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2026

KIDNAPPED: HOSTAGE-TAKING AS A FORM OF TORTURE



Jerusalem
Institute of Justice



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“We were brutally kidnapped from our house. Our girls saw things that kids that age, or any age, should not see. You feel like you want to pinch yourself and wake up from this movie. We just slept, cried. Every day that passed was an endless eternity.”

- Danielle Aloni

Executive Summary

On October 7, 2023, Hamas and its related militias invaded southern Israel and forcibly abducted 247 men, women, and children. Prior to that attack, 4 hostages were already being held in Gaza. Over 2 years later, all of the hostages have come home, and a reckoning is now due.

This report is based on the testimony of released hostages and the health care professionals who treat them. It analyzes the clear and absolute prohibition on torture under international law, and integrates the findings of the *United Nations Special Rapporteur on Torture*, whose 2025 report identified a clear pattern of physical and psychological abuse suffered by hostages during captivity, as well as post-traumatic harm after their release.

We reveal here that **88 percent of the hostages were civilians**. Among them, **23 hostages were aged 12 or younger** at the time of their abduction, and **34 were aged 60 or older**. Fifty percent of the hostages were non-Israeli or held dual or multiple citizenships, including citizens of at least 24 different countries.

The hostages were held in harsh, degrading, and inhumane conditions and were denied medical care, food, access to personal hygiene, and natural light. Threats of execution, prolonged isolation, sexual assault, and abuse were routine experiences in captivity. **68%** of the hostages held for over 200 days were **forced to participate in propaganda videos**. So far, **12 released hostages have described being sexually assaulted in captivity**, including women and men. **33 hostages were executed by their captors**.

At least **78 released hostages showed signs of starvation**, acute malnutrition, and severe muscle wasting, having received as little as a single piece of bread each day, even as their captors ate full meals. Most hostages faced inadequate hygiene, physical violence, and extended periods of immobility during captivity. Psychological assessments further reveal acute dissociation, emotional numbing, and severe mental withdrawal.

“For 491 days, I was kept mostly underground in Hamas terror tunnels, chained, starved, beaten, and humiliated.” - Eli Sharabi

This report calls upon United Nations mechanisms, State Parties to the Convention Against Torture, and international accountability bodies to address the October 7 attacks and the hostage-taking as conduct that constitutes torture, and recognize former hostages and their families as victims of torture. Torture is absolutely prohibited under international law. It cannot be justified or contextualized. Hostage-taking is not merely arbitrary detention. It is the deliberate weaponization of human suffering to bend political will.

The **Jerusalem Institute of Justice** urge States and international bodies to reject any framing of the hostage-taking of Israelis as a legitimate military tactic or political bargaining tool. Finally, we call for the perpetrators and co-conspirators to be held accountable through criminal trials, civil litigation, and the application of universal jurisdiction.



The aftermath of October 7: a home in Kibbutz Nir Oz reduced to rubble.

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Introduction

Hostage-taking constitutes a grave breach of international humanitarian and human rights law and is a direct assault on human dignity, inflicting profound and lasting physical and psychological trauma on victims and their families.^[1] The mass abduction of civilians on October 7 was unprecedented in scope and characterized by particularly egregious conditions. Children, elderly persons, and entire families were taken directly from their homes, and held for extended periods in conditions amounting to incommunicado detention, including within humanitarian facilities, in violation of the protections afforded to civilians under international law.^[2]

The evidence documented in this report demonstrates that the hostages were subjected to deliberate abuse, coercion, intimidation, and sustained psychological terror. They were deprived of their fundamental rights to liberty, security of person, and humane treatment. Their captors perpetrated not only unlawful detention but torture and other cruel, inhuman, or degrading treatment or punishment (CIDT) under international law.^[3] Grounded in the framework of the Convention against Torture and the interpretative guidance of the UN Special Rapporteur on Torture,^[4] this report provides a legal assessment of the conditions of captivity and seeks to promote accurate characterization, accountability, and prevention.

The **Jerusalem Institute of Justice (JIJ)**, an independent human rights and legal advocacy organization dedicated to advancing justice and the rule of law, has worked closely with survivors and families of hostages, providing legal advocacy within Israeli courts and engaging relevant international mechanisms. This report forms part of our mandate to document violations, support victims, and pursue accountability at domestic and international levels.

We express our gratitude to the released hostages who have courageously shared their testimonies. Their willingness to speak has been indispensable to establishing the factual record and confronting denial. We stand in solidarity with them and with the families of civilians around the world who remain in captivity.

This documentation is especially urgent amid growing denial, distortion, and minimization surrounding the October 7 atrocities.^[5] Such denial compounds victims' trauma, undermines accountability, and erodes the very meaning of the Convention Against Torture, with implications for all civilians, regardless of nationality or religion. The international community must respond with clarity and adherence to established legal standards.

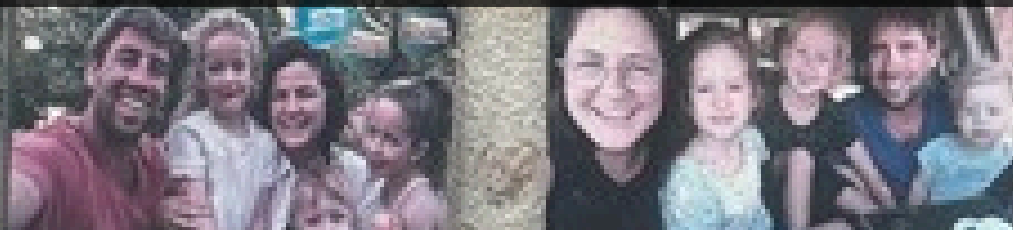
[1]: Ben Saul, *International Convention Against the Taking of Hostages*, Social Science Research Network (2014) <http://ssrn.com/abstract=2536150>.

[2]: Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), Aug 12, 1949, 75 U.N.T.S. 287

[3]: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec 10, 1984, 1465 U.N.T.S. 85, arts. 1, 16

[4]: Alice Jill Edwards, Statement on One-Year Anniversary of the October 7 Attacks, United Nations Office of the High Commissioner for Human Rights (7 Oct 2024), <https://www.ohchr.org/sites/default/files/documents/issues/torture/sr/statements/2024-10-07-srt-7oct-stm.pdf>.

[5]: Jerusalem Institute of Justice, *Echoes of Denial: The October 7th Atrocities and Rising Antisemitism* (2025), <https://www.jij.org/echoes-of-denial-report>.





Ahmad Gharbali/Getty Images

Firefighters in Ashkelon, southern Israel, extinguishing civilian cars set on fire by rockets fired from the Gaza Strip.

Hamas and related militias fired **4,300 rockets** at Israel on October 7th. Under the cover of this rocket barrage, over **3,800 Hamas-led militants** entered Israel by land, sea and air.^[6]



Scott Peterson/Getty Images

A burned bedroom in Kibbutz Nir Oz.

[6]: "New IDF Assessment Shows Some 6,000 Gazans Invaded Israel on Oct. 7," The Jerusalem Post (31 Aug 2024), <https://www.jpost.com/israel-hamas-war/article-817176>.

Context

On October 7, 2023, Hamas and other terrorist groups launched a coordinated assault on Israel, the deadliest and most brutal in the country's history. Militants deliberately targeted civilian homes, bomb shelters, ambulances, and a music festival.

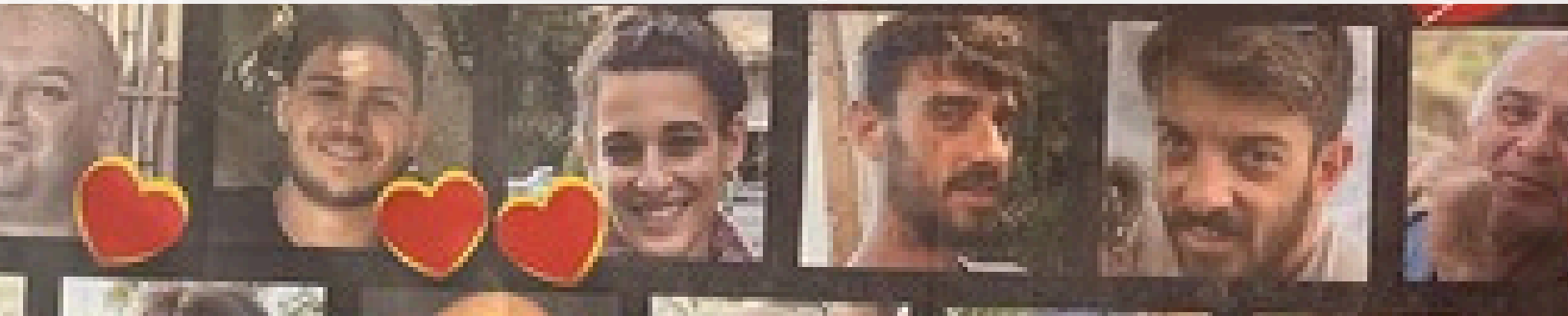
In addition to widespread killings, the attackers carried out acts of sexual violence against women and men, including rape, sexual assault, and mutilation, as documented by multiple investigations, and verified forensic evidence.^{[7][8]}

The abuse was not spontaneous but formed part of the broader pattern of brutality used to terrorize and dehumanize victims.^[9] Amid the carnage and widespread dehumanizing acts, **247 men, women, and children** were forcibly abducted into the Gaza Strip.^[10] The hostages represented a diverse cross-section of Israeli and international society, from 9 months to 85 years old.^[11]

Many suffered from medical conditions requiring daily treatment, yet Hamas withheld this care.^[12] The group of hostages also included foreign nationals, dual citizens, and even several triple citizens from countries such as the United States, Thailand, France, Germany, and Argentina.^[13]

The diversity of the hostages underscores the deliberate and indiscriminate nature of Hamas's actions. This was not a targeted operation against combatants, but a **premeditated campaign to seize civilians** of all ages, religions, nationalities, and ethnicities wherever they could be found.

The fact that infants, the elderly, foreign nationals, festivalgoers, and families in their homes were abducted shows that Hamas intentionally targeted civilians as a category, rather than distinguishing between lawful military objectives and protected civilian populations.^[14]



[7]: Times of Israel, Male October 7 Survivor Recounts Rape at Hands of Hamas Terrorists (9 Jun 2024) <https://www.timesofisrael.com/male-october-7-survivor-recounts-rape-at-hands-of-hamas-terrorists/>.

[8]: United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory and Israel, A/HRC/56/CRP.3, United Nations (12 Jun 2024) <https://www.ohchr.org>.

[9]: The Dinah Project: First Report on Sexual Violence Crimes Committed on October 7 (Feb 2024)

https://www.gov.il/BlobFolder/news/arcci-submits-first-report-to-un-21-feb-2024/en/English_Swords_of_Iron_DOCUMENTS_Sexual%20violence%20crimes%20on%20October%207-Feb.%202024.pdf.

[10]: American Jewish Committee, Who Are the Israeli Hostages Being Released? (26 Oct 2025) <https://www.ajc.org/news/who-are-the-israeli-hostages-being-released-full-schedule-and-latest-updates>.

[11]: Blue Ribbons for Life, About the Hostages (2025) <https://www.blueribbons.life/about-the-hostages>.

[12]: JNS, Israeli Health Ministry: Hamas Hostages in "Immediate Danger", JNS.org (13 Aug 2025) <https://www.jns.org/hostages-held-by-hamas-in-immediate-danger-health-ministry-reports/>; American Jewish Committee, What Is Known About Israeli Hostages Taken by Hamas (2024), <https://www.ajc.org/news/what-is-known-about-israeli-hostages-taken-by-hamas>.

[13]: Times of Israel, 200 Foreigners, Dual Nationals Cut Down in Hamas Assault (Oct 27, 2023) <https://www.timesofisrael.com/200-foreigners-dual-nationals-cut-down-in-hamas-assault-heres-where-they-were-from/>.

[14]: Reuters, Who Are the Israeli Hostages Set to Be Released by Hamas? (13 Oct 2025) <https://www.reuters.com/world/middle-east/who-are-israeli-hostages-set-be-released-by-hamas-2025-10-13/>.

The events of October 7, including the attacks on civilians and the taking of hostages, are preserved through the public testimonies of survivors. These accounts confirm that the hostages were held in harsh, degrading, and inhumane conditions, and were denied medical care, food, access to personal hygiene, and natural light.^[15]

However, the psychological torture began before the hostages even reached Gaza. The hostages endured extreme trauma during the abduction itself. One account describes a 72-year-old woman who witnessed her husband of 50 years being murdered right in front of her.

“A few minutes ago she saw her husband, the one that she loved for the last 50 years, murdered in front of her eyes and now they're taking her to an unknown place in Gaza Strip”.^[16]

Shani Louk, a 22-year-old who was killed at the Nova music festival, was recorded on video as her body was paraded through the streets of Gaza, as though she were a trophy. A photo taken of this scene, captured by freelance photographer Ali Mahmud and published by the Associated Press, is among those awarded “Team Picture Story of the Year”.

“Seeing those pictures again because of the contest makes our family relive the pain”.^[17]

Some were assaulted, physically and verbally, by Hamas militants or by crowds en route to captivity.^[18] Many civilians attempted to flee into roadside *migunit* bomb shelters near the Nova festival, where they were hunted, trapped, and killed at point-blank range.^[19] Survivors described watching friends and partners being murdered beside them before being dragged into Gaza, adding a layer of profound psychological trauma even before captivity began.^[20]

[15]: Jerusalem Post, Hostages Given Sedatives After Starvation, Cages and Wet-Cloth ‘Showers’ in Hamas Captivity (2 Feb 2025) <https://www.jpost.com/israel-news/article-840370>.

[16]: Time Magazine, The Families of Israelis Held Hostage by Hamas Speak Out (18 Oct 2023) time.com/6324741/israel-hostages/.

[17]: Yahoo News, Israeli Family Forced to Relive Hamas Trauma as Photo of Shani Louk’s Dead Body in the Back of a Hamas Truck Has Forced Her Family to ‘Relive the Pain’ (6 Apr 2024) yahoo.com/news/israeli-family-forced-relive-hamas-170429328.html.

[18]: Delegation of Mothers of Hostages Meets with the President of the Red Cross in Geneva: Impact of Captivity, Government of Israel (12 Aug 2025) gov.il/BlobFolder/news/delegation-of-mothers-of-hostages-meets-with-the-president-of-the-red-cross-in-geneva-12-aug-2025/en/English_Swords_of_Iron_DOCUMENTS_Impact_of_Captivity_Report_FULL_250812_105125.pdf.

[19]: Reuters, In Shelter Where Hamas Killed Trapped Israelis: Smell of Blood and a Mother’s Grief, Reuters (10 Jan 2024) reuters.com/world/middle-east/shelter-where-hamas-killed-trapped-israelis-smell-blood-mothers-grief-2024-01-10/.

[20]: Reuters, *Hamas Says 200–250 Israelis and Foreigners Held Hostage in Gaza* (9 Oct 2023) reuters.com/world/middle-east/hamas-says-200-250-israelis-foreigners-held-hostage-gaza-2023-10-09/; BBC News, *How Hamas Carried Out the Supernova Festival Massacre* (12 Oct 2023) bbc.com/news/world-middle-east-67047379.



