

Hamas-Israel War

Context & Figures

(SBS internal document, not for distribution or publication)

15 NOVEMBER 2024

In this Editorial Guidance:

1. Referencing October 7 attacks.
2. Referencing International Court of Justice (ICJ) ruling 24.05.2024.
3. Referencing International Criminal Court (ICC) ongoing investigation into alleged war crimes since 2014
4. Death Toll sources
5. Death Toll Oct 7 (Israeli)
6. After Oct 7 (Palestinian)
7. Palestinian Ministry of Health in Gaza
8. Occupation of Palestinian territories

Context	Text (recommended wording)	Rationale/References
1) Referencing October 7 attacks.	<i>Hamas-led militants' attack in Israel on 7 October 2023 marked a turning point in the long-standing regional conflict, escalating to become the largest and longest Israeli military operation in Gaza.</i>	<p>Rationale</p> <p>After 7 Oct 2023, it was considered necessary to always reference the 7/10 attacks to contextualise Israel's attacks in Gaza.</p> <p>One year later, after hundreds of stories/reports across all SBS platforms, referencing Oct 7 attacks, this context should be included when editorially relevant, using neutral language, to ensure stories are balanced, accurate and impartial, as per the Code of Practice.</p> <p>We suggest using Hamas-led militants as the attack was led by Hamas' military wing – the Qassam Brigades – and at least four other Palestinian armed groups.</p>
2) Referencing International Court of Justice (ICJ) ruling 24.05.2024.	<i>Israel continues the attacks in Gaza after the International Court of Justice (ICJ)'s order in May 2024 to immediately halt any military offensive (in Rafah) and any other action that could lead to the destruction of the Palestinian civilian population in Gaza in whole or in part.</i>	<p>References</p> <ul style="list-style-type: none"> • https://www.icj-cij.org/node/204100 • https://www.abc.net.au/news/2024-05-29/the-legality-of-israels-actions-in-rafah/103906478

	<p><i>Many countries interpret the order as a halt of the offensive on Rafah entirely, due to the obligations under the Genocide Convention.</i></p> <p><i>But according to Israel's interpretation, the ICJ ruling allows for targeted and precise military operations in Rafah, arguing these are defensive actions.</i></p> <p>(Shorter version for TV/Social)</p> <p><i>The International Court of Justice (ICJ) has ordered Israel to halt any military offensive in Rafah that could lead to the destruction of the Palestinian civilian population in Gaza.</i></p> <p><i>Israel argues that its actions are to defend itself and that the ICJ ruling allows for targeted and precise military action in Rafah.</i></p>	
<p>3) Referencing International Criminal Court (ICC) ongoing investigation into alleged war crimes since 2014</p>	<p><i>In 2021 the International Criminal Court opened a formal ongoing investigation into alleged Israeli war crimes in the Palestinian territories dating back to 2014.</i></p> <p><i>It has included the latest Israeli and Palestinian attacks in Israel, Gaza and the West Bank.</i></p> <p><i>In May 2024, the ICC Prosecutor filed applications for warrants of arrest for Hamas and Israeli leaders for war crimes and crimes against humanity, committed in Israel and the Gaza strip from at least 7 October 2023. Since then, the three Hamas leaders cited by the ICC, have been killed in Israeli military operations, and arrest warrants remain in place for Israeli Prime Minister Benjamin Netanyahu and former Israeli Defence Minister Yoav Gallant.</i></p> <ul style="list-style-type: none"> ● Mohammed Diab Ibrahim Al-Masri (Deif) (deceased) ● Ismail Haniyeh (deceased) ● Yahya Sinwar (deceased) ● Benjamin Netanyahu ● Yoav Gallant 	<p>Reference</p> <p>https://www.icc-cpi.int/palestine</p> <p>https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state</p> <p>Please use the original source when quoting the ICC in this conflict.</p>

