's own yes share.

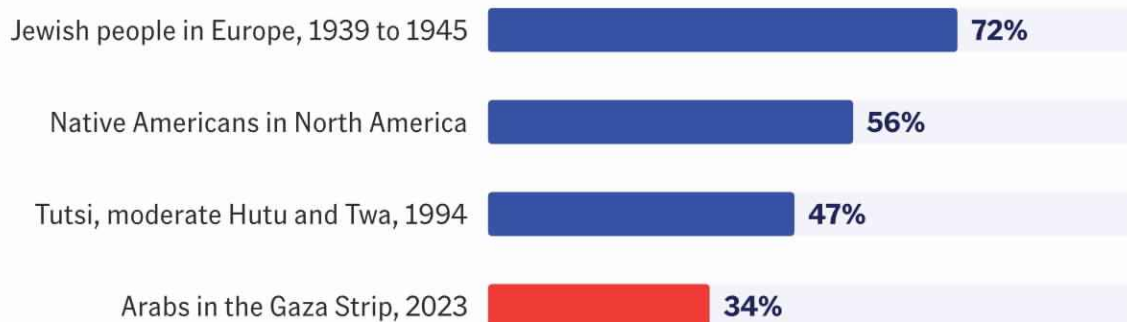
Those readings set the scale the Gaza figure sits on. The word did not run anywhere near unanimity in this grid, including on the row with the longest documented record: 72% is the top of the range these respondents produced, and 7% answered no to that same row. A 34% for Gaza is therefore not a reading measured against a ceiling of 100%, and the distance between the two is smaller than the raw framing of either figure suggests.

A caution about repeat readings belongs beside all of this. Follow-up surveys, the publisher reports, “show that these estimates can change over time, in part because of the margin of error inherent to any survey estimate”, and the example offered is its own: the Europe row moved from 72% to 79% across five weeks (YouGov, 2023). The same row, the same stem, the same organisation, seven points apart.

Read together, the grid describes a public applying a legal word unevenly across cases with very different evidentiary records, and answering not sure at rates between 22% and 46% depending on the case.

The same word applied across four cases

ONE GRID, ONE STEM, US ADULT CITIZENS, 21 TO 29 NOVEMBER 2023



Source: YouGov (2023), n = 1,000 US adult citizens, margin of error plus or minus 4.3 points adjusted for weighting; share answering yes.

Which polling organisations ask about the word at all?

Pew Research Center reports a two-year study of American views of the conflict, fielded in September 2025 among **3,445 adults**, whose full text contains the string “genocide” zero times and which measures the subject as whether Israel’s military action “has gone too far”. Gallup’s Middle East series records approve-or-disapprove items and a forced-choice sympathies question, and no item using the word.

The Pew study was fielded from 22 to 28 September 2025 and takes the same subject as the two instruments above (Pew Research Center, 2025). Its chosen measure is a proportionality item rather than a word item, and the absence of the word was established by a full-text search of the report rather than inferred from its summary.

Gallup carries the deepest American trend on this conflict. Gallup’s Middle East series recorded 63% of US adults sympathizing more with the Israelis in February 2010, described there as the highest reading since 1991, and 46% by February 2025 (n = 1,004, 3 to 16 February 2025, plus or minus 4 points). It measures relative sympathy between two named parties, and a search of its Israel releases and its country topic index surfaced no item asking whether a genocide is occurring (Gallup, 2025).

Neither does the Quinnipiac University Poll publish a tracker on the word, and neither does YouGov. Each of the four readings in this record came from a survey that asked the question once, inside a battery or a block that was not repeated in the same form.

The absence is therefore the finding, and it was searched for rather than assumed. No organisation in this record publishes a standing, identically worded series on whether Americans call Gaza a genocide, so no sentence describing that share as rising, falling or holding has a series behind it. Where a trend is quoted, the quoter has assembled it out of readings never built to be compared.

Do the four published readings measure one quantity?

Four published readings of the word exist, and they are four instruments rather than four points on a line: the November 2023 grid row, the two arms of the January 2024 split sample, and the Quinnipiac University Poll item of August 2025. They differ in question construction, in population, in mode, in sampling frame and in date.

Question construction is the largest difference. The YouGov stem is passive, asks about the treatment of a named group in a named time and place, and names no actor at all; the Quinnipiac stem names Israel, puts the verb in the present tense, and asks the respondent to reason from what they happen to know. Population is next: the YouGov surveys reached US adult citizens, and the Quinnipiac University Poll reached self-identified registered voters. Mode is third: YouGov interviewed online through an opt-in panel matched against the 2019 American Community Survey, while Quinnipiac describes its surveys generally as probability-based samples using random digit dialling with live interviewers.

The temptation this record creates is to read the readings as a rise. The two January arms alone refuse that reading: they were produced in the same survey, on the same days, from the same panel, and they differ by 8 points because of one word (YouGov, 2024). Whatever separates the November row from the August item includes at least a change of stem, of population, of mode and of house, and no published design isolates any one of them.

The Quinnipiac University Poll makes the point without setting out to. It published a first-asked date for the military-aid item, 2 November 2023, and for the sympathies item, December 2001, and neither for the genocide item, nor any earlier reading of it.

So the honest statement of this record is a level and a construction, never a trajectory. On the named-actor question, in one field period, 50% of a sample of self-identified registered voters said yes. On the passive question that names no actor, in different field periods and a different population, the yes share was 32% or 40% depending on a noun.