Noam Galai/Getty Images

Many of the hostages were moved into Hamas's fortified underground tunnel network, a system featuring concrete-reinforced passages, electrical wiring, and vertical shafts, extending beneath Gaza's residential neighborhoods, hospitals, schools, mosques and apartments. A 55-meter-long tunnel was discovered underneath Gaza City's Al-Shifa Hospital. This shaft contained defensive features not characteristic of a medical facility, including a blast-proof door and a firing hole.^[21]

These tunnels were intentionally designed to conceal hostages, enable militant movement between locations, and facilitate the planning and execution of attacks. The tunnels were estimated to be between 500 and 700 kilometers long and have roughly 5,700 entrances.^[22]

Within these tunnels, hostages were held in cramped, windowless spaces, and cut off from the outside world, deprived of basic hygiene, and subjected to severely unsanitary conditions, including exposure to human waste and rodents.^[23]

[21]: Israel Uncovers 'Biggest' Hamas Tunnel Near Gaza Border, Reuters (Dec 17 2023) reuters.com/world/middle-east/israel-army-unveils-biggest-hamas-tunnel-found-gaza-2023-12-17/; Israel Defense Forces, Documentation of Hamas Tunnels Under Shifa (Nov 20, 2023) idf.il/en/mini-sites/israel-at-war/war-on-hamas-2023-resources/documentation-of-hamas-tunnels-under-shifa/.

[22]: Israel Says Hamas Held Hostages Near Gaza Tunnels, Reuters (Dec 26 2023) reuters.com/world/middle-east/israel-says-hamas-held-hostages-near-gaza-tunnels-2023-12-26/; The Times of Israel, Gaza tunnels stretch at least 350 miles, far longer than past estimate - report (Jan 16 2024) timesofisrael.com/gaza-tunnels-stretch-at-least-350-miles-far-longer-than-past-estimate-report/.

[23]: Former Hostage Tal Shoham Describes Life in a Gaza Tunnel, Ynet (Mar 15 2025) ynetnews.com/article/sypfojnnjl; As Israelis Rally Against Gaza War, Former Hostage Longs for Her Friends to Be Freed, Reuters (Aug. 26 2025), reuters.com/world/middle-east/israelis-rally-against-gaza-war-former-hostage-longs-her-friends-be-freed-2025-08-26/; Systematic Torture and Terror: Health Ministry Releases Report on 12 Freed Hostages, Times of Israel (Aug 2025) timesofisrael.com/systematic-torture-and-terror-health-ministry-releases-report-on-12-freed-hostages/.

The constant uncertainty, threats from their captors, and periods of complete isolation caused deep psychological distress. In the most extreme example, **Avinatan Or** spent two years alone, without seeing another hostage until he was released on October 13, 2025.^[24] Many hostages were also relocated repeatedly throughout Gaza.

Public testimonies from released captives describe being moved between multiple locations, including civilian apartments, UNRWA schools, and hospitals turned into detention centers. These frequent moves prevented rescue operations and kept them disoriented and afraid, often without food, medical care, access to sunlight, or ventilation, and confined in cramped, airless spaces during transfers.^[25]

The hostages were exploited for political leverage, propaganda, and psychological warfare, demonstrating that Hamas intentionally inflicted fear and suffering.^[26] The hostages were further used to fuel political tensions within Israel^[27] and to pressure the relations between Israel and the United States, its long-standing ally.^[28]

The hostage crisis left a profound and enduring impact on Israeli society.^[29] Families of the abducted endured prolonged uncertainty, forced to wait for updates that often never came, while grappling with fear for their loved ones' fate.^[30] National and local institutions mobilized to support the families, while volunteer networks and advocacy groups emerged to call for international involvement.^[31]

At the same time, the crisis brought internal social and political tensions to light: the public fiercely debated government decisions, ceasefire negotiations, and rescue operations.^[32] The emotional weight of the hostage crisis pressed on every level of society, from local communities to national leadership.^[33]

Because this suffering reflects a clear pattern of abuse, a deeper examination through the framework of torture and inhuman treatment is essential to preserve the historical record and protect the victims' right to truth and public recognition.

[24]: Times of Israel, Freed Hostages Tell Families of Torture, Starvation and Long Periods of Isolation (14 Oct 2025) [timesofisrael.com/freed-hostages-suffered-torture-starvation-and-long-periods-of-isolation-reports/](https://www.timesofisrael.com/freed-hostages-suffered-torture-starvation-and-long-periods-of-isolation-reports/).

[25]: AP News, Freed Israeli Hostages Describe Starvation and Abuse While Held by Hamas (1 Dec 2023) [apnews.com/article/israel-palestinians-hamas-hostages-gaza-7b84d3f57aa3430aaa545d557d654f8c](https://www.apnews.com/article/israel-palestinians-hamas-hostages-gaza-7b84d3f57aa3430aaa545d557d654f8c).

[26]: Washington Institute for Near East Policy, Hostages of the Mind: Hamas's Strategic Use of Captivity in Cognitive Warfare (30 Jul 2025), [washingtoninstitute.org/policy-analysis/hostages-mind-hamass-strategic-use-captivity-cognitive-warfare](https://www.washingtoninstitute.org/policy-analysis/hostages-mind-hamass-strategic-use-captivity-cognitive-warfare).

[27]: Jerusalem Center for Public Affairs, Hamas's Hostage Homicide Is a Long-War Strategy (9 Sept 2024) [jcpa.org/hamass-hostage-homicide-is-a-long-war-strategy/](https://www.jcpa.org/hamass-hostage-homicide-is-a-long-war-strategy/).

[28]: Noga Halevi, Hostages of the Mind: Hamas's Strategic Use of Captivity in Cognitive Warfare, The Washington Institute for Near East Policy (Fikra Forum, Jul 30, 2025) [washingtoninstitute.org/policy-analysis/hostages-mind-hamass-strategic-use-captivity-cognitive-warfare](https://www.washingtoninstitute.org/policy-analysis/hostages-mind-hamass-strategic-use-captivity-cognitive-warfare)

[29]: Reuters, Trauma of Oct 7 Attack Still Hangs Over Israel as War Spreads (7 Oct 2024) <https://www.reuters.com/world/middle-east/trauma-oct-7-attack-still-hangs-over-israel-war-spreads-2024-10-07/>.

[30]: Times of Israel, Suspended in Hellish Limbo, Families of Hostages Declared Dead Fight to Not Be Forsaken (2 Sept 2025) [timesofisrael.com/suspended-in-hellish-limbo-families-of-hostages-declared-dead-fight-to-not-be-forsaken/](https://www.timesofisrael.com/suspended-in-hellish-limbo-families-of-hostages-declared-dead-fight-to-not-be-forsaken/).

[31]: Taub Center for Social Policy Studies in Israel, The October 7, 2023 War and Its Impact on Israel's Society and Economy (Dec 2023) [taubcenter.org.il/wp-content/uploads/2023/12/War-ENG-2023.pdf](https://www.taubcenter.org.il/wp-content/uploads/2023/12/War-ENG-2023.pdf).

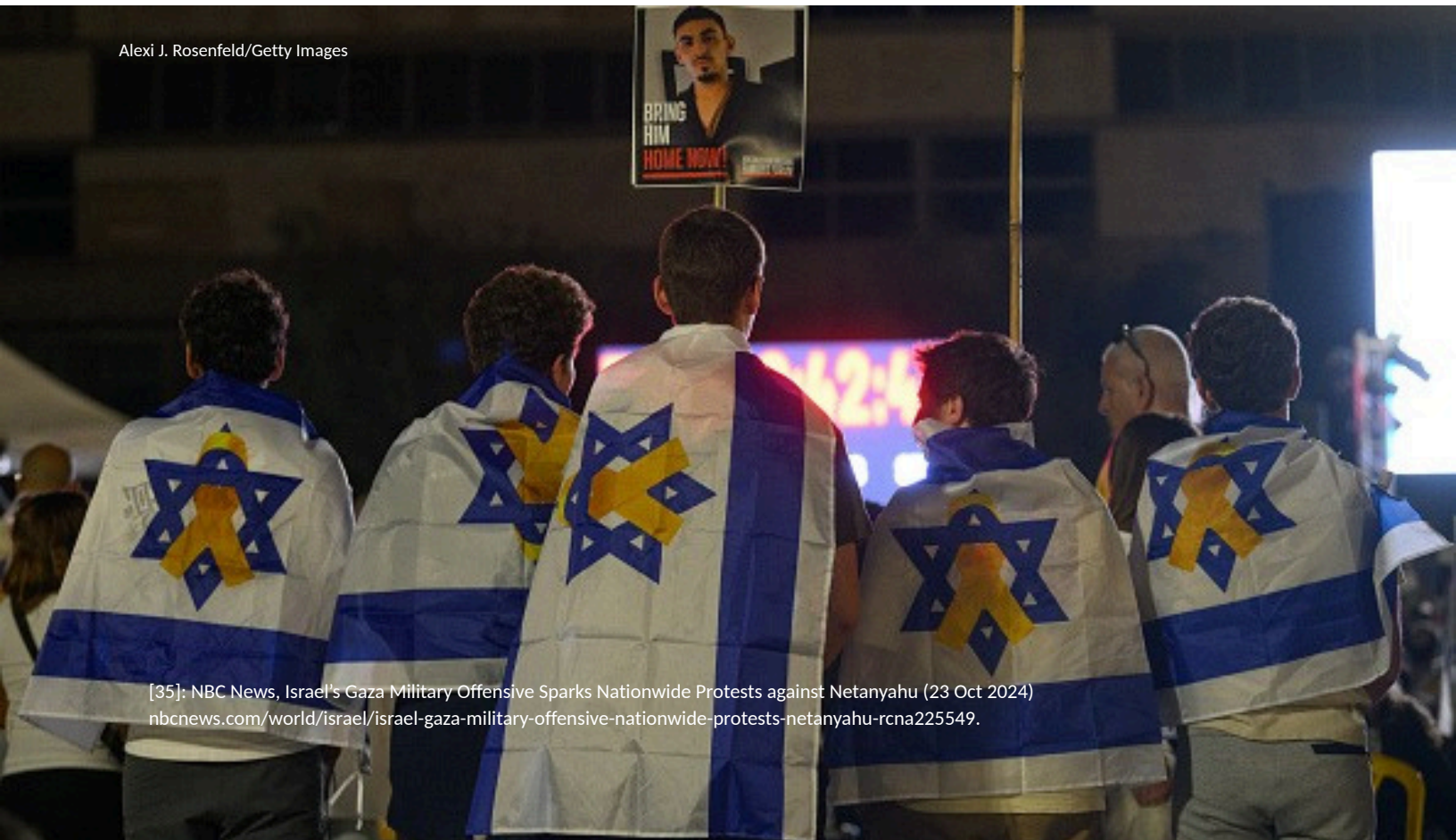
[32]: European Institute of the Mediterranean, The Gaza Conflict and Israel's Domestic Politics (2024) [iemed.org/publication/the-gaza-conflict-and-israels-domestic-politics/](https://www.iemed.org/publication/the-gaza-conflict-and-israels-domestic-politics/).

[33]: Jerusalem Institute for Strategy and Security, The Hamas Hostage Crisis: A Test of Israel's National Resilience (4 Mar 2025) [jiss.org.il/en/inbar-the-hamas-hostage-crisis/](https://www.jiss.org.il/en/inbar-the-hamas-hostage-crisis/); JNS, The Hostage Crisis: A Test of Israel's National Resilience (23 Mar 2025) [jns.org/the-hostage-crisis-a-test-of-israels-national-resilience/](https://www.jns.org/the-hostage-crisis-a-test-of-israels-national-resilience/).



Justin Tallis/Getty Images

Public demonstrations demanding the hostages's release became a defining feature of Israeli civic life, with citizens gathering weekly in “Hostage Square” in Tel Aviv, Jerusalem, and across the world in solidarity.^[35]



Alexi J. Rosenfeld/Getty Images

[35]: NBC News, Israel's Gaza Military Offensive Sparks Nationwide Protests against Netanyahu (23 Oct 2024) [nbcnews.com/world/israel/israel-gaza-military-offensive-nationwide-protests-netanyahu-rcna225549](https://www.nbcnews.com/world/israel/israel-gaza-military-offensive-nationwide-protests-netanyahu-rcna225549).



The entrance to the dining room in Kibbutz Nir Oz, destroyed during the October 7th attacks.

לשימור
לא לנעת

Submitted by the Jerusalem Institute of Justice (JIJ)

Legal Framework

According to the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards, hostage-taking for any purpose constitutes a serious violation that is incompatible with universally accepted standards of human conduct.^[36]

Hostage-taking consists of the seizure or detention of persons for the purpose of compelling a third party to act or abstain from acting as a condition for the hostage's release.^[37] This practice commonly entails the infliction of severe physical and mental pain or suffering, and other cruel, inhuman or degrading treatment.^[38]

While circumstances in which hostage-taking occurs may vary, the underlying purpose of the practice remains constant: the use of hostages to coerce or compel action by a third party.

A. Prohibition of Hostage-Taking Under International Law

Hostage-taking is absolutely prohibited under international humanitarian law, and this prohibition is expressly codified in the Fourth Geneva Convention^[39] (1949) and in Additional Protocols I and II^[40] (1977), which confirm that this practice is absolutely prohibited “at any time and in any place whatsoever,” whether committed by civilian or armed actors.

In 1976, the United Nations General Assembly, recognizing that the practice of hostage-taking endangers innocent human lives and violates human dignity, established an Ad Hoc Committee with a mandate to draft an International Convention against the Taking of Hostages.^[41] The Convention was adopted in 1979 and provides a widely accepted definition of the practice of hostage-taking. Article 1 defines it as the seizure or detention of a person, accompanied by threats to kill, injure, or continue the detention, for the purpose of compelling a third party to act or abstain from acting as a condition for the hostage's release.

Subsequently, this normative framework was further reinforced by the Rome Statute of the International Criminal Court, which classified hostage-taking as a war crime.^[42]

The defining element that distinguishes hostage-taking from other forms of abduction is the intent to obtain a concession or advantage through the continued captivity of the victim.^[43] However, this intent need not be present at the moment of abduction; it may also develop over the course of the hostage's captivity.^[44]

[36]: U.N. Human Rights Council, Hostage-Taking as Torture, A/HRC/58/55 (2025) [hereinafter “Edwards Report”].

[37]: International Convention against the Taking of Hostages, adopted 17 Dec 1979, 1316 U.N.T.S. 205, art. 1.

[38]: Edwards Report, A/HRC/58/55 (2025).

[39]: Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 Aug 1949, art 34.

[40]: Protocol Additional to the Geneva Conventions of 12 Aug 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) art. 75(2)(c), Jun 8, 1977, 1125 U.N.T.S. 3.

[41]: United Nations, General Assembly, 99th plenary meeting, A/RES/31/103 (1976).

[42]: Rome Statute of the International Criminal Court, 2187 U.N.T.S. 3 (1998), Art. 82(2)(c)(iii).

[43]: U.N. Human Rights Council, Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, U.N. Doc. A/HRC/58/55 (2025).