<p>4) Death Toll sources</p>	<p>UN casualty numbers are provided by the Palestinian Ministry of Health or the Gaza Media Office and by Israeli authorities. Figures are to be attributed to the sources in both cases.</p>	<p>Reference</p> <p>https://www.un.org/unispal/document/coi-attacks-7october2023-report-10jun24/ https://www.ochaopt.org/data/casualties</p>
<p>5) Death Toll Oct 7 (Israeli)</p>	<p><i>On October 7, 2023, at least 1,200 Israelis and foreign nationals were killed by Hamas-led militants. At least 800 were civilians, including children and teenagers. About 250 more were seized as hostages, mostly civilians.</i></p> <p><i>(Optional)</i> <i>Almost 100 are still missing, and more than 30 are presumed deceased)</i> https://www.ohchr.org/en/press-releases/2024/09/un-torture-expert-calls-immediate-release-israeli-hostages-after-meeting</p>	<p>References</p> <ul style="list-style-type: none"> • https://www.idf.il/en/mini-sites/israel-at-war-fighting-on-multiple-fronts/ • https://www.gov.il/en/pages/swords-of-iron-faq-6-dec-2023 • https://www.gov.il/en/departments/government-press-office/govil-landing-page • https://www.gov.il/en/pages/swords-of-iron-war-in-the-south-7-oct-2023
<p>6) Death Toll After Oct 7 (Palestinian)</p>	<ul style="list-style-type: none"> • <i>Since October 7, 2023, at least (X number) Palestinians have been killed, and (X number) injured in Israel's air and ground war in Gaza, according to the Palestinian Ministry of Health.</i> • <i>More than half of the Palestinian victims are children and women, according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).</i> • <i>Israel has claimed/said that nearly half of the deaths in Gaza are Hamas militants, according to Israeli data.</i> 	<p>Rationale and References</p> <ul style="list-style-type: none"> • We stopped using “the Gaza Ministry does not distinguish between combatants or civilians” because: <ul style="list-style-type: none"> - it can mislead audiences to believe that most of the casualties were combatants. - It can misrepresent civilian casualties. - Even though contested, Netanyahu has said that almost nearly half are casualties are Hamas militants. - Source: Netanyahu in May 2024, speaking on "Call Me Back" podcast said to podcast host Dan Senor that Hamas fighters accounted for nearly half of the death toll. Israel has <i>"been able to keep the ratio of civilians to combatants killed... (to) a ratio of about one to one."</i> "Fourteen thousand have been killed, combatants, and probably around 16,000 civilians have been killed". https://www.youtube.com/watch?v=x_mGNDd2vI0 • We include the number of children and women deaths. <ul style="list-style-type: none"> - In May, the UN amended the numbers of deaths (originally from Government Media Office/Palestinian Health Ministry). - After amending the figures, the UN still maintains that the majority of fully identified fatalities are women and children – 52% as explained by the BBC here: https://www.bbc.com/news/world-middle-east-69014893 • Information about occupation and conflict-related casualties is regularly collected by OCHA field staff and entered into OCHA’s Protection of Civilians database, following review and verification. As a rule, for an incident to be entered into the database it needs to be validated

		<p>by at least two independent and reliable sources. Exceptions to this rule include incidents resulting in Israeli injuries, where information is typically based on media reports.</p> <ul style="list-style-type: none"> • New information about Palestinian death toll has surfaced in an ABC investigation (October 2024) https://www.abc.net.au/news/2024-10-19/gaza-death-toll-numbers-killed-israel-strikes-buried-body-parts/104259532 • Article published by The Lancet by Martin Mckee about the number of civilians killed in Gaza: https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)01169-3/fulltext Martin Mckee: https://eurohealthobservatory.who.int/about-us/staff/biography/martin-mckee • The reliability of the Gaza Health Ministry's death count has been recently scrutinised by Le Monde: https://www.lemonde.fr/en/les-decodeurs/article/2024/10/13/why-the-gaza-health-ministry-s-death-count-is-considered-reliable_6729264_8.html • Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-4.pdf
<p>7) Referencing Palestinian Ministry of Health in Gaza</p>	<p>We use: <i>Palestinian Ministry of Health in Gaza or Ministry of Health in Gaza</i></p> <p>We don't use: <i>Hamas-run Ministry of Health</i></p>	<p>Reference</p> <p>We use the accurate name: Palestinian Ministry of Health in Gaza https://site.moh.ps/</p>
<p>8) Referencing Occupation of Palestinian territories</p>	<p><i>Under International Law, the Israeli occupation of the Gaza strip and the West Bank is considered illegal.</i></p>	<p>References</p> <ul style="list-style-type: none"> • 2022 - A 2022 report by the Commission of Inquiry found that the Israeli occupation is illegal under international law: https://www.ohchr.org/en/press-releases/2022/10/commission-inquiry-finds-israeli-occupation-unlawful-under-international-law • 2022 - The UN human rights commission also said in 2022 that Israel's occupation of Palestinian territory is unlawful under international law. https://news.un.org/en/story/2022/10/1129722 • 2023 – Speakers of the Security Council members https://press.un.org/en/2023/sc15424.doc.htm#:~:text=In%20the%20ensuing%20discussion%2C%20Council,international%20law%20and%20must%20cease • 2023 - Academic studies that examined the legality of the Israeli occupation have concluded that it is illegal. https://www.un.org/unispal/document/ceirpp-legal-study2023/