Methodology and limitations

This report measures utterances recorded by named survey instruments, and nothing else. Two kinds of source carry it: named survey organisations that publish their own toplines with the question stem, the base, the weighting and the margin of error, which is the standard applied here for admitting a poll at all; and two named-author items in the legal literature, cited only for what a standard of proof is and whom it binds.

The Quinnipiac University Poll recorded 1,220 self-identified registered voters nationwide from 21 to 25 August 2025, margin of error plus or minus 3.4 percentage points including the

design effect, and published 27 questions with toplines on 27 August 2025; its random-digit-dialling description is a standing account of its surveys generally, not an itemised methodology for this field period. YouGov surveyed 1,000 US adult citizens from 21 to 29 November 2023, margin of error plus or minus 4.3 percentage points adjusted for weighting, in a thirteen-row grid with 80 further questions not reported (YouGov, 2023); and 1,000 US adult citizens from 12 to 17 January 2024, margin of error plus or minus 3.9 percentage points adjusted for weighting, in an eight-row grid with 91 further questions not reported and two Gaza arms of an unweighted 500 each (YouGov, 2024). Respondents there were drawn from an opt-in internet panel by sample matching against the 2019 American Community Survey and weighted afterwards, which is not a probability sample.

Six limits sit on the figures. Every published margin of error is a whole-sample figure and covers no subgroup, no party column and neither split-sample arm. No subgroup base sizes are published for the genocide item, so its columns run without intervals. No significance test is published for the 8-point wording gap, and the two arms overlap. The under-30 cells in both January crosstabs are suppressed on an unweighted 54 respondents in one arm, so the reported absence of an effect among the youngest adults is not verifiable from the table. Rounding is visible in the published rows, one of which totals 101%. And the surrounding questionnaire is undisclosed for both YouGov batteries, so what preceded each grid cannot be assessed.

Two rules governed the presentation. No chart crosses an instrument or a field period, and the four readings are never plotted, averaged or summed together. And no figure speaks to events in Gaza: each records what a sample said when asked, in a stated window, by a stated house.

Conclusion

Why do 50% of registered voters call Gaza a genocide? On the polling record the question splits in two, and the halves do not have the same answer. Ask what share of Americans use the word and the record returns a level, dated and bounded. Ask why they use it and the record returns the question they were asked.

The measurements hold together into one portrait. On a question that names Israel as the actor and asks the respondent to reason from what they happen to know, the Quinnipiac University Poll recorded 50% saying yes, 35% saying no and 15% offering no opinion, and the party columns behind that average stand 57 points apart. On a question that names no actor at all, one organisation moved the yes share from 32% to 40% inside a single survey by exchanging a noun, and moved it 18 points among respondents 65 and older. On the identical stem the word attached to Jewish people in Israel at 39% and to Arabs in Gaza at 34%, and it reached 72% only for Europe between 1939 and 1945, where 7% still answered no and 22% were not sure. And the two houses with the deepest American trend lines on this conflict do not ask the word at all, so nothing in the record can say whether any of these numbers is moving.

The instrument is not a detail beneath the finding. On this record it is most of the finding. A survey question is a container, and what comes out of it carries the shape of the container as much as the shape of the world outside it. Eight points moved on a noun. Eighteen moved on a noun among the oldest respondents asked. So when the next figure arrives and is reported as what Americans believe about Gaza, which of the two things is actually being counted: what people have concluded, or which word they were handed to conclude it with?

Frequently Asked Questions

Why does the Quinnipiac reading carry no trend line?

Because the poll publishes one only where it has asked the question before. The Quinnipiac University Poll records a first-asked date of 2 November 2023 for its military-aid item and December 2001 for its sympathies item, and neither for the genocide item, so the August 2025 reading stands alone in the release.

How were YouGov's respondents selected?

From an opt-in internet panel, by sample matching against the 2019 American Community Survey, with weighting applied afterwards, a method stated on the topline themselves (YouGov, 2023). It is not a probability sample of American adults, and the published margins of error are described as adjusted for weighting.

Why are the under-30 cells missing from the age comparison?

They are suppressed. The YouGov Wording Test topline records an asterisk in place of the 18-to-29 cells in both Gaza arms, on an unweighted 54 respondents in the arm naming Arabs, so the reported absence of a wording effect among the youngest adults is not a figure a reader can check.

What does Pew measure if it does not use the word?

Whether Israel's military action in Gaza "has gone too far". Pew Research Center reports that item as its instrument for American views of the conflict in a study of September 2025 fielded among 3,445 adults, and the string "genocide" appears in its full text zero times.

Which American question about this conflict does carry a long trend?

The forced-choice sympathies item. Gallup's Middle East series recorded 46% of US adults sympathizing more with the Israelis in February 2025, the lowest in 25 years of that trend, against 63% in February 2010 (n = 1,004, 3 to 16 February 2025, plus or minus 4 points). It measures relative sympathy between two named parties and carries no item on the word.

Does a poll reading establish anything about events in Gaza?

No, and neither instrument is built to. The Quinnipiac stem opens "In thinking about what you know about the situation in Gaza", and the YouGov stem asks whether the respondent considers a treatment to be a genocide. Each records a characterisation offered by a respondent in a stated field period.

Why do the two YouGov surveys not compare cleanly with each other?

Because the battery changed between them. The November 2023 grid ran thirteen rows and the January 2024 grid ran eight, with several historical cases dropped, so the Gaza row was reached after a different run-up in each survey. The publisher also cautions that repeat readings "can change over time, in part because of the margin of error inherent to any survey estimate".

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