[44]: *Id.*

Hostage-taking is not limited to civilians. The abduction of soldiers for the purpose of securing prisoner exchanges or other concessions likewise constitutes hostage-taking and is prohibited under international law.^[45]

Hostage-taking may also constitute an act of terrorism, according to the definition provided in the International Convention for the Suppression of the Financing of Terrorism, where it involves the causing of death or serious bodily injury to a person not taking an active part in hostilities, for the purpose of intimidating a population or compelling a government to do or to abstain from doing any act.^[46]

The UN Security Council expressly condemned hostage taking as among the most deplorable tactics employed by the Taliban in S/RES/2816 (2026), which extended for an additional twelve months the mandate of a UN monitoring team in Afghanistan. This resolution reaffirms that such practices constitute serious violations of international law and pose an ongoing threat to international peace and security.^[47]

B. Intersection with Torture and Other Ill-Treatment

The prohibition of torture is *erga omnes* and of a *jus cogens* character, absolutely binding at all times, including during armed conflict. Lesser forms of cruel, inhuman, or degrading treatment or punishment are also prohibited under customary international law.

Against this legal backdrop, the Special Rapporteur has found that the inherent features of hostage-taking inevitably entail physical and mental torture, or at minimum cruel, inhuman, or degrading treatment.^[48] This severe suffering arises not only from physical abuse, but from prolonged uncertainty, incommunicado detention, threats of death, deprivation of basic necessities, and the deliberate exploitation of the hostage's vulnerability for coercive purposes.

Pictured below: Yaakov Argamani expresses visible relief and appreciation to an Israeli soldier who rescued his daughter, Noa Argamani, and a doctor treating her.



[45]: Geneva Convention III art. 3; Jean-Marie Henckaerts & Louise Doswald-Beck, Customary International Humanitarian Law r. 96 (ICRC 2005); Prosecutor v. Karadžić, Case No. IT-95-5/18, 468 (Int'l Crim. Trib. for the Former Yugoslavia); see also U.N. Gen. Assembly, U.N. Doc. A/79/232, 111 (2024).

[46]: United Nations, International Convention for the Suppression of the Financing of Terrorism, 1999, Art 2.1(b).

[47]: United Nations Security Council, S/RES/2816 (2026).

[48]: U.N. Human Rights Council, Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, U.N. Doc. A/HRC/58/55 (2025).

As part of the torment inflicted during captivity, hostages may be forced to participate in recordings intended for propaganda purposes. In this regard, international jurisprudence has recognized that forced filming of hostages constitutes inhuman treatment.^[49] Additionally, international humanitarian law prohibits exposing prisoners of war or detainees to public curiosity, even where participation appears ostensibly voluntary.^[50]

Although hostage-taking is not explicitly enumerated as a crime against humanity in the Rome Statute, the Special Rapporteur takes the position that the torture inherent in hostage-taking renders it a crime against humanity when committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack.^[51]

C. Impact on Families and Related Violations

Hostage-taking overlaps with other grave human rights violations, including enforced disappearance and arbitrary detention. Where the fate or whereabouts of hostages are concealed from their families, hostage-taking may constitute an enforced disappearance. However, classifying it merely as arbitrary detention fails to capture its intentional nature, the severe suffering it inflicts on the hostage, and its coercive purpose to compel third parties.

As with enforced disappearances, the families of hostages may themselves be victims of torture or cruel, inhuman, or degrading treatment, as they often experience a state of prolonged uncertainty, characterized by the absence of proof of life and the inability to communicate with the family member being held captive.^[52] The deliberate psychological harm is compounded by practices such as the release of hostage videos intended to instill fear or uncertainty, and the withholding of bodies to prevent burial.^[53] The concealment, destruction, or misuse of the remains of deceased hostages may amount to cruel, inhuman, or degrading treatment of family members, and may also infringe their right to know the truth and to recover the remains of loved ones.^[54]

Cases involving children are of special gravity, as children are recognized as a particularly vulnerable group. The taking of child hostages constitutes a notably egregious form of torture and ill-treatment and engages heightened obligations under international law, including under the Convention on the Rights of the Child.

[49]: Inter-American Court of Human Rights, *Maritza Urrutia v. Guatemala*, Judgment, 27 Nov 2003.

[50]: Edwards Report, U.N. Doc. A/HRC/58/55 (2025).

[51]: *Id.*

[52]: *Id.*

[53]: *Id.*

[54]: *Id.*



Methodology

Over the course of the last 873 days, **Jerusalem Institute of Justice** lawyers have conducted 23 qualitative confidential interviews with survivors of and first responders to the October 7th massacre. Our researchers have conducted site visits to Sderot, Nahal Oz, Nir Oz, Magen, Nirim, Re'im (the site of the Nova Festival), and the roadside bomb shelters along Route 232. We have made routine visits to "Hostage Square" in Tel Aviv in the course of our research, witnessing firsthand the impact of hostage-taking on Israeli society as a whole.

The quantitative data for this report was collected using a multi-stage verification process. Our sources include government websites, news articles published after October 7, 2023, publicly available interviews with released hostages, and United Nations reports. Sources were selected based on relevance, credibility, and consistency across multiple independent accounts.

This data was then organized into a structured database encompassing **6,971 individual data points** across 251 unique hostage profiles. The breadth of the dataset is demonstrated by its inclusion of diverse demographics (spanning multiple nationalities, religions, and ages) and status categories (Living, Deceased, Released, Rescued, and Recovered).

The specificity of the research is evidenced by the tracking of **23 nuanced markers**, including:

Conditions of Captivity: Specific site types (tunnels vs. private apartments), medical neglect (surgeries without anesthesia), and evidence of force-feeding.

Physical and Psychological Impact: Documented markers of significant weight loss and health status upon release.

Forensic & Tactical Detail: For deceased individuals, the database tracks the manner of death, the responsible actor at the time of death, and the timeline for the recovery of remains.

This systematic organization transformed raw public-source information into a structured backend reference. By categorizing complex qualitative encounters—such as hostage interactions with doctors, neighbors, or ICRC personnel—the database enabled a transition from preliminary open source information gathering to rigorous statistical analysis and evidence-based reporting.

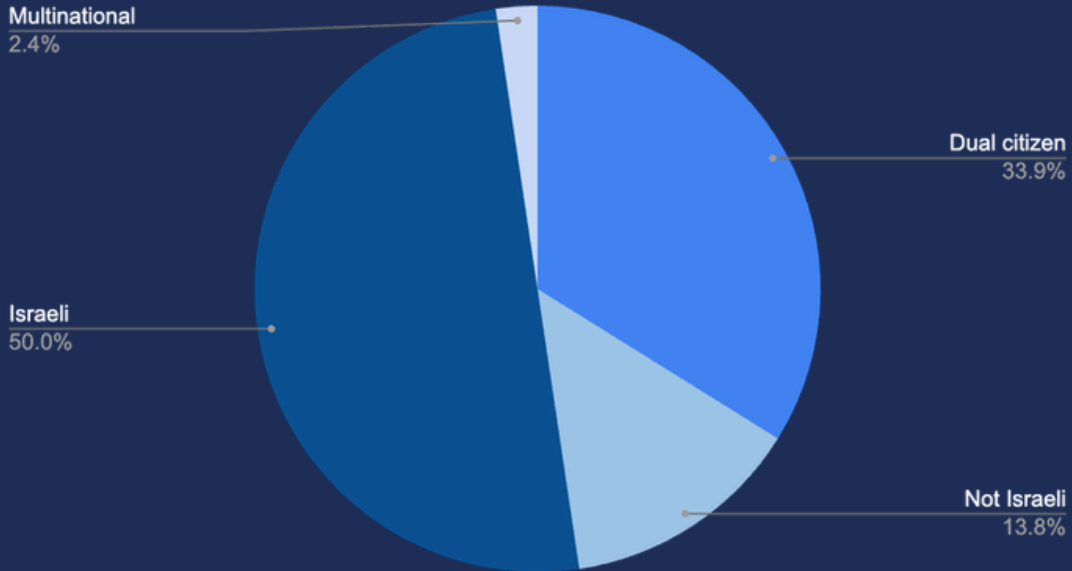
The legal analysis is grounded in the Fourth Geneva Convention and its Additional Protocols I and II, the International Convention against the Taking of Hostages, the Rome Statute, and the 2025 report of the UN Special Rapporteur on Torture. This legal framework was applied to the evidence collected to assess potential violations of international law.

This study acknowledges several limitations, including the reliance on publicly accessible sources and the potential for source bias. Nonetheless, the use of multiple data streams and internationally recognized legal frameworks strengthens the validity of the findings.

Data Analysis

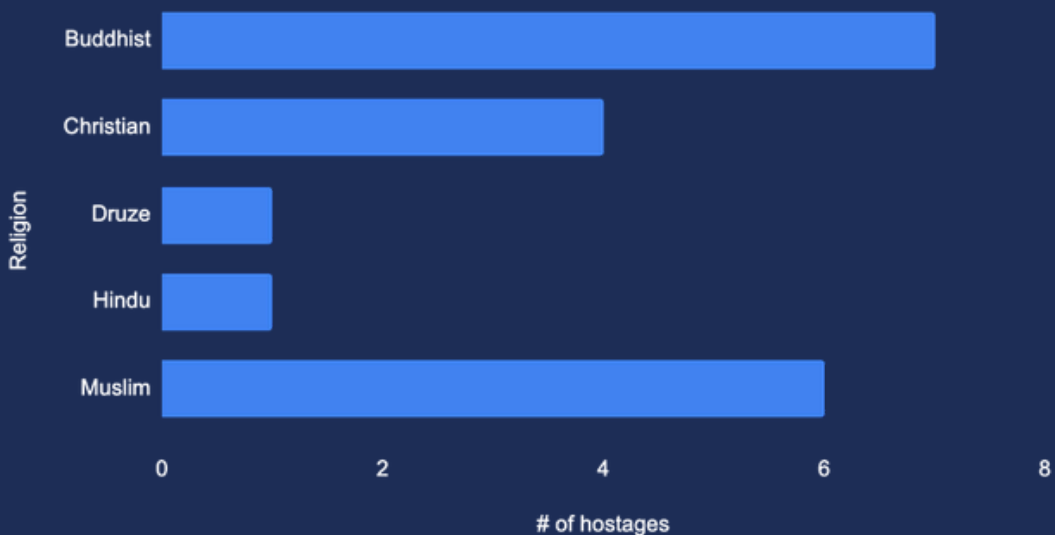
Citizens of at least 24 different countries were taken hostage.

Citizenship of hostages



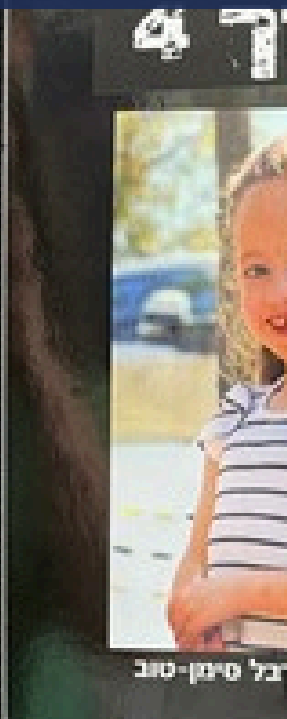
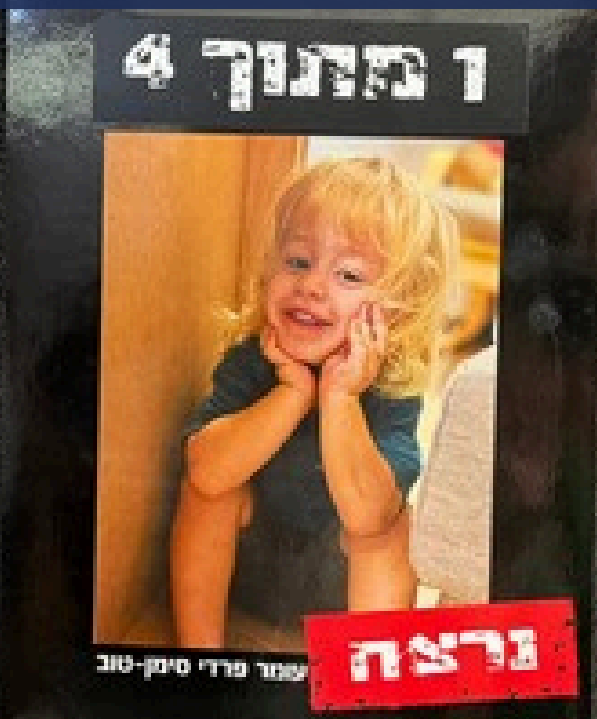
The hostages were not only Jewish—they came from a variety of religious backgrounds, demonstrating the indiscriminate nature of the hostage taking.

Religion of hostages (besides Jewish)



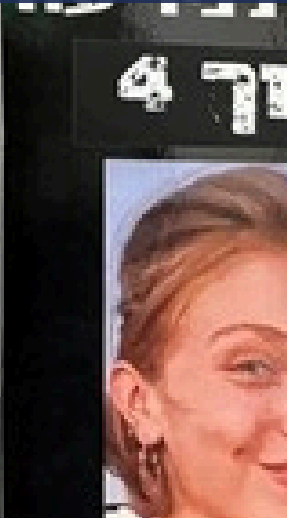
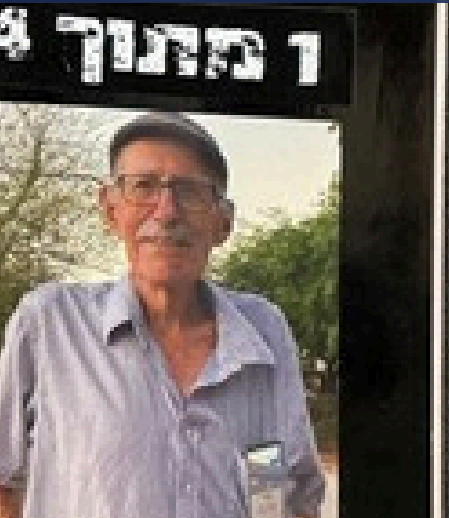


23 of the hostages were 12 or younger when they were abducted.



34 of the hostages were 60 or older.

1 in 4 hostages (22.7%) were either children or elderly persons.



The youngest hostage, **Kfir Bibas**, was **9 months old** when he was abducted along with his **4 year old** brother, **Ariel Bibas**, and their mother, **Shiri Bibas**.



They were murdered by their captors after a month of captivity, but their family was kept in the dark about their fate for over a year and a half. Their father, **Yarden Bibas**, who was kidnapped and held in Gaza, was intentionally and repeatedly taunted by his captors over the fate of his wife and children.^[55]

[55]: Times of Israel, Hamas completes return of bodies of Shiri Bibas and her two redhead sons (22 Jan 2025), [timesofisrael.com/taken-captive-shiri-bibas-and-her-redheaded-babies/](https://www.timesofisrael.com/taken-captive-shiri-bibas-and-her-redheaded-babies/)

Captivity and Abuse

51 hostages were held for over a year prior to being released.

6 hostages were held alive for 327 days prior to being brutally executed.



Pictured above left: A poster of killed US-Israeli hostage **Hersh Goldberg-Polin** (L) covers a symbolic coffin. The bodies of **Hersh Goldberg-Polin**, 23, **Eden Yerushalmi**, 24, **Ori Danino**, 25, **Alex Lobanov**, 32, **Carmel Gat**, 40, and **Almog Sarusi**, 27, were recovered from a tunnel in southern Gaza's Rafah. All six were kidnapped alive on October 7.