Context and references

Documents & References related to the illegality of Israel's occupation of Palestinian territories

- 1967 Resolution 242 Security Council - <https://peacemaker.un.org/sites/peacemaker.un.org/files/SCRes242%281967%29.pdf>
- 2003 – International Court of Justice <https://www.icj-cij.org/case/131>
- 2009 – Security Council resolution <https://digitallibrary.un.org/record/645525?ln=en>
- 2016 – Israel's Settlements Have No Legal Validity, Constitute Flagrant Violation of International Law, Security Council Reaffirms <https://press.un.org/en/2016/sc12657.doc.htm> - <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>
- 2022 - A 2022 report by the Commission of Inquiry found that the Israeli occupation is illegal under international law: <https://www.ohchr.org/en/press-releases/2022/10/commission-inquiry-finds-israeli-occupation-unlawful-under-international-law>
- 2022 - The UN human rights commission also said in 2022 that Israel's occupation of Palestinian territory is unlawful under international law. <https://news.un.org/en/story/2022/10/1129722>
- 2023 – Speakers of the Security Council members <https://press.un.org/en/2023/sc15424.doc.htm#:~:text=In%20the%20ensuing%20discussion%2C%20Council,international%20law%20and%20must%20cease>
- 2023 - Academic studies that examined the legality of the Israeli occupation have concluded that it is illegal. <https://www.un.org/unispal/document/ceirpp-legal-study2023/>
- Several reports by human rights organizations such as Amnesty International and Human Rights Watch refer to Israel's occupation and settlements as illegal.
 - a. <https://www.amnesty.org/en/latest/campaigns/2017/06/israel-occupation-50-years-of-dispossession/>
 - b. <https://www.hrw.org/news/2017/06/04/israel-50-years-occupation-abuses>
 - c. <https://www.globalr2p.org/countries/israel-and-the-occupied-palestinian-territory/>

While Israel has refrained from signing the Rome Statute, and does not recognise the Court's authority, Palestine's does since 2015, which gives the ICC jurisdiction over crimes perpetrated within its territory.

- Documents & References about:
- “From the river to the sea, Palestine will be free” slogan
- Hamas 2017 charter accepting the 1967 borders
- Deleting from previous guidance” “Hamas refuses to recognise Israel’s right to exist”

Issue and Rationale:

- **1967 borders vs “from the river to the sea”**
 There appears to be a contradiction between Hamas's acknowledgment of the 1967 borders (in Hamas 2017 Charter, see below) and the slogan "from the river to the sea, Palestine will be free" This issue has led to multiple interpretations of what “from the river to the sea” means in actual political decision making and military actions. So, we refer to the sources
- **Hamas 2017 Charter**
<https://palwatch.org/storage/documents/hamas%20new%20policy%20document%20010517.pdf>
“20. Hamas believes that no part of the land of Palestine shall be compromised or conceded, irrespective of the causes, the circumstances and the pressures and no matter how long the occupation lasts. Hamas rejects any alternative to the full and complete liberation of Palestine, from the river to the sea. However, without compromising its rejection of the Zionist entity and without relinquishing any Palestinian rights, Hamas considers the establishment of a fully sovereign and independent Palestinian state, with Jerusalem as its capital along the lines of the 4th of June 1967, with the return of the refugees and the displaced to their homes from which they were expelled, to be a formula of national consensus.”
- **Interpretations of “From the river to the sea”**
 - **Territorial claim:** The phrase "from the river to the sea" can imply a territorial claim that encompasses the entire area between the Jordan River and the Mediterranean Sea, including the territory that is currently part of the state of Israel.
 - **1967 Borders:** However, Hamas’ recognition of the 1967 borders is associated with the idea of a two-state solution, where a future Palestinian state would be established in the West Bank, East Jerusalem, and Gaza Strip, with those borders serving as the basis for negotiations between Israelis and Palestinians. (2017 charter)
 - **Literal vs Ideological interpretation:** Some argue that the "from the river to the sea" can’t be interpreted literally, because it reflects a long-term ideological stance, while the recognition of the 1967 borders could be a pragmatic approach for diplomatic or political reasons. “From the river to the sea, Palestine will be free” is also interpreted as an anti-colonial statement that calls for an end to the Israeli occupation across the land of historical Palestine.
 - **Some historical facts:**
 - 🕒 **Timeline:** <https://www.un.org/unispal/historical-timeline/>
 - 🕒 In **1947**, two years after the end of WWII, Britain referred what was known as the Question of Palestine to the UN. The UN, in response, established the [Special Committee on Palestine](#) which proposed a partition of Palestine’s land into two states for two peoples as a potential solution. This then materialised in the 1947

Resolution 181. The Resolution terminated the Mandate for Palestine and prescribed a boundary to be drawn between what would be known as the Arab and Jewish States, with the City of Jerusalem under international trusteeship. Like the United Nations Special Committee on Palestine (UNSCOP) proposal, Resolution 181 was a political solution that did not consider the legality of the UN's authority to propose partition nor the will of the local people, entitled to self-determination under the UN's own Charter.

- 🕒 **1948**. Jewish attack on the Arab Village at Deir Yassin. Described by United Nations as Zionist paramilitary/terrorist groups (Marks the beginning of what is described as the Palestinian Nakba) <https://www.un.org/unispal/document/auto-insert-211346/> Leading to first large scale displacement of Palestine refugees.
- 🕒 In **1967**, Israel's occupation of the Palestinian territories, including the Gaza Strip and the West Bank, previously controlled by Egypt and Jordan respectively since the 1949 Armistice. The Israeli government maintains to this day that the Palestinians were not a juridical people, and therefore did not constitute the rightful sovereign of the West Bank in 1967. Thus, in Israel's view, this nullified the application of occupation law. The United Nations Security Council (UNSC) adopted Resolution 242, urging Israel to withdraw from occupied territories. According to international law, Israel still occupies the Palestinian territories, namely territories beyond the new 1967 borders, over which Israel continues to exercise effective control.
- 🕒 In **1987**, the first "Intifada" (meaning Uprising) begins in the Jabaliya Refugee Camp in the Gaza Strip. Described by United Nations as: "A spontaneous popular uprising in the West Bank and the Gaza Strip, after more than 20 years of military occupation, begins. Now known as the first intifada, it is marked by demonstrations, boycotts, tax resistance, strikes and largely unarmed protests."

Reference

United Nations vote about Hamas (December 2018)

US resolution to condemn activities of Hamas voted down in General Assembly

<https://news.un.org/en/story/2018/12/1027881>

Documents & References

International Criminal Court

“Crimes in the State of Palestine”

Court Records: https://www.icc-cpi.int/case-records?f%5B0%5D=c_sit_code%3A1164&f%5B1%5D=court_phase_of_case%3A130

- [Statement of ICC Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination of the Situation in Palestine, and seeking a ruling on the scope of the Court’s territorial jurisdiction](#) (20.12.2019)

“Today, I announce that following a thorough, independent and objective assessment of all reliable information available to my Office, the preliminary examination into the Situation in Palestine has concluded with the determination that all the statutory criteria under the Rome Statute for the opening of an investigation have been met.”