They were likely used as human shields for Hamas leader Yahya Sinwar and survived for months on energy bars until they were finally executed. **Eden** weighed only 79 pounds when she was recovered. **Hersh**, who was 6 feet tall, weighed only 116 pounds when he was found. The hostages were held in a tunnel 65 feet underground, 5 feet high, and just 2 feet wide. It had no electricity or plumbing (pictured above right).^[56]

"He was emaciated and bullet-ridden. He had all sorts of wounds all over his body from the 11 months when he had been held captive. He had bullet wounds in his remaining hand, his shoulder, and neck, with exit wounds from bullets fired at him at the top of his head, and then [he] was shot again, from point-blank range. Hersh was found on his knees, like he had collapsed, with Eden. Eden Yerushalmi's head was on his lap, or side. It was this horrifying scene. A bullet through the hand that tried to fend off the shots, and more in his head and shoulder." - Rachel Goldberg Polin, mother of Hersh

[56]: The Times of Israel, Six slain hostages were likely Sinwar's shields, lived for months on energy bars (Oct 20 2024), [timesofisrael.com/six-slain-hostages-were-likely-sinwar-shields-lived-for-months-on-energy-bars/](https://www.timesofisrael.com/six-slain-hostages-were-likely-sinwar-shields-lived-for-months-on-energy-bars/); In raw speech, Rachel Goldberg-Polin tells foreign envoys they can get hostages freed (May 2 2025) [timesofisrael.com/in-raw-speech-rachel-goldberg-polin-tells-foreign-envoys-they-can-free-hostages/](https://www.timesofisrael.com/in-raw-speech-rachel-goldberg-polin-tells-foreign-envoys-they-can-free-hostages/).

At least 78 hostages showed signs of starvation* upon release.

*This was assessed through a careful examination of photos after release or rescue, and review of public survivor testimony and medical reports.



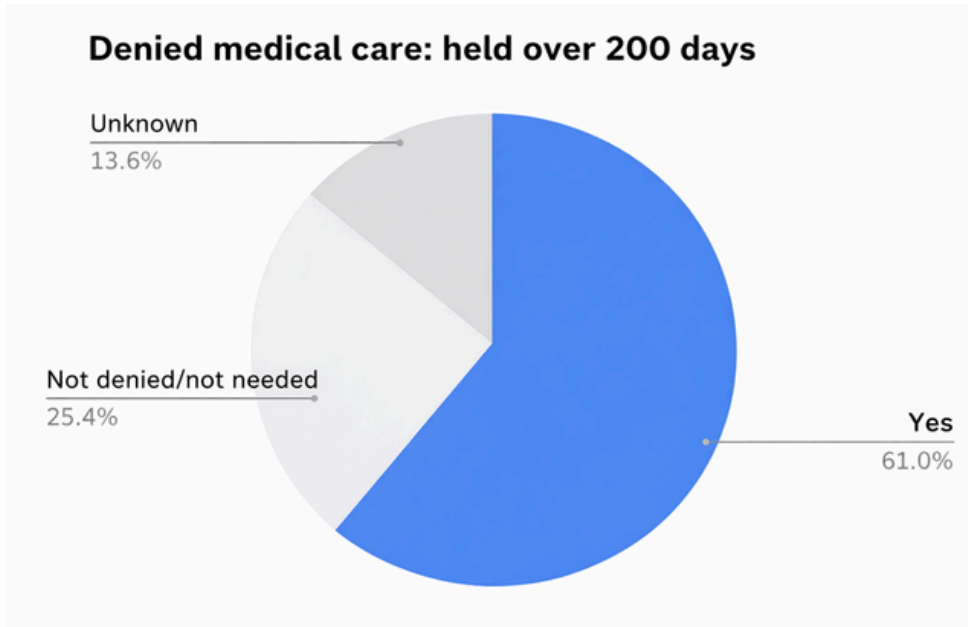
Getty Images

Wojtek Radwanski/Getty Images

Eli Sharabi pictured before his abduction (L) and after (R). Eli appeared visibly thinner after his captivity, highlighting the physical impact of prolonged detention. According to estimates by health system officials, most of the abductees returning to Israel suffered from severe malnutrition, severe salt deficiencies, and severe vitamin deficiencies.

A report released by the Hostages and Missing Families Forum said the policy of starving the hostages was intentional. According to testimonies, the food provided to the hostages was minimal, nutritionally poor, and lacking essential nutrients — at times, no more than half a pita per day. Hostages reported constant hunger, entire days without food, persistent exhaustion, and the use of food as a means of punishment.^[57]

[57]: Times of Israel, Medical report: Hostages face 'immediate risk of death' from 'systematic starvation' (Aug 4, 2025) [timesofisrael.com/medical-report-hostages-face-immediate-risk-of-death-from-systematic-starvation/](https://www.timesofisrael.com/medical-report-hostages-face-immediate-risk-of-death-from-systematic-starvation/)



61% of the hostages held for over 200 days were denied medical care.

Multiple hostages were killed under the guise of providing health care, including **Cpl. Noa Marciano**, who was killed in Gaza’s Shifa Hospital by a medical worker who injected air into her veins. **Guy Illouz** “died from his wounds after not receiving proper medical treatment while held captive by Hamas,” as reported by the IDF. **Maya Regev** spoke about her medical treatment in captivity upon her return, stating about her captors: “When changing bandages, when they wanted to see the wounds, they would purposely cause pain.”^[58]

Alon Ohel, pictured arriving home after undergoing extensive surgery in Israel’s Beilinson Hospital. During his captivity, his parents reported that he had lost sight in one of his eyes, and his condition worsened due to a lack of medical treatment.^[59]



[58]: Times of Israel, Freed hostage Maya Regev takes first steps, recovering from Oct. 7 injury, captivity (Aug 7 2024) [timesofisrael.com/freed-hostage-maya-regev-takes-first-steps-recovering-from-oct-7-injury-captivity/](https://www.timesofisrael.com/freed-hostage-maya-regev-takes-first-steps-recovering-from-oct-7-injury-captivity/); Euro News, Gaza doctor murdered Israeli hostage by injecting air into her veins, father claims (Dec 12 2025), [euronews.com/2025/12/12/gaza-doctor-murdered-israeli-hostage-by-injecting-air-into-her-veins-father-claims](https://www.euronews.com/2025/12/12/gaza-doctor-murdered-israeli-hostage-by-injecting-air-into-her-veins-father-claims).

[59]: Jerusalem Post, Alon Ohel undergoes eye and shoulder surgeries at Beilinson Hospital (3 Nov 2025) [jpost.com/israel-news/article-872510](https://www.jpost.com/israel-news/article-872510).

Public Parading During Hostage Transfers

68% of the hostages held for over 200 days were forced to participate in propaganda videos.

Hamas' staged release ceremonies further intensified the humiliation inflicted on hostages. Several handovers were conducted as public spectacles, with hostages displayed before crowds, surrounded by armed militants, and compelled to participate in orchestrated media performances. This constitutes an "outrage upon personal dignity" and contravenes the obligation to protect detainees from humiliating or degrading treatment and from exposure to "public curiosity."^[60] In several instances, hostages described acute fear during the transfer process, including concern that surrounding crowds might attack them while being transported by the ICRC.^[61]

While the ICRC served as intermediary in the transfer process, the public and staged nature of several handovers exposed hostages to humiliating and dangerous conditions. The ICRC itself publicly emphasized that releases should be conducted privately and with dignity and that degrading treatment is unacceptable,^[62] while the UN human rights leadership condemned the "parading" of hostages' bodies as abhorrent and contrary to international law.^[63]

Nevertheless, ICRC staff in Gaza continued participating in staged and televised "signing ceremonies," and drove hostages through uncontrolled crowds of civilians who jumped on top of transfer vehicles, demonstrating that additional measures should have been taken to ensure private, secure, and dignified release procedures consistent with international humanitarian law.



Pictured: an image from a Hamas propaganda video shows Israeli captive **Evyatar David** visibly emaciated and distressed, seated in a confined space while accepting a cup from a healthy captor. The footage was subsequently released publicly, causing distress to his family and broader Israeli society.

[60]: Geneva Convention Relative to the Treatment of Prisoners of War (Aug 12 1949) 75 U.N.T.S. 135, art. 13; Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Aug 12 1949) 75 U.N.T.S. 287; Common art. 3.

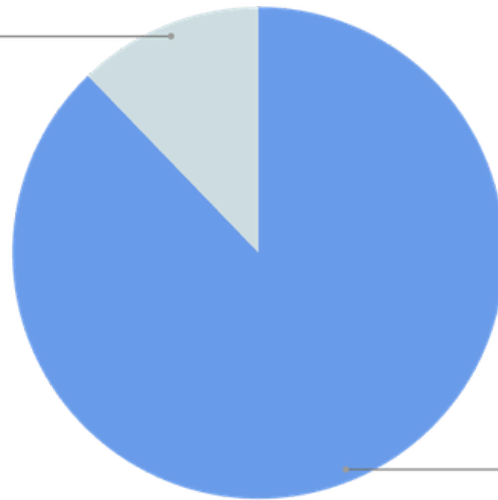
[61]: "We Thought We Were About to Be Lynched by Mob on Way Out of Gaza," i24NEWS (Nov 26 2023) [i24news.tv/en/news/israel-at-war/1700990753-we-thought-we-were-about-to-be-lynched-by-mob-on-way-out-of-gaza](https://www.i24news.tv/en/news/israel-at-war/1700990753-we-thought-we-were-about-to-be-lynched-by-mob-on-way-out-of-gaza).

[62]: International Committee of the Red Cross, "ICRC Calls for Private and Dignified Release Procedures" (Feb 2025).

[63]: Emma Farge, "UN Rights Chief Says Parading of Hostages' Bodies in Gaza Is Abhorrent," Reuters (Feb 20 2025) [reuters.com/world/middle-east/un-rights-chief-parading-bodies-gaza-abhorrent-2025-02-20/](https://www.reuters.com/world/middle-east/un-rights-chief-parading-bodies-gaza-abhorrent-2025-02-20/).

% of hostages who were on-duty

Active duty military
12.2%



Civilian
87.8%

The vast majority of hostages (**88%**) were civilians.

At least **99** hostages were kidnapped alongside family members or romantic partners.



Jack Guez/Getty Images

Twins **Gali** and **Ziv Berman** were kidnapped on October 7th and held separately during their 738 days in captivity. They were released on October 13th 2025.^[64]

[64]: Ynet Global, Freed Gaza hostages Gali and Ziv Berman reunited at home: 'I have to pinch myself to believe it's real' (26 Oct 2025) [ynetnews.com/article/bk91ekj0xx](https://www.ynetnews.com/article/bk91ekj0xx)

Sexual Assault in Captivity

At least 12 hostages described being sexually assaulted while in captivity.

"It was sexual violence, and its main purpose was humiliation. Its goal was to humiliate me, to crush my dignity,"

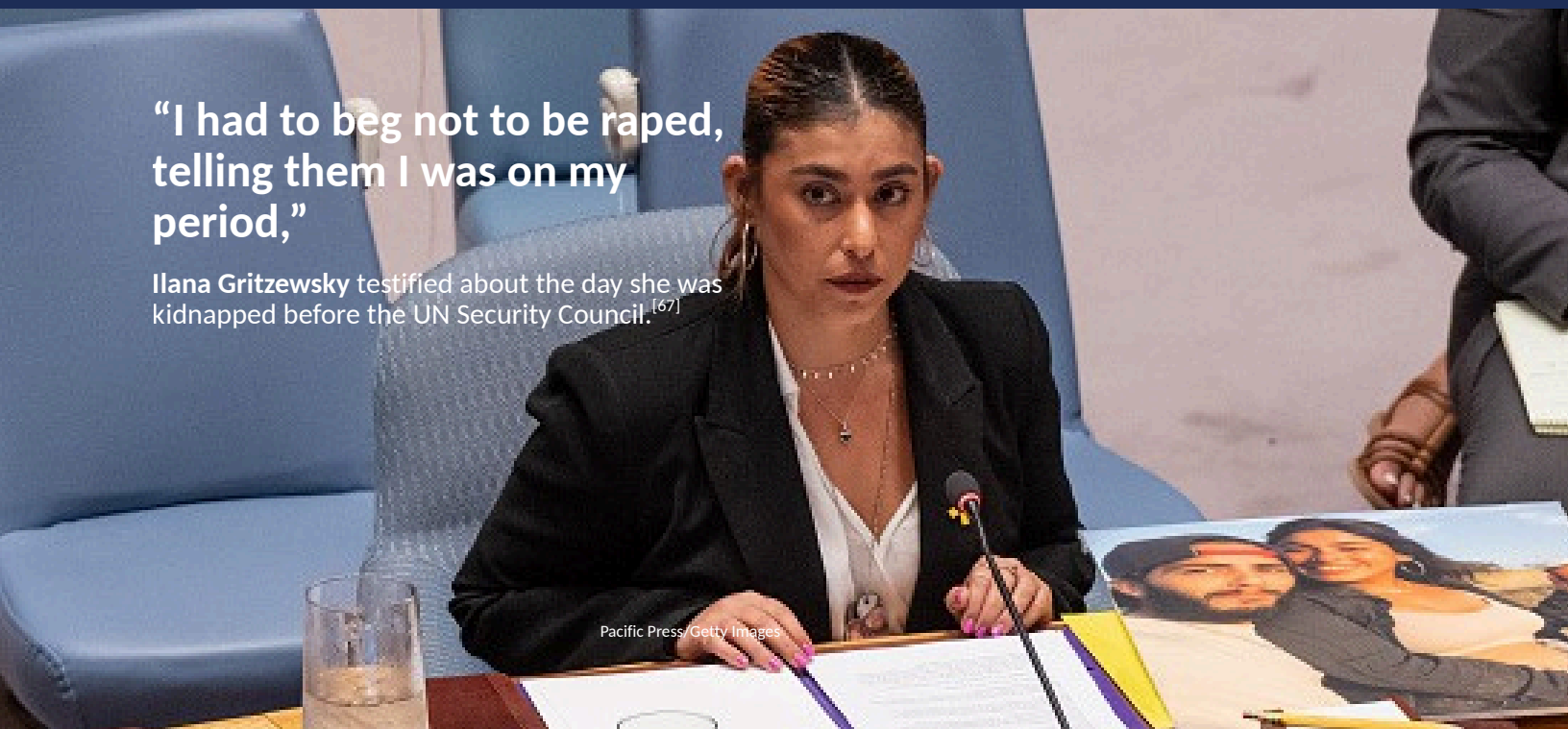
Rom Braslavski described being stripped naked and tied up by members of Palestinian Islamic Jihad.^[65]

"If you tell anyone, I'll kill you"

Romi Gonen recounted her captors' repeated sexual assaults.^[66]

"I had to beg not to be raped, telling them I was on my period,"

Ilana Gritzewsky testified about the day she was kidnapped before the UN Security Council.^[67]



"The things I went through, I went through from beginning to end."

Arbel Yehoud said on an interview after hearing Romi Gonen's testimony.^[68]

"He came from behind and was touching me all over my body. I froze up."