“I am satisfied that there is a reasonable basis to proceed with an investigation into the situation in Palestine, pursuant to article 53(1) of the Statute. In brief, I am satisfied that (i) war crimes have been or are being committed in the West Bank, including East Jerusalem, and the Gaza Strip ("Gaza") (for specifics, see paras. 94-96); (ii) potential cases arising from the situation would be admissible; and (iii) there are no substantial reasons to believe that an investigation would not serve the interests of justice.”

- [“State of Palestine”](#)
Crimes within the jurisdiction of the Court that are alleged to have been committed in the Situation since 13 June 2014, the date to which reference is made in the Referral of the Situation to the Office of the Prosecutor.
- [Questions and Answers on the Decision on the International Criminal Court’s territorial jurisdiction in the Situation in Palestine](#) (15.01.2021)
- **Pretrial. International Criminal Court.** 13.11.2023. Public Redacted Version of “Twenty-first Registry Report on Information and Outreach Activities Concerning Victims and Affected Communities in the

Situation” <https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180656db5.pdf>

- [Statement of the Prosecutor of the International Criminal Court, Karim A.A. Khan KC, on the Situation in the State of Palestine: receipt of a referral from five States Parties \(17.11.2023\)](#)

“My Office confirms that it is presently conducting an investigation into the Situation in the State of Palestine. This investigation, commenced on 3 March 2021, encompasses conduct that may amount to Rome Statute crimes committed since 13 June 2014 in Gaza and the West Bank, including East Jerusalem. It is ongoing and extends to the escalation of hostilities and violence since the attacks that took place on 7 October 2023. In accordance with the Rome Statute, my Office has jurisdiction over crimes committed on the territory of a State Party and with respect to the nationals of States Parties.”

- [Statement of ICC Prosecutor Karim A. A. Khan KC from Cairo on the situation in the State of Palestine and Israel \(30.10.2023\)](#)

About Israelis and Palestinians

“My primary and indeed my only objective must be to achieve justice for the victims and to uphold my own solemn declaration under the Rome Statute as an independent prosecutor, impartially looking at the evidence and vindicating the rights of victims whether they are in Israel or Palestine.”

“My Office certainly will scrutinise all information we receive in this regard to ensure that the law is not some kind of optional extra that one can take and leave. It is there to bind us together and to keep us away from the gates of hell and further misery. And this principle equally applies to Hamas in relation to firing rockets into Israel, either targeting civilians or knowing they don't have the sophistication to avoid civilian casualties. As I stated just a few days after the events of the 7th of October, my Office has an ongoing investigation with jurisdiction over Palestine that goes back to 2014 and any crimes committed on the territory of Palestine by any party. And this includes jurisdiction over current events in Gaza and also current events in the West Bank. I'm also extremely concerned with the spike, the increase, in the number of reported incidents of attacks by Israeli settlers against Palestinian civilians in the West Bank. We will investigate these attacks and all further attacks must cease immediately.”

About Hamas responsibility on 7th October

“But we have watched with horror the pictures emerging from Israel on the 7th of October. I think any of us that are parents or have children, any of us that have families, any of us that are alive, any of us that have love of God or love of humanity in our heart could not have helped feel their

hearts chill on hearing the various accounts that came from so many innocent civilians in Israel whose lives were torn apart on that fateful day. And we simply cannot live in a world, we cannot leave a world for our children where burnings and executions and rapes and killings can take place as if they are normal, as if they are to be tolerated, as if they can happen without consequence. Children and men and women and the elderly can't be ripped from their homes and taken as hostages, whatever the reasons. And when these types of acts take place, they cannot go uninvestigated, and they cannot go unpunished. Because these types of crimes that we've all been watching, that we saw on the 7th of October, are serious violations, if proven, of international humanitarian law."

About Israel's attacks on Gaza and the West Bank

"Israel has a professional and well-trained military. They have, I know, military advocate generals and a system that is intended to ensure their compliance with international humanitarian law. They have lawyers advising on targeting decisions, and they will be under no misapprehension as to their obligations, or that they must be able to account for their actions. They will need to demonstrate that any attack, any attack that impacts innocent civilians or protected objects, must be conducted in accordance with the laws and customs of war, in accordance with the laws of armed conflict."

"They need to demonstrate the proper application of the principles of distinction, precaution and of proportionality. And I want to be quite clear so there's no misunderstanding: In relation to every dwelling house, in relation to any school, any hospital, any church, any mosque – those places are protected, unless the protective status has been lost. And I want to be equally clear that the burden of proving that the protective status is lost rests with those who fire the gun, the missile, or the rocket in question."

ENDS

Israel – Hamas War

Referencing Illegal Occupation of Palestinian territories

Under International Law, the Israeli occupation of the Gaza strip and the West Bank is considered illegal.

References

- 2022 - A 2022 report by the Commission of Inquiry found that the Israeli occupation is illegal under international law: <https://www.ohchr.org/en/press-releases/2022/10/commission-inquiry-finds-israeli-occupation-unlawful-under-international-law>
- 2022 - The UN human rights commission also said in 2022 that Israel's occupation of Palestinian territory is unlawful under international law. <https://news.un.org/en/story/2022/10/1129722>
- 2023 – Speakers of the Security Council members <https://press.un.org/en/2023/sc15424.doc.htm#:~:text=In%20the%20ensuing%20discussion%2C%20Council,international%20law%20and%20must%20cease>
- 2023 - Academic studies that examined the legality of the Israeli occupation have concluded that it is illegal. <https://www.un.org/unispal/document/ceirpp-legal-study2023/>

Background

Occupied Palestinian Territory (OPT) is one of the four areas in the Middle East, defined by United Nations, as living in a humanitarian crisis. Before the 07.10.23, the website of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) said that the OPT:

“faces a protracted political crisis characterised by more than 55 years of Israeli military occupation, 15 years of the Gaza blockade, internal Palestinian divisions, and recurrent escalations of hostilities between Israeli security forces and Palestinian armed groups. The escalating hostilities, blockades and lack of adherence to international humanitarian and human rights law have left many people without access to life-saving medical services, clean water, education and livelihoods, and exposed them to a constant risk of violence and abuse. The humanitarian community is addressing the needs of people in the blockaded Gaza Strip and in the West Bank, where Palestinian households and communities in Area C, East Jerusalem and the H2 area of Hebron city face a coercive environment. At least 2.1 million Palestinians across oPt require humanitarian assistance, representing 58 per cent of Gaza Strip residents and one quarter of West Bank residents.”

SBS Style Guide

Palestine, Palestinian territories

The phrase Palestinian territories is used to refer to the West Bank, including East Jerusalem, and the Gaza Strip.

The Palestinian territories are not the same as the occupied territories. The occupied territories are the West Bank (including East Jerusalem) and the Gaza Strip, as well as the Golan Heights, which is disputed between Israel and Syria.

People who live in the Palestinian territories are referred to as Palestinians.

Palestine is not universally recognised as an independent state, so we do not refer to it as such. In November 2012 Palestine was granted non-member observer State status in the UN. The name Palestine may be used where it is an official name and it is referred to in that context (for example, the Palestine football team competing in the FIFA World Cup, or the Palestine team competing at the Olympic Games) or in historical references to the area known as Palestine before 1948.

Israel – Hamas War

Referencing International Court of Justice (ICJ) ruling 24.05.2024

Text

Israel continues the attacks in Gaza after the International Court of Justice (ICJ)'s order in May 2024 to immediately halt any military offensive (in Rafah) and any other action that could lead to the destruction of the Palestinian civilian population in Gaza in whole or in part.

Many countries interpret the order as a halt of the offensive on Rafah entirely, due to the obligations under the Genocide Convention.

But according to Israel's interpretation, the ICJ ruling allows for targeted and precise military operations in Rafah, arguing these are defensive actions.

(Shorter version for TV/Social)

The International Court of Justice (ICJ) has ordered Israel to halt any military offensive in Rafah that could lead to the destruction of the Palestinian civilian population in Gaza.

Israel argues that its actions are to defend itself and that the ICJ ruling allows for targeted and precise military action in Rafah.

Rationale

- <https://www.icj-cij.org/node/204100>
- <https://www.abc.net.au/news/2024-05-29/the-legality-of-israels-actions-in-rafah/103906478>

Editorial Guidance - Palestinian prisoners (28.02.2025)

When referring to Palestinians held in Israeli prisons refer to them as:

**“Palestinian prisoners, and those held under administrative detention”, or
“Palestinian prisoners, as well as Palestinians held under administrative detention”.**

- In promos about the hostage exchange, use “Palestinians”, not “Palestinian prisoners”.