Guy Gilboa Dalal said that he suffered repeated sexual assaults and violent abuse at the hands of one of his captors.^[69]

[65] BBC, Released Israeli hostage says he was sexually assaulted in Gaza captivity (7 Nov 2025) [bbc.com/news/articles/cgkz0yzde80o](https://www.bbc.com/news/articles/cgkz0yzde80o)

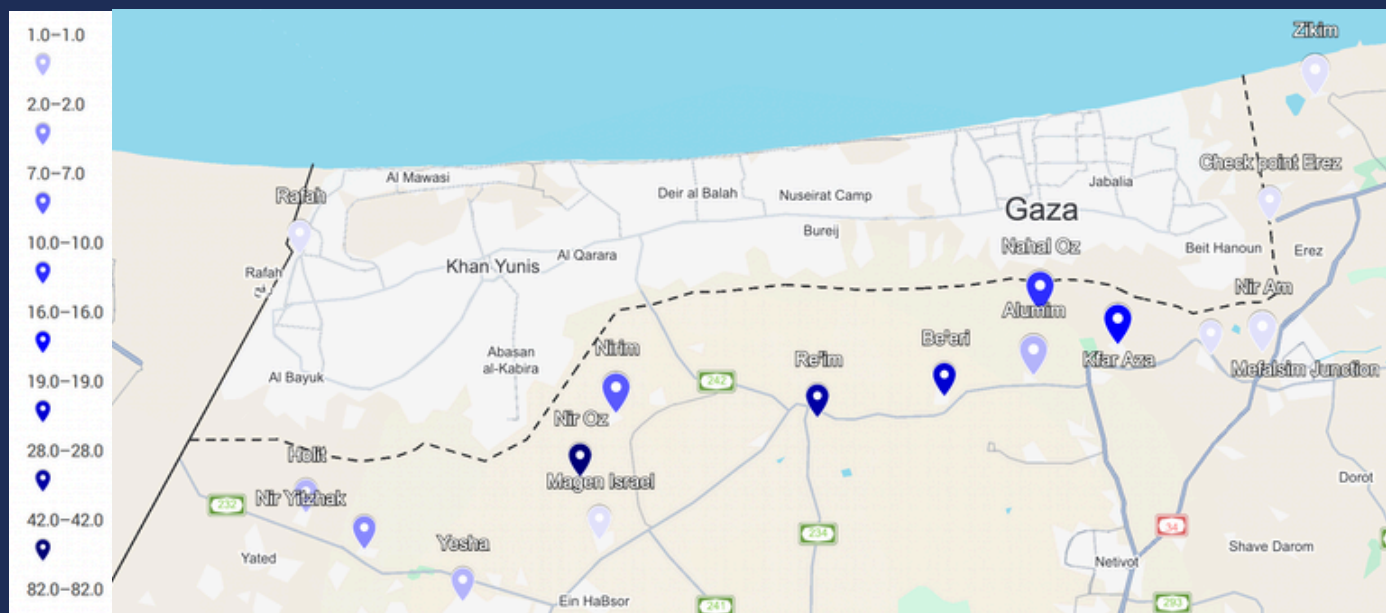
[66]: Times of Israel, Ex-hostage Romi Gonen recounts captors' repeated sexual assaults (26 Dec 2025) [timesofisrael.com/freed-hostages-suffered-torture-starvation-and-long-periods-of-isolation-reports/](https://www.timesofisrael.com/freed-hostages-suffered-torture-starvation-and-long-periods-of-isolation-reports/).

[67]: Times of Israel, Ex-hostage tells UN Security Council of sexual assault, starvation in struck Gaza hospital (27 Aug 2025) [timesofisrael.com/ex-hostage-tells-un-security-council-of-sexual-assault-starvation-in-struck-gaza-hospital/](https://www.timesofisrael.com/ex-hostage-tells-un-security-council-of-sexual-assault-starvation-in-struck-gaza-hospital/).

[68] Haaretz, Freed Hostage Arbel Yehoud: I Tried to End My Life Several Times in Captivity Until I Saw People Fighting for Me in Protests (14 Feb 2026) [haaretz.com/israel-news/2026-02-14/ty-article/i-tried-to-end-my-life-several-times-in-captivity-until-i-saw-people-protesting-for-me/0000019c-5ae7-dfd2-a7bc-7bf760040000](https://www.haaretz.com/israel-news/2026-02-14/ty-article/i-tried-to-end-my-life-several-times-in-captivity-until-i-saw-people-protesting-for-me/0000019c-5ae7-dfd2-a7bc-7bf760040000).

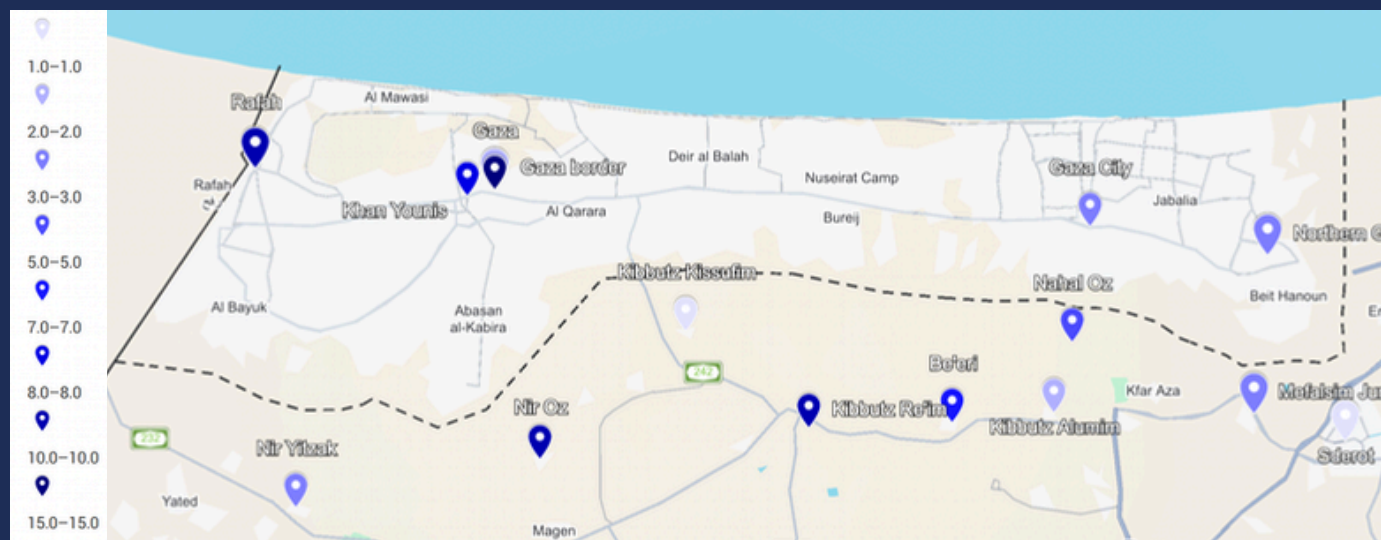
[69]: i24 News, Gaza captivity survivor Guy Gilboa-Dalal details sexual abuse by his captor (Nov 23 2025) [i24news.tv/en/news/Israel-at-war/survivor-testimonies/artc-gaza-captivity-survivor-guy-gilboa-dalal-details-sexual-abuse-by-his-captor](https://www.i24news.tv/en/news/Israel-at-war/survivor-testimonies/artc-gaza-captivity-survivor-guy-gilboa-dalal-details-sexual-abuse-by-his-captor).

Locations of hostage abductions



This map displays the various locations where hostages were taken. The worst hit locations included Kibbutz Nir Oz and the Nova Music festival (located near Kibbutz Re'im).

Locations of hostage killings



This map displays the various locations where hostages were killed. About half of the deceased hostages were killed in Israel and their bodies were kidnapped to Gaza, with large clusters at the Nova Festival and Kibbutz Nir Oz. Within Gaza, many hostages were killed in the cities of Rafah and Khan Yunis.

Where the hostages were taken from:

Workplace
7.5%
Shelter
0.4%

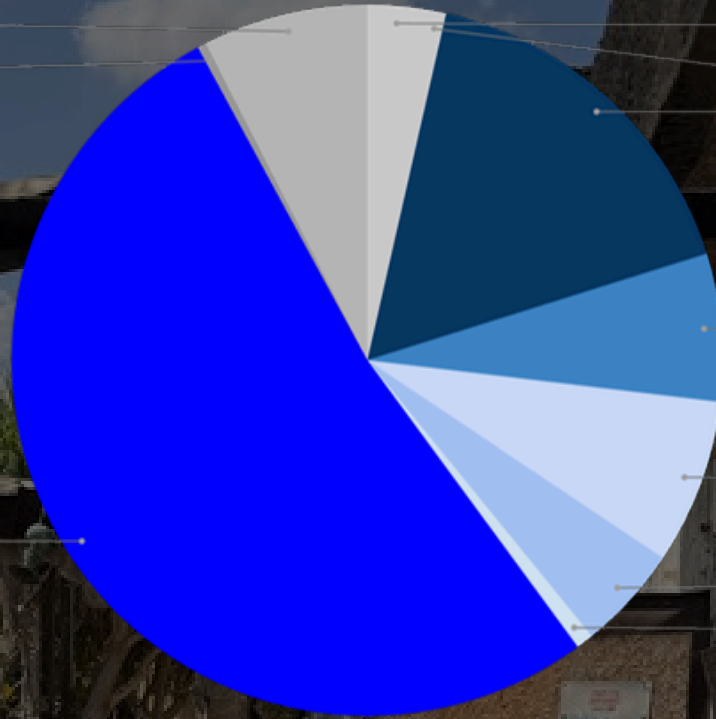
Battlefield
2.8%
Driving
0.8%
Festival site
16.6%

Private residence*
52.2%

Foreign worker housing
6.7%

IDF base
7.5%

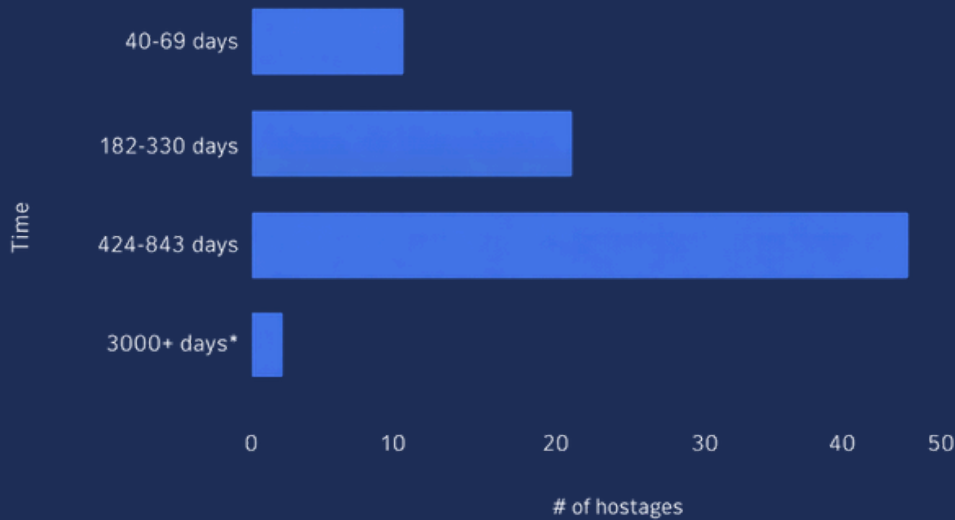
Kibbutz and surrounding areas
4.7%
Unknown
0.8%



*the hostages were taken from their own private residences in civilian neighborhoods

The hostages were kidnapped from a variety of everyday locations. **52 percent** were kidnapped from their homes and **17 percent** were kidnapped from an outdoor music festival. They were also kidnapped from their neighborhoods, workplaces, bomb shelters, and civilian cars.

Time until body returned



The bodies of 50 hostages were held for over a year.

The body of **Master Sgt. Ran Gvili** (an off-duty police officer) was returned over **two years** after he was killed. The return of his remains marked the first time since **2014** that no hostages were believed to be held in Gaza. His body had been concealed in a cemetery in Gaza City and was recovered following intelligence-gathering operations. Approximately 250 bodies were examined by forensic experts before one was positively identified as Gvili.^[70]

The bodies of **Staff Sgt. Oron Shaul** and **Lt. Hadar Goldin** were held in Gaza for over a decade after their deaths in 2014. Lt. Hadar Goldin's body was held deep in a tunnel under Gaza's Rafah until his body was returned in 2025. Staff Sgt. Oron Shaul's body was held in the freezer of a Gaza civilian's home until the IDF recovered it in a complex military operation, eleven years after his death.^[71] The prolonged retention of their bodies constituted an ongoing humanitarian and legal concern under international law.



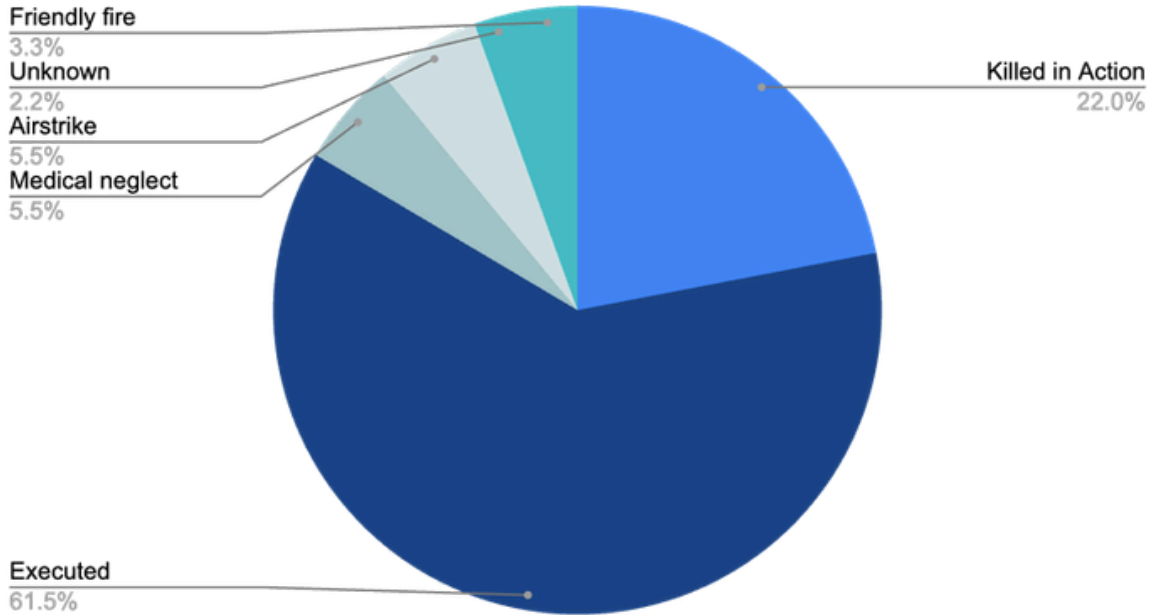
Girls kiss the casket of Israeli hostage Ran Gvili during his funeral in January, 2026. He was killed defending Israeli civilians as an off-duty police officer on October 7, 2023. (Chaim Goldberg/Getty Images)

*Staff Sgt. Oron Shaul and Lt. Hadar Goldin were killed in Operation Protective Edge in 2014 and their bodies were recovered in 2025

[70]: The Times of Israel, All of them are home now: Body of last hostage Ran Gvili found in Gaza, returned to Israel (Jan 26 2026), [timesofisrael.com/all-of-them-home-now-body-of-last-hostage-ran-gvili-found-in-gaza-returned-to-israel/](https://www.timesofisrael.com/all-of-them-home-now-body-of-last-hostage-ran-gvili-found-in-gaza-returned-to-israel/)

[71]: The Times of Israel, Oron Shaul's body was recovered after kidnapping, mile-long march by Gaza informant (Jan 23 2026); The Times of Israel, Scouring massive labyrinth under Rafah, IDF just missed finding Hadar Goldin's body (Dec 9 2025) [timesofisrael.com/scouring-massive-labyrinth-under-rafah-idf-just-missed-finding-hadar-goldins-body](https://www.timesofisrael.com/scouring-massive-labyrinth-under-rafah-idf-just-missed-finding-hadar-goldins-body)

Manner of death



33 hostages were executed by their captors.