RATIONALE

Why we don't use “Palestinian prisoners”.

- Because thousands of Palestinians held in Israel's prisons are detained under different categories.
- As of February 2025, according to data provided by the Israel Prison Service (IPS) to Hamoked, an Israeli human rights NGO, there are 9,846 Palestinians in Israeli custody, including 1,734 sentenced prisoners, 2,941 remand detainees, 3,369 administrative detainees held without trial, and 1,802 people held as “unlawful combatants.”
 - <https://www.ochaopt.org/content/humanitarian-situation-update-265-gaza-strip>
 - <https://hamoked.org/prisoners-charts.php>
 - The OHCHR (Office of the United Nations High Commissioner for Human Rights) report “[Detention in the context of the escalation of hostilities in Gaza](#)”, July 2024.

What is “administrative detention”?

'Administrative detention' is a term that covers the arrest and detention of individuals usually for security reasons, without charge or trial. It allows authorities to hold a person based on secret evidence. The detention is authorised by an administrative order (civilian or military) rather than by a judicial decree. A large number of countries around the world use administrative detention as a means to combat terrorism or control illegal immigration, etc.

What's the difference between “criminal detention” and “administrative detention”?

Criminal proceedings have a retrospective focus to determine whether a defendant committed an offence in the past, while administrative detention is based upon contentions that the suspect is likely to pose a threat in the future. Unlike imprisonment, which is a consequence of a conviction following a trial, administrative detention is a pre-emptive measure based on the presumption that the suspect is likely to pose a threat in the future. As a consequence of being a preventive measure, it has no time limit.

Is “administrative detention” legal?

[International law](#) allows a state to use administrative detention in emergencies, and if a fair hearing can be provided where the detainee can challenge the allegations against them. Administrative detention is subject to limitations:

- [Fourth Geneva Convention \(1949\)](#) – **Art. 78 - In an occupation**, of the only permits an occupying power to employ administrative detention “for imperative reasons of security.”
- [Declaration of Human Rights \(1948\)](#) – **Art. 10** - *Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.*

Why is Israeli “administrative detention” criticised?

Because administrative detainees are granted a hearing - [at a military court, in front of an Israeli military judge - but the state is not required to disclose any of its evidence to the detainees or their lawyers.](#)

The detainees can then be imprisoned to up to six months. The six months can be extended indefinitely by the military court. The argument is that this provision is not designed to be employed at large scale because detainees cannot effectively defend themselves, as they have no access to the evidence against them. As consequence, it can be seen as an abuse of the mechanism.

What is Israel's perspective?

That its use of the policy is compliant with international law and a necessary preventative measure to combat terrorism. [Maurice Hirsch, the 2013-16](#) director of military prosecutions for the West Bank, told the BBC that Israel was "not only meeting international law but far surpassing it", by allowing detainees to appeal and ensuring that their detentions were reviewed every six months. *"We see administrative detention being used by the Americans in Guantanamo, so we know that this measure is internationally recognised and accepted," he added. "And since this is an internationally accepted measure, why should it be only Israel that is prevented from using it, when we are dealing with probably the highest terror threat that anyone has ever seen?"*

SBS Style Guide



A. B. C. D. E. F. G. H. I. J. K. L. M.
N. O. P. Q. R. S. T. U. V. W. X. Y. Z.

s22

s22

East Jerusalem

Israel has occupied East Jerusalem since the Six-Day War in June 1967, and subsequently annexed the area in 1980.

Use the geographic name, East Jerusalem.

East Jerusalem may be described as *occupied* where it is editorially relevant to do so and to the degree necessary, such as when providing background on its legal status under international law or when it is pertinent to the subject matter eg *Israel has occupied East Jerusalem since 1967. It annexed the area in 1980. Under international law the area is considered to be occupied territory.* Even where it is editorially relevant to describe the territory as 'occupied', the term should only be used to the extent necessary to explain its status.