This photo depicts a rally at Tel Aviv's "Hostage Square", which was held weekly on Saturday nights to call for the hostages' return. Some rallies attracted up to half a million people.

According to testimonies presented at the emergency conference “Doctors for Hostages” (2024), together with findings from the Israel Ministry of Health report on the consequences of captivity among hostages returned from Gaza in early 2025, a consistent picture emerges of severe and wide-ranging harm to both physical and mental health.

Many of the returned hostages suffered from profound malnutrition and significant weight loss. They presented with severe gastrointestinal infections, skin diseases, dental and jaw injuries, and exacerbation of chronic conditions due to the absence of medical care and essential medications. Serious medical complications were also reported, including cardiac damage, new cerebrovascular events, and irreversible neurological injuries. These conditions were attributed to prolonged starvation, inadequate hygiene, physical violence, and extended periods of immobility during captivity.^[72]

In parallel, psychological assessments revealed acute dissociation, emotional numbing, and severe mental withdrawal. These symptoms were accompanied by confusion, memory impairments, and persistent anxiety.

At the aforementioned emergency conference, survivors described an ongoing sense of existential threat that persisted after their release.^[73] Such psychological patterns reflect survival mechanisms under extreme captivity conditions; however, they also carry a high risk of long-term functional impairment and the development of post-traumatic stress disorder (PTSD).

For months after her release from captivity, **Agam Goldstein-Almog** refused to sleep in a bed or stand in an open room. Her clinical profile—and those of other captivity survivors—reveals a profound 'spatial guilt,' a dissociative state where survivors feel that utilizing physical space or domestic comfort is a betrayal of those still held in the claustrophobic confines of the tunnels. This is a forensic marker of systematic sensory deprivation.

Overall, the consequences of captivity extend far beyond the immediate post-release phase and require a sustained, multidisciplinary rehabilitation response integrating medical, nutritional, and mental health care.



Or Levy before his captivity (L) and after his release (R). Or appears visibly thinner after his time in captivity.

[72]: Israel Ministry of Health. The Medical Condition of the Hostages Who Have Been in Gaza since October 7. Jan.–Feb. 2025 gov.il/BlobFolder/reports/impact-of-captivity-report-jan-feb2025/he/files_publications_units_Medical_directorate_Impact-of-Captivity-Report_anfeb2025.pdf.

[73]: Doctors for Hostages. Emergency Conference (24 Oct 2024) youtube.com/watch?v=FLAxKMh9Ig.

Released hostages have spoken publicly about the conditions of their captivity



Richard A. Brooks/Getty Images

Pictured above: **Noa Argamani**, a former Israeli hostage who was kidnapped during the October 7, 2023 attack, and rescued by Israeli forces in June 2024, speaks during a meeting with G7 embassy representatives during a visit to Tokyo. She advocated strongly for the release of the remaining hostages after her rescue, including her partner **Avinatan Or** who was kidnapped alongside her, separated from her, and held captive in complete isolation for 738 days.

The video of her abduction was one of the first to be published online on October 7. In the video shared online, Argamani is seen on the back of a motorcycle being driven by her captor, screaming “Don’t kill me!” As she is driven away, she attempts to reach for her boyfriend Avinatan. Her mother, Liora Argamani, died from cancer three weeks after Noa’s rescue, allowing Liora to have her dying wish, “to see her daughter one last time,” be fulfilled.^[74]

[74]: The Times of Israel, Avinatan Or released from Gaza after 738 days in Hamas captivity (Oct 13 2025) [timesofisrael.com/taken-captive-avinatan-or-planning-to-move-in-with-girlfriend/](https://www.timesofisrael.com/taken-captive-avinatan-or-planning-to-move-in-with-girlfriend/), The Times of Israel, Noa Argamani recalls horrors of captivity, warns of dire conditions for hostages (Dec 10 2024) [timesofisrael.com/noa-argamani-recalls-horrors-of-captivity-warns-of-dire-conditions-for-hostages/](https://www.timesofisrael.com/noa-argamani-recalls-horrors-of-captivity-warns-of-dire-conditions-for-hostages/).

International Legal Framework

Hostage-taking is categorically prohibited under international humanitarian law and, depending on the circumstances, may constitute war crimes of torture or other ill-treatment, as well as crimes against humanity or other serious international crimes.

The Special Rapporteur argues that the harms inherent in hostage-taking may render such conduct a crime against humanity when committed as part of a widespread or systematic attack against a civilian population.^[75] Considering the scale and civilian character of the October 7 attacks, the Jerusalem Institute of Justice takes the position that the hostage-taking committed by Hamas meets the legal threshold for crimes against humanity.

In the case of **Yarden Bibas**, he was abducted by Hamas on October 7 and held alone in an underground cell, completely cut off from his wife and young children, who were also taken hostage from their home in Kibbutz Nir Oz. After his release, Yarden reported that his captors deliberately manipulated information regarding his family's fate and coerced another hostage to falsely inform him that his wife and sons had been killed.^[76]

His emotional collapse was filmed and later disseminated as propaganda.^[77] Such treatment constitutes incommunicado detention, psychological torture, and humiliating and degrading treatment.

Under international law, incommunicado detention is defined as the denial of all contact with family members, legal representatives,^[77] and independent humanitarian bodies such as the International Committee of the Red Cross (ICRC). This practice compromises essential safeguards designed to protect against torture and other cruel, inhuman, or degrading treatment.^[78]

Guy Gilboa-Dalal and **Evyatar David**, also taken hostage during the October 7 attacks, were transported to witness the release of other hostages months before their own release, without any indication of whether or when they would be freed. Reports describe serious physical and psychological deterioration, including dehydration, hearing loss, and denial of essential medical aids.^[79] These acts amount to psychological torture and cruel treatment.

[75]: U.N. Human Rights Council, *Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, Report of the Special Rapporteur on torture, Alice Jill Edwards, UN Doc. A/HRC/58/55 (2025).

[76]: The Times of Israel, *Hamas captors said to have tormented Yarden Bibas with incessant talk of wife, kids* (Feb 2 2025) [timesofisrael.com/hamas-captors-said-to-have-tormented-yarden-bibas-with-incessant-talk-of-wife-kids/](https://www.timesofisrael.com/hamas-captors-said-to-have-tormented-yarden-bibas-with-incessant-talk-of-wife-kids/)

[77]: Jessica Steinberg, *Family of Freed Hostage Yarden Bibas: He Asks About Wife and Sons, We Have No Answers*, **Times of Israel** (Feb 4 2025) [timesofisrael.com/family-of-freed-hostage-yarden-bibas-he-asks-about-wife-and-sons-we-have-no-answers/](https://www.timesofisrael.com/family-of-freed-hostage-yarden-bibas-he-asks-about-wife-and-sons-we-have-no-answers/).

[78]: U.N. Comm. Against Torture, General Comment No. 2 ¶ 13, U.N. Doc. CAT/C/GC/2 (Jan 24 2008).

[79]: Embassy of Israel, Nicosia, *Guy Gilboa Dalal and Evyatar David Forced to Watch the Release of Their Fellow Hostages*, Ministry of Foreign Affairs (Jun 3 2025) embassies.gov.il/cyprus/en/news/guy-gilboa-dalal-evyatar-david-gal-visited-cyprus.



Edwards' Report states that the severe suffering inherent in hostage-taking arises not only from physical abuse, but from prolonged uncertainty, incommunicado detention, threats of death, deprivation of basic necessities, and the deliberate exploitation of the hostage's vulnerability for coercive purposes.

Multiple released hostages reported systematic deprivation of food, water, sanitation, medical care, light, and ventilation. Many were held underground for extended periods, some in solitary confinement. Such conditions meet the threshold for cruel, inhuman, or degrading treatment and, when deliberately imposed to break resistance, torture.^[80] Documented cases include **Gali Berman** (malnutrition, isolation, lack of hygiene), **Oded Lifshitz** (advanced age compounded by denial of adequate medical care), and **Nirit Cooper** (chronic medical needs reportedly unmet).^[81]

Reports indicate that more than 100 hostages were coerced into filming propaganda videos or even forced to beg on camera for their release, conduct that is prohibited under international humanitarian law.^[82] These videos were then distributed to the general public with the aim of eliciting a clear reaction from families and the general public. Notable documented instances include a video released in August 2025 showing former hostage **Evyatar David** in a tunnel, visibly emaciated and compelled to dig what he stated was his

own grave.^[83] **Daniella Gilboa** was forced by the terrorists to record a video faking her own death. According to her mother, one of the captors came to her with a camera and told her, "Today we are filming you dead."^[84]

International jurisprudence recognizes that forced filming of detainees constitutes inhuman treatment^[85] and international humanitarian law prohibits exposing prisoners of war or detainees to public curiosity, even where participation appears nominally voluntary.^[86]

The Special Rapporteur noted that the abduction of soldiers for the purpose of securing prisoner exchanges or other concessions likewise constitutes hostage-taking and is prohibited under international law. While the majority of hostages taken on October 7 were civilians^[87], 31 of them were soldiers. They were often subjected to harsh treatment and torture, while multiple hostages were accused of being soldiers even if they were not.^[88]

Sgt. Matan Angrest and **Sgt. Edan Alexander** were both kidnapped while on duty and suffered extreme torture during their time in captivity, including electrocution, confinement in cages, prolonged handcuffing, and starvation.^[89] Their treatment constitutes a clear violation of international law, as they were allegedly used as bargaining chips in hostage negotiations to secure a ceasefire and the release of Palestinian prisoners.

[80]: Edwards Report, UN Doc. A/HRC/58/55 (2025).

[81]: Stuart Winer & Diana Bletter, Burned, Beaten, Starved: Health Ministry Compiles Hostage Testimonies to Submit to UN, Times of Israel (Dec 26 2024) [timesofisrael.com/burned-beaten-starved-health-ministry-compiles-hostage-testimonies-to-submit-to-un/](https://www.timesofisrael.com/burned-beaten-starved-health-ministry-compiles-hostage-testimonies-to-submit-to-un/)

[82]: Data based on an internal proprietary database compiled from open-source intelligence (OSINT), including public records, media reports, and official government releases.

[83]: Permanent Mission of Israel to the Multilateral Organizations in France, Disturbing Footage of Hostage Evyatar David, Held by the Hamas Terror Organization, (Aug 4 2025), Ministry of Foreign Affairs (Israel) embassies.gov.il/multilateral-organizations-france/en/news/cleared-publication-disturbing-footage-hostage-evyatar-david-held-hamas-terror-organization.

[84]: Times of Israel, Hamas forced Daniella Gilboa to stage her own death during captivity, her mother says (Feb 12 2025) [timesofisrael.com/hamas-forced-daniella-gilboa-to-stage-her-own-death-during-captivity-her-mother-says/](https://www.timesofisrael.com/hamas-forced-daniella-gilboa-to-stage-her-own-death-during-captivity-her-mother-says/).

[85]: Inter-American Court of Human Rights, Maritza Urrutia v. Guatemala, Judgment (27 Nov 2003).

[86]: Edwards Report, UN Doc. A/HRC/58/55 (2025).

[87]: Data based on an internal proprietary database compiled from open-source intelligence (OSINT), including public records, media reports, and official government releases.

[88]: Eli Sharabi, Hostage (2025).

[89]: Shilo Freid, Matan Angrest Talks About the 5 Months He Spent Alone in a Tunnel, and Reunites Virtually With Female Hostages, Ynet Global (Oct 19 2025) [ynetnews.com/article/synv2swalx](https://www.ynetnews.com/article/synv2swalx); Stav Levaton, Edan Alexander Suffered Severe Torture in Captivity, Was Kept Handcuffed in a Cage, Times of Israel (May 12 2025) [timesofisrael.com/liveblog_entry/report-edan-alexander-suffered-severe-torture-in-captivity-was-kept-handcuffed-in-a-cage](https://www.timesofisrael.com/liveblog_entry/report-edan-alexander-suffered-severe-torture-in-captivity-was-kept-handcuffed-in-a-cage)

Impact on Families

Families often experience a condition of “ambiguous loss,” which is caused and prolonged by deliberate acts of psychological torment, including the denial of proof of life, the withholding of communication, the release of coercive hostage videos, and the refusal to return bodies for burial.^[90] The Working Group on Enforced and Involuntary Disappearances has noted that a situation of hostage-taking may also constitute an enforced disappearance where the fate and whereabouts of loved ones is kept from family members.^[91]

Families were left without any information regarding their loved ones’ whereabouts, often waiting weeks or even months to determine whether they were dead or had been taken hostage.^[92] Even after the abduction was confirmed, families continued to lack reliable information about whether their relatives were alive, relying instead on limited accounts from released hostages or IDF findings.^[93]

The family of 18-year-old **Tamir Nimrodi**, who was last seen being taken into Gaza on October 7th, had no information as to whether he was dead or alive until his body was returned two years later.^[94] In the

most extreme cases, **Avera Mengistu**'s family did not hear from him after his abduction in 2014 until Hamas released a video showing him alive nine years later, in 2023.^[95] He finally emerged from captivity unable to speak or communicate with his relatives. Similarly, **Hisham al-Sayed**, abducted in 2015, was not heard from until Hamas released a video in 2022.^[96] This situation reflects the denial of communication, the absence of proof of life, and psychological torment inflicted upon the families.

Hamas also held the bodies of hostages as a bargaining chip for future negotiations^[97] and prevented families from having a proper burial for their loved ones.^[98]

More than two years after the October 7th attacks, the body of **Police Staff Sgt. Ran Gvili** was recovered by the IDF, after being held captive in the Gaza Strip for 842 days.^[99] In the most extreme example, Hamas retained the bodies of **Sgt. Oron Shaul** and **Lt. Hadar Goldin**, both abducted in 2014, for over ten years, denying their families a proper burial and closure.^[100]

[90]: Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, pp. 57–60, U.N. Doc. A/HRC/13/39 (Feb 9 2010).

[91]: International Convention for the Protection of All Persons from Enforced Disappearance, art. 24(1) (Dec 20 2006) 2716 U.N.T.S. 3; Report on the Working Group on Enforced or Involuntary Disappearances, U.N. Doc. A/HRC/WGEID/1, at 9 (2006); see also Submission of the Working Group on Enforced or Involuntary Disappearances, U.N. Doc.

[92]: Hostages and Missing Families Forum, Bring Them Home Now – Hostages and Missing Families Forum (visited Jan. 7, 2026), <https://stories.bringthemhomenow.net/>.

[93]: Id.

[94]: Emanuel Fabian & Nava Freiberg, “The Moment We So Feared”: Tamir Nimrodi, 18, Final Hostage with Fate Unknown, Confirmed Dead, Times of Israel (Oct. 15, 2025) [timesofisrael.com/the-moment-we-so-feared-tamir-nimrodi-final-hostage-with-fate-unknown-confirmed-dead/](https://www.timesofisrael.com/the-moment-we-so-feared-tamir-nimrodi-final-hostage-with-fate-unknown-confirmed-dead/)

[95]: Times of Israel, A decade of ‘unimaginable suffering.’ Relief as Avera Mengistu, Hisham al-Sayed freed (22 Feb 2025) [timesofisrael.com/a-decade-of-unimaginable-suffering-relief-as-avera-mengistu-hisham-al-sayed-freed/](https://www.timesofisrael.com/a-decade-of-unimaginable-suffering-relief-as-avera-mengistu-hisham-al-sayed-freed/).

[96]: Id.

[97]: Isabel Kershner & Patrick Kingsley, Israel and Hamas Near Cease-Fire Deal as Talks Focus on Hostages, NY Times (Feb 15 2025), [nytimes.com/2025/02/15/world/middleeast/israel-hamas-hostage-ceasefire.html](https://www.nytimes.com/2025/02/15/world/middleeast/israel-hamas-hostage-ceasefire.html).

[98]: ICRC Customary International Humanitarian Law, Rule 114 (2005).

[99]: Jessica Steinberg, Grieving family lays last hostage Ran Gvili to rest, closing chapter for anguished nation, Times of Israel (Jan 28 2026) [timesofisrael.com/all-the-laughter-is-gone-hundreds-at-funeral-of-ran-gvili-israels-final-hostage/](https://www.timesofisrael.com/all-the-laughter-is-gone-hundreds-at-funeral-of-ran-gvili-israels-final-hostage/).

[100]: Stav Levaton & Tol Staff, Body of Soldier Oron Shaul, Killed and Captured by Hamas in 2014, Recovered from Gaza, Times of Israel (Jan 19 2025) [timesofisrael.com/body-of-soldier-oron-shaul-killed-and-captured-by-hamas-in-2014-recovered-from-gaza/](https://www.timesofisrael.com/body-of-soldier-oron-shaul-killed-and-captured-by-hamas-in-2014-recovered-from-gaza/).

“The uncertainty, anxiety, and concern for you gave my thoughts no rest. For sixteen months, I’ve been speaking about you everywhere. It always hurt and intensified the longing, but talking about you also kept you present, alive. How can it be that you are no longer here?”

Ofri Bibas Levy, Yarden Bibas’s sister, said at Kfir, Ariel and Shiri’s funeral. ^[101]

“My brother died of grief and didn’t get to see his son return. The night before Almog’s return, my brother’s heart stopped.”

Almog Meir Jan’s aunt Dina Jan said in an interview. ^[102]

“I have brain cancer. I don’t know how long I have left. I wish for the chance to see my Noa, at home. Bring back my Noa as soon as possible so that I get the chance to see her.”

Liora Argamani, mother of Noa Argamani, said in a video pleading for the release of her daughter. ^[103]

“I am Yael Alexander, and I haven’t breathed for 500 days.”

Yael Alexander, mother of Edan Alexander, US-Israeli hostage released in May 2025. ^[104]

“We realise that there is a chance, maybe even a good chance, that Naama and other girls and men are being harassed. And it’s a fear that is painful in ways that are indescribable. We just have to keep fighting for her to get out of this hell.”

Said Amit Levy, Naama Levy’s brother regarding the video of Naama with bloodied trousers when she was kidnapped. ^[105]

“I want you to try and imagine not knowing for three weeks and two days if your family member is alive or not. When you try to go to bed, when you try to go to sleep, the only thing that you think is: ‘Does she have a bed? Is she eating? Is she drinking?’”

Shani Segal, Rimon Kirsht’s cousin, said in November 2023 at an event that brought six relatives of hostages together with Georgia state lawmakers. ^[106]

[101]: Times of Israel, Ofri Bibas Levy: They could have saved you but preferred revenge (26 Jan 2025) [timesofisrael.com/father-of-hostage-almog-meir-jan-died-hours-before-sons-rescue-he-died-of-grief/](https://www.timesofisrael.com/father-of-hostage-almog-meir-jan-died-hours-before-sons-rescue-he-died-of-grief/).

[102]: Times of Israel, Father of hostage Almog Meir Jan died hours before son’s rescue: ‘He died of grief’ (9 Jun 2024) [timesofisrael.com/father-of-hostage-almog-meir-jan-died-hours-before-sons-rescue-he-died-of-grief/](https://www.timesofisrael.com/father-of-hostage-almog-meir-jan-died-hours-before-sons-rescue-he-died-of-grief/).

[103]: The Jerusalem Post, Dying mother of hostage Noa Argamani releases video plea to see daughter (29 Nov 2023) [jpost.com/israel-news/article-775720](https://www.jpost.com/israel-news/article-775720).

[104]: Times of Israel, Two days after release, ex-captive warns remaining hostages ‘don’t have any more time’ (18 Feb 2025) [timesofisrael.com/hostage-families-and-oct-7-survivors-mark-500-days-since-atrocities-with-fast-rallies/](https://www.timesofisrael.com/hostage-families-and-oct-7-survivors-mark-500-days-since-atrocities-with-fast-rallies/).

[105]: BBC, Israeli hostage’s family hope kidnap video reminds world of need for deal (23 May 2024) [bbc.com/news/articles/cg33j53qe310](https://www.bbc.com/news/articles/cg33j53qe310).

[106]: Times of Israel, Families of Israeli hostages held in Gaza travel worldwide to be living reminders (5 Nov 2023) [timesofisrael.com/families-of-israeli-hostages-held-in-gaza-travel-worldwide-to-be-living-reminders](https://www.timesofisrael.com/families-of-israeli-hostages-held-in-gaza-travel-worldwide-to-be-living-reminders).

II. Child hostages

Since children are recognized as a particularly vulnerable group, the taking of child hostages constitutes an egregious form of torture and ill-treatment.

In this regard, on 7 October 2023, Hamas-led militants kidnapped 33 children under the age of 18,^[107] in violation of the prohibition of hostage-taking and constituting a grave violation of children's rights.

The youngest, **Kfir Bibas**, was only 9 months old when abducted alongside his 4 year old brother, **Ariel**.^[108] **Avigail Idan** was 3 years old when her parents were murdered and she was kidnapped alone to Gaza.^[109] Twins **Emma** and **Yuli Cunio** were also kidnapped alongside their mother, **Sharon**, and were kept apart from their dad, **David Cunio**, for more than two years, who was released in October 2025.

All of the children taken hostage were seized alive from their homes in the kibbutzim. The majority of them were released alive, except for the Bibas children.

III. Sexual Violence Against Hostages

Sexual abuse of hostages constitutes grave violations of international humanitarian and human rights law. So far, 12 hostages have described being sexually assaulted while in captivity.

Under Common Article 3 of the Geneva Conventions, acts including violence to person, cruel treatment, and outrages upon personal dignity, such as sexual violence, forced nudity, threats, or coercive sexual acts, are absolutely prohibited, with hostage-taking itself rendering such conduct an aggravated violation.^[110] In this context, many hostages have publicly testified of having experienced sexual abuse during captivity.

Amit Soussana gave public testimony that she was sexually abused and raped by an armed captor while held alone and under threat.^[111] Former hostage **Mia Schem** testified to sexualized threats, inappropriate touching, forced exposure, and constant fear of rape, compounded by injury.^[112]

After **Romi Gonen** shared that during her 471 days held hostage she was sexually harassed by four different men,^[113] **Arbel Yehoud** decided to publicly testify what she endured in captivity. Yehoud said she tried to end her life several times while being held captive in Gaza, and added "The things I went through, I went through from beginning to end. So they are in a closed, closed suitcase."^[114]

[107]: Data based on an internal proprietary database compiled from open-source intelligence (OSINT), including public records, media reports, and official government releases.

[108]: Lucy Manning, Israel Grieves Youngest Hostages, BBC (Feb 21 2025) [bbc.com/news/articles/ce8mv5dp0r3o](https://www.bbc.com/news/articles/ce8mv5dp0r3o).

[109]: Michal Yaakov Itzhaki & Eli Berlzon, Bittersweet Excitement as Youngest Ex-Hostage Starts School 2 Years After Attack, Times of Israel (Oct 7 2025), [timesofisrael.com/bittersweet-excitement-as-youngest-ex-hostage-starts-school-2-years-after-attack/](https://www.timesofisrael.com/bittersweet-excitement-as-youngest-ex-hostage-starts-school-2-years-after-attack/).

[110]: Geneva Conventions, common art. 3, Aug. 12, 1949, 6 U.S.T. 3316, 75 U.N.T.S. 135.

[111]: Patrick Kingsley & Ronen Bergman, Israeli Hostage Says She Was Sexually Assaulted and Tortured in Gaza, NY Times (Mar 26 2024) [nytimes.com/2024/03/26/world/middleeast/hamas-hostage-sexual-assault.html](https://www.nytimes.com/2024/03/26/world/middleeast/hamas-hostage-sexual-assault.html)

[112]: Israeli Ex-Hostage Says She Feared Being Raped by Gaza Captor, Reuters (Dec 30 2023) [reuters.com/world/middle-east/israeli-ex-hostage-says-she-feared-being-raped-by-gaza-captor-2023-12-30/](https://www.reuters.com/world/middle-east/israeli-ex-hostage-says-she-feared-being-raped-by-gaza-captor-2023-12-30/).

[113]: Times of Israel, 'If you tell anyone, I'll kill you': Ex-hostage Romi Gonen recounts captors' repeated sexual assaults (26 Dec 2025) [timesofisrael.com/if-you-tell-anyone-ill-kill-you-ex-hostage-romi-gonen-recounts-captors-repeated-sexual-assaults/](https://www.timesofisrael.com/if-you-tell-anyone-ill-kill-you-ex-hostage-romi-gonen-recounts-captors-repeated-sexual-assaults/).

[114]: Haaretz, Freed Hostage Arbel Yehoud: I Tried to End My Life Several Times in Captivity Until I Saw People Fighting for Me in Protests (14 Feb 2026) [haaretz.com/israel-news/2026-02-14/ty-article/i-tried-to-end-my-life-several-times-in-captivity-until-i-saw-people-protesting-for-me](https://www.haaretz.com/israel-news/2026-02-14/ty-article/i-tried-to-end-my-life-several-times-in-captivity-until-i-saw-people-protesting-for-me).

[115]: David Gritten, Released Israeli hostage says he was sexually assaulted in Gaza captivity, BBC (7 Nov 2025) [bbc.com/news/articles/cgkz0yzde80o](https://www.bbc.com/news/articles/cgkz0yzde80o).

Rom Braslavski said he was subjected to sexual violence in Gaza captivity for the primary purpose of humiliating him.^[115] Likewise, **Guy Gilboa-Dalal** said he suffered repeated sexual abuse committed by his captors and couldn't tell anyone. He added that he later feared being separated from the other hostages, as that could have led to further assaults.^[116]

In conclusion, hostage-taking is strictly prohibited under international law. As affirmed by the UN Special Rapporteur, the practice inevitably entails forms of torture, as the constant fear and threat of

violence faced by all hostages constitute psychological torture.^[117]

In light of its scale, this conduct meets the threshold for crimes against humanity and war crimes under Articles 7 and 8 of the Rome Statute^[118] and constitutes a violation of peremptory norms of international law, triggering obligations erga omnes, including the duty of all states to investigate, prosecute or extradite those responsible.^[119]

Ilia Yefimovich/Getty Images



Israelis light the eighth candle of Hanukkah in Hostage Square, holding placards bearing the face of **Police Master Sgt. Ran Gvili** in Tel Aviv. Gvili was the last hostage to be returned from Gaza.

[116]: i24News, Gaza captivity survivor Guy Gilboa-Dalal details sexual abuse by his captor (23 Nov 2025) i24news.tv/en/news/israel-at-war/survivor-testimonies/artc-gaza-captivity-survivor-guy-gilboa-dalal-details-sexual-abuse-by-his-captor

[117]: Edwards Report, para. 32, U.N. Doc. A/HRC/58/55 (Jan 5 2025).

[118]: Rome Statute of the International Criminal Court, 2187 U.N.T.S. 3 (1998), Arts. 7 and 8.

[119]: Edwards Report, supra note 1, at para. 87 (urging the use of universal jurisdiction and international mechanisms).

Conclusion and Call to Action

Hostage-taking constitutes not only a grave violation of international humanitarian law but also a sustained form of torture under international human rights law.

Rather than being a secondary or incidental crime of armed conflict, hostage-taking is a deliberate and systematic practice in which human beings are instrumentalized through physical and psychological abuse to coerce a third party. It therefore meets the legal thresholds articulated by the Special Rapporteur and long-standing international conventions as torture.

Silence, equivocation, or the mischaracterization of hostage-taking as a political bargaining tool risks normalizing torture itself. Hostage-taking must be explicitly recognized and treated as torture, triggering the full range of legal obligations under international law, including prevention and prosecution. States, international organizations, and accountability mechanisms must act accordingly.

In light of the above, the Jerusalem Institute of Justice:

1. Demands that all UN investigative and accountability mechanisms addressing the October 7 attacks and the Gaza conflict explicitly and consistently **treat the hostage-taking of Israelis and associated abuses as torture, war crimes, and crimes against humanity.**

2. Calls for the **recognition of former hostages** held in Gaza, as well as their families, **as victims of torture**, enforced disappearance and cruel, inhuman, or degrading treatment, with corresponding rights to truth, reparations, and guarantees of non-recurrence.

3. Demands that Member States **extradite or prosecute individuals responsible for hostage-taking** who are present within their jurisdiction, in accordance with their obligations under international law.

4. Calls upon the State of Israel to ensure long-term **rehabilitation**, adequate monetary **compensation**, and social and psychological **support for former hostages** and their families.

5. Rejects any framing of the hostage-taking of Israelis as a legitimate political or military bargaining practice and calls for this prohibition to be clearly reflected in torture-prevention frameworks, reporting mechanisms, and early-warning systems concerning Israel-Gaza hostilities.

In conclusion, the return of the hostages marks the end of a period of unlawful captivity, but it does not close the legal record. Ensuring that hostage-taking is fully recognized, investigated, prosecuted, and remedied under international law is essential to upholding the absolute prohibition of torture and protecting civilians in future conflicts.



APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Kfir Bibas, 0, 502 days, executed in captivity
 Aviv Katz-Asher, 2, 48 days, released alive
 Avigail Idan, 3, 50 days, released alive
 Emma Cunio, 3, 51 days, released alive
 Yahel Shoham, 3, 49 days, released alive
 Yuly Cunio, 3, 51 days, released alive
 Ariel Bibas, 4, 502 days, executed in captivity
 Oriya Brodutch, 4, 50 days, released alive
 Raz Katz-Asher, 4, 48 days, released alive
 Emilia Aloni, 5, 48 days, released alive
 Ella Elyakim, 8, 50 days, released alive
 Emily Hand, 8, 49 days, released alive
 Nave Shoham, 8, 49 days, released alive
 Ohad Munder, 9, 48 days, released alive
 Tal Goldstein-Almog, 9, 50 days, released alive
 Yuval Brodutch, 9, 50 days, released alive
 Ofri Brodutch, 10, 50 days, released alive
 Gal Goldstein-Almog, 11, 50 days, released alive
 Eitan Yahalomi, 12, 51 days, released alive
 Erez Kalderon, 12, 51 days, released alive
 Noam Avigdori, 12, 49 days, released alive
 Yagil Yaakov, 12, 51 days, released alive
 Yuval Engel, 12, 51 days, released alive
 Alma Or, 13, 49 days, released alive
 Gali Tarshansky, 13, 53 days, released alive
 Hila Rotem-Shoshani, 13, 49 days, released alive
 Dafna Elyakim, 15, 50 days, released alive
 Amit Shani, 16, 53 days, released alive
 Or Yaakov, 16, 51 days, released alive
 Sahar Kalderon, 16, 51 days, released alive

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Agam Goldstein-Almog, 17, 50 days, released alive

Aisha Ziyadne, 17, 54 days, released alive

Mia Leimberg, 17, 52 days, released alive

Natalie Raanan, 17, 13 days, released alive

Noa Marciano, 17, 40 days, executed in captivity

Noam Or, 17, 49 days, released alive

Ofir Engel, 17, 53 days, released alive

Bilal Ziyadne, 18, 54 days, released alive

Itay Regev, 18, 53 days, released alive

Liam Or, 18, 53 days, released alive

Liri Albag, 18, 476 days, released alive

Mika Engel, 18, 51 days, released alive

Noga Weiss, 18, 49 days, released alive

Ori Megidish, 18, 23 days, rescued by IDF alive

Tamir Nimrodi, 18, 739 days, disputed factors

Agam Berger, 19, 481 days, released alive

Daniella Gilboa, 19, 476 days, released alive

Edan Alexander, 19, 583 days, released alive

Itay Chen, 19, 760 days, KIA; body kidnapped

Karina Arieiev, 19, 476 days, released alive

Kiril Brodski, 19, 291 days, KIA; body kidnapped

Naama Levy, 19, 476 days, released alive

Nik Beizer, 19, 69 days, air strike

Nimrod Cohen, 19, 737 days, released alive

Oz Daniel, 19, 757 days, KIA; body kidnapped

Rom Braslavski, 19, 737 days, released alive

Ron Sherman, 19, 69 days, airstrike

Shaked Dahan, 19, 229 days, KIA; body kidnapped

Shay Levinson, 19, 321 days, KIA; body kidnapped

Matan Angrest, 20, 737 days, released alive

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Omer Shem Tov, 20, 504 days, released alive
 Oron Shaul, 20, 3836 days, KIA; body kidnapped
 Tomer Ahimas, 20, 291 days, KIA; body kidnapped
 Almog Meir Jan, 21, 245 days, rescued by IDF alive
 Bar Kupershtein, 21, 737 days, released alive
 Joshua Mollel, 21, 761 days, murdered; remains abducted
 Maya Regev, 21, 49 days, released alive
 Mia Schem, 21, 54 days, released alive
 Omer Neutra, 21, 757 days, KIA; body kidnapped
 Yonatan Samerano, 21, 74 days, murdered; remains abducted
 Alon Ohel, 22, 737 days, released alive
 Daniel Perez, 22, 737 days, KIA; body kidnapped
 Evyatar David, 22, 737 days, released alive
 Guy Gilboa-Dalal, 22, 737 days, released alive
 Omer Wenkert, 22, 504 days, released alive
 Shani Louk, 22, 223 days, murdered; remains abducted
 Bipin Joshi, 23, 744 days, executed in captivity
 Eden Yerushalmi, 23, 329 days, executed in captivity
 Eitan Mor, 23, 737 days, released alive
 Hadar Goldin, 23, 4118 days, KIA; body kidnapped
 Hamza Ziyadne, 23, 458 days, executed in captivity
 Hersh Goldberg-Polin, 23, 329 days, executed in captivity
 Romi Gonen, 23, 470 days, released alive
 Yosef Ohana, 23, 737 days, released alive
 Matan Zangauker, 24, 737 days, released alive
 Ori Danino, 24, 329 days, executed in captivity
 Ran Gvili, 24, 842 days, murdered; body kidnapped
 Sahar Baruch, 24, 754 days, killed during IDF rescue attempt
 Samer Talalka, 24, 69 days, fatally shot during escape
 Noa Argamani, 25, 245 days, rescued by IDF alive

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Roni Krivoi, 25, 50 days, released alive
 Segev Kalfon, 25, 737 days, released alive
 Almog Sarusi, 26, 329 days, executed in captivity
 Alon Shamriz, 26, 69 days, fatally shot during escape
 Ariel Cunio, 26, 737 days, released alive
 Bannawat Saethao, 26, 481 days, released alive
 Eliya Cohen, 26, 504 days, released alive
 Emily Damari, 26, 470 days, released alive
 Gali Berman, 26, 737 days, released alive
 Gong Sae Lao, 26, 53 days, released alive
 Guy Iluz, 26, 737 days, fatal medical neglect
 Natthaporn Onkeaw, 26, 49 days, released alive
 Pattanayut Tonsakree, 26, 52 days, released alive
 Ziv Berman, 26, 737 days, released alive
 Amit Buskila, 27, 223 days, murdered; remains abducted
 Andrey Kozlov, 27, 245 days, rescued by IDF alive
 Anucha Angkaew, 27, 49 days, released alive
 Eden Zecharya, 27, 66 days, murdered; remains abducted
 Elia Toledano, 27, 69 days, air strike
 Hisham al-Sayed, 27, 3596 days, released alive
 Inbar Haiman, 27, 739 days, murdered; remains abducted
 Khomkrit Chombua, 27, 49 days, released alive
 Ofir Tzarfati, 27, 53 days, murdered; remains abducted
 Alexander Trufanov, 28, 497 days, released alive
 Arbel Yehoud, 28, 481 days, released alive
 Avera Mengistu, 28, 3821 days, released alive
 Idan Shtivi, 28, 693 days, murdered; remains abducted
 Jakkapan Seekena, 28, 53 days, released alive
 Manee Chirachat, 28, 49 days, released alive
 Wichai Kalapat, 28, 48 days, released alive

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Yotam Haim, 28, 69 days, fatally shot during escape
 Sapir Cohen, 29, 54 days, released alive
 Shani Goren, 29, 54 days, released alive
 Doron Steinbrecher, 30, 470 days, released alive
 Ilana Trufanov, 30, 54 days, released alive
 Orión Hernández Radoux, 30, 230 days, murdered; remains abducted
 Pornsawan Pinakalo, 30, 50 days, released alive
 Santi Boonphrom, 30, 48 days, released alive
 Sonthaya Oakkharasri, 30, 742 days, murdered; remains abducted
 Surin Kesungnoen, 30, 50 days, released alive
 Surasak Rumnao, 31, 481 days, released alive
 Alexander Lobanov, 32, 329 days, executed in captivity
 Avinatan Or, 32, 737 days, released alive
 Shiri Bibas, 32, 502 days, executed in captivity
 Watchara Sriaoun, 32, 481 days, released alive
 David Cunio, 33, 737 days, released alive
 Jimmy Pacheco, 33, 48 days, released alive
 Or Levy, 33, 490 days, released alive
 Oren Goldin, 33, 291 days, murdered; body kidnapped
 Sharon Cunio-Aloni, 33, 51 days, released alive
 Withoon Phumee, 33, 48 days, released alive
 Yarden Bibas, 33, 483 days, released alive
 Charoenchai Saengkaew, 34, 53 days, released alive
 Doron Katz-Asher, 34, 48 days, released alive
 Elkana Bohbot, 34, 737 days, released alive
 Pongsak Thenna, 34, 481 days, released alive
 Sathian Suwannakham, 34, 481 days, released alive
 Yagev Buchshtab, 34, 318 days, executed in captivity
 Maxim Herkin, 35, 737 days, released alive
 Nattapong Pinta, 35, 609 days, executed in captivity

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Natthawaree Moonkan, 35, 48 days, released alive
 Sagui Dekel-Chen, 35, 497 days, released alive
 Uriel Baruch, 35, 738 days, murdered; remains abducted
 Yarden Roman-Gat, 35, 53 days, released alive
 Rimon Kirsht-Buchshtab, 36, 52 days, released alive
 Ziv Dado, 36, 66 days, KIA; body kidnapped
 Eitan Horn, 37, 737 days, released alive
 Uthai Thunsri, 37, 48 days, released alive
 Adi Shoham, 38, 49 days, released alive
 Itay Svirsky, 38, 424 days, executed in captivity
 Tal Shoham, 38, 504 days, released alive
 Tamir Adar, 38, 745 days, murdered; remains abducted
 Carmel Gat, 39, 329 days, executed in captivity
 Muhammad El-Atrash, 39, 739 days, KIA; body kidnapped
 Amit Soussana, 40, 54 days, released alive
 Asaf Hamami, 40, 757 days, KIA; body kidnapped
 Hagar Brodutch, 40, 50 days, released alive
 Moran Yanai, 40, 53 days, released alive
 Nili Margalit, 40, 54 days, released alive
 Owat Suriyasri, 40, 52 days, released alive
 Shlomi Ziv, 40, 245 days, rescued by IDF alive
 Hanan Yablonka, 41, 230 days, murdered; remains abducted
 Tal Haimi, 41, 745 days, murdered; body kidnapped
 Phaiboon Ratnin, 42, 53 days, released alive
 Sudthisak Rinthalak, 43, 788 days, murdered; remains abducted
 Wichian Temthon, 43, 50 days, released alive
 Bancha Kongmanee, 44, 48 days, released alive
 Danielle Aloni, 44, 48 days, released alive
 Uthai Sangnuan, 44, 48 days, released alive
 Boonthom Phankhong, 45, 48 days, released alive

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Iair Horn, 45, 497 days, released alive
 Mongkhol Phajuboon, 45, 48 days, released alive
 Omri Miran, 46, 737 days, released alive
 Elad Katzir, 47, 182 days, executed in captivity
 Chen Goldstein-Almog, 48, 50 days, released alive
 Dror Or, 48, 780 days, Murdered; remains abducted
 Aviv Atzili, 49, 258 days, murdered; body kidnapped
 Liat Atzili, 49, 53 days, released alive
 Ohad Yahalomi, 49, 509 days, executed in captivity
 Tsachi Idan, 49, 509 days, executed in captivity
 Elena Trufanov, 50, 53 days, released alive
 Eli Sharabi, 51, 490 days, released alive
 Karina Engel-Bart, 51, 51 days, released alive
 Nadav Popplewell, 51, 318 days, killed in disputed circumstances
 Qaid Farhan al-Qadi, 51, 325 days, rescued by IDF alive
 Ravid Katz, 51, 291 days, murdered; remains abducted
 Sharon Avigdori, 52, 49 days, released alive
 Eitan Levy, 53, 738 days, murdered; remains abducted
 Meirav Tal, 53, 52 days, released alive
 Ofer Kalderon, 53, 483 days, released alive
 Ron Binyamin, 53, 230 days, murdered; remains abducted
 Shiri Weiss, 53, 49 days, released alive
 Yossi Sharabi, 53, 737 days, died in proximity to a targeted strike
 Youssef Ziyadne, 53, 458 days, executed in captivity
 Keren Munder, 54, 48 days, released alive
 Ohad Ben-Ami, 54, 490 days, released alive
 Raaya Rotem, 54, 53 days, released alive
 Ronen Engel, 54, 742 days, murdered; remains abducted
 Buddee Saengbun, 55, 48 days, released alive
 Ilan Weiss, 56, 693 days, murdered; remains abducted

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Itzhak Gelerenter, 56, 223 days, murdered; remains abducted
 Maya Goren, 56, 291 days, murdered; remains abducted
 Raz Ben-Ami, 56, 53 days, released alive
 Judith Raanan, 59, 13 days, released alive
 Michel Nisenbaum, 59, 230 days, murdered; remains abducted
 Yair Yaakov, 59, 258 days, murdered; remains abducted
 Fernando Marman, 60, 128 days, rescued by IDF alive
 Noralin Agojo, 60, 52 days, released alive
 Lior Rudaeff, 61, 762 days, murdered; remains abducted
 Aviva Siegel, 62, 50 days, released alive
 Clara Marman, 62, 35 days, released alive
 Keith Siegel, 64, 483 days, released alive
 Yehudit Weiss, 65, 40 days, murdered; remains abducted
 Shoshan Haran, 67, 49 days, released alive
 Itzik Elgarat, 68, 502 days, executed in captivity
 Judy Weinstein-Haggai, 70, 258 days, murdered; remains abducted
 Louis Har, 70, 128 days, rescued by IDF alive
 Ofra Keidar, 70, 258 days, murdered; remains abducted
 Adina Moshe, 72, 48 days, released alive
 Gad Haggai, 73, 258 days, murdered; remains abducted
 Irena Tati, 73, 53 days, released alive
 Meny Godard, 73, 768 days, murdered; remains abducted
 Ada Sagi, 74, 52 days, released alive
 Alex Dancyg, 75, 318 days, executed in captivity
 Eliyahu Margalit, 75, 742 days, murdered; remains abducted
 Hanna Katzir, 75, 48 days, released alive
 Margalit Moses, 77, 48 days, released alive
 Ofelia Roitman, 77, 52 days, released alive
 Avraham Munder, 78, 318 days, executed in captivity
 Ruth Munder, 78, 48 days, released alive

APPENDIX: Hostages taken from Israel

Name, Age when Kidnapped, Length of Captivity, and Status

Tamar Metzger, 78, 52 days, released alive
 Chaim Peri, 79, 318 days, executed in captivity
 Channah Peri, 79, 48 days, released alive
 Gadi Mozes, 79, 481 days, released alive
 Nurit Cooper, 79, 16 days, released alive
 Yoram Metzger, 80, 318 days, executed in captivity
 Oded Lifshitz, 83, 415 days, executed in captivity
 Amiram Cooper, 84, 754 days, executed in captivity
 Ditzza Heiman, 84, 52 days, released alive
 Elma Avraham, 84, 50 days, released alive
 Arye Zalmanovich, 85, 745 days, fatal medical neglect
 Yaffa Adar, 85, 48 days, released alive
 Yocheved Lifshitz, 85, 16 days, released alive
 Shlomo Mansour, 86, 508 days, murdered; remains abducted

Mailroom of Kibbutz Nir Oz. Red stickers indicate residents murdered on October 7th. Black stickers indicate hostages.





Photo courtesy of JIJ staff

A hand-painted billboard along southern Israel's Route 232 calls attention to the prolonged captivity of Lt. Hadar Goldin, Sgt. Oron Shaul, Avera Mengistu, and Hisham al-Sayed. Hebrew inscription: "Reach out your hand and touch them."



Photo courtesy of GPO

Above: **Eli Sharabi** receiving the news (from his mother and sister) on the day of his release that his wife and daughters (Lianne, Noya, and Yahel) were murdered by Hamas militants at their home in Kibbutz Be'eri after they took him into captivity.

Below: JIJ lawyers on a site visit to the home of the Cunio Family in Kibbutz Nir Oz. 8 members of the family were taken into captivity - **Danielle Aloni** & her 5 year old daughter **Emilia Cunio**. Danielle's sister **Sharon Cunio** and her husband **David Cunio**, along with their 3 year old twins **Emma Cunio** & **Yuly Cunio**. David's brother **Ariel Cunio** & his partner **Arbel Yehoud**.



Photo courtesy of Debbie Hill



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