When editorially relevant a report may reflect that the status of the territory is subject to different views, eg *East Jerusalem, which many consider to be occupied territory, and which Israel considers to be a disputed territory.*

s22

Last reviewed: 24 March 2023

s22

occupied territories, Occupied Palestinian Territories

Refers to the territories that were occupied by Israel in the Six-Day War in June 1967 and are considered to be 'occupied' under international law, namely:

- the *Occupied Palestinian Territories* consisting of the Gaza Strip, West Bank, and East Jerusalem; and
- the *occupied Syrian Golan Heights* (or *Golan* as the shortened form) which is disputed between Israel and Syria.

s22

Last reviewed: 22 September 2025

Occupied Palestinian Territories, Palestine, Palestinian Territories

SBS uses the term *Occupied Palestinian Territories* to refer to the Gaza Strip, West Bank, and East Jerusalem.

When referring to the *Occupied Palestinian Territories*, and where editorially relevant, include either of the following phrases:

- *which Australia and the majority of the UN members now recognise as the State of Palestine; or*
- *which Australia now recognises as the State of Palestine.*

Australia formally recognised Palestine as an "independent and sovereign" state on 21 September 2025.

When referring to the *State of Palestine*, as recognised by Australia or other countries, use phrases that indicate attribution such as:

[XX] member states of the UN General Assembly now recognise a ['Palestinian state' or 'the State of Palestine' or 'Palestine as a state']

instead of *'Palestine'*, unless quoting directly from sources.

For other uses of 'Palestine' see below.

International law widely recognises the territories as 'illegally occupied', which we mention in our reporting when editorially relevant, and citing international law.

Israel refers to the Occupied Palestinian Territories as *disputed territories* which must always be attributed to Israel, and included in the reporting when editorially relevant.

People who live in the *Palestinian Territories* are referred to as *Palestinians*.

Descendants of those born in the Occupied Palestinian Territories who identify as Palestinians should be described as *Palestinian* or as *(nationality) of Palestinian background*, or *Palestinian (nationality)* depending on the context. People of Palestinian background living in Israel are referred to as *Arab Israelis*, *Palestinian Israelis* or *Palestinians in Israel*. Always check with the person as to how they self-identify.

Regarding diplomatic representation in Australia, use the official title which is currently *Head of the General Delegation of Palestine to Australia*, or *Palestinian representative in Canberra* or *Palestinian Authority diplomat in Australia*. Given the evolving circumstances the official title may change. Refer to DFAT's [Foreign Embassies and Consulates in Australia](#) for any updates on the official title.

In November 2012 Palestine was granted non-member observer State status in the UN.

Palestine

SBS uses the term *Palestine* in specific contexts:

- direct quotes including where a person self-identifies as being from Palestine;
- official names (eg Palestine Olympic Committee, Palestine national football team,) or organisations when that is their name, such as Justice For Palestine, Free Palestine Melbourne, or Palestine Action Group, among others);
- UN context, where Palestine is formally recognised as a non-member observer State;
- historical references to the area known as Palestine before 1948.

When referring to pro-Palestinian movements / rallies / protests / protesters / demonstrations, refer to them as *pro-Palestinian* instead of *pro-Palestine*. *Pro-Palestine* may be used where that is the official name of the event.

s22

Last reviewed: 22 September 2025

s22

settlements, settlers, West Bank settlements

Refers to Israeli settlements built by Israel in the territories occupied by Israel following the Six-Day War in 1967. They are mainly located in the West Bank, including East Jerusalem, with some located in Syrian Golan.

The settlements are considered to be illegal under international law, which Israel disputes. Where relevant, information on the legal status of these settlements should be included in stories by indicating that the settlements have been found to be illegal under international law, which Israel disputes.

When describing these settlements, refer to their geographic location eg *Israeli settlements in the West Bank* or *Israeli settlements on the outskirts of Jerusalem*. The descriptor *occupied* may be used to describe the location where relevant eg *Israeli settlements in the occupied West Bank*

When referring to the people living in these settlements use *settlers*.

The 'residents of these settlements are predominantly Israelis, as well as non-Israeli Jews who qualify for Israeli nationality under Israeli legislation' (International Court of Justice), so *Israeli settlers* may be used.

Jewish settlers may be used where that is accurate and relevant.

s22

Last reviewed: March 2025