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**Promotion and protection of all human rights, civil,  
political, economic, social, and cultural rights,  
including the right to development**

## **Domicide: Mass destruction of housing and civilian infrastructure in Gaza, Myanmar, Sudan and Ukraine**

**Report of the Special Rapporteur on adequate housing as a component  
of the right to an adequate standard of living and on the right to non-  
discrimination in this context, Balakrishnan Rajagopal\***

### *Summary*

This report is submitted pursuant to Human Rights Council resolution 55/11 as a follow-up to the report of the Special Rapporteur on the right to adequate housing during violent conflict (A/77/190). In 2022, the Special Rapporteur raised alarm that the attacking, bombing and shelling of homes and other civilian objects, and the destruction of entire cities and villages, displacing millions into homelessness – which he called ‘domicide’ - have continued and escalated unabated despite the development of modern human rights and humanitarian law. This report documents the key developments in the campaign of destruction in Gaza, as well as locations in Myanmar, Sudan and Ukraine and calls urgently on the international community to end domicile, hold the perpetrators accountable and to take steps to prevent such destruction in any future conflicts. He hopes that this report will contribute, at least in a small way, to stir the conscience of all towards action and serve as a documentation of the deep suffering that the victims of domicile are experiencing.

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\* The present report is being issued without formal editing.



## I. Introduction and scope

1. Systematic housing destruction during armed conflict has remained a key concern of the Special Rapporteur, as such destruction has become an unfortunate and regular feature in conflicts such as those witnessed in Gaza and across the rest of the Occupied Palestinian Territory, Lebanon, Myanmar, Sudan, the Syrian Arab Republic and Ukraine.<sup>1</sup> Since 7 October 2023, the Special Rapporteur has repeatedly drawn attention to the unprecedented housing destruction in Gaza publicly and during reporting to the General Assembly and the Human Rights Council.
2. This report illustrates, based on four conflicts - Gaza, Myanmar, Sudan and Ukraine - the continued need to end impunity for heinous mass destruction of civilian housing. The Special Rapporteur has repeatedly argued that severe violations of economic, social and cultural rights must begin to receive more attention by national and international tribunals, which disproportionately focus on violations of civil rights. He has called upon States to consider recognizing “domicide” - the systematic destruction of housing during conflict – as a distinct crime under international criminal law.
3. This report gives particular attention to the systematic housing destruction in Gaza as its scale and the displacement and human suffering caused by it, have been unprecedented. On 27 February 2025, before completing this report, the Special Rapporteur had requested to visit Israel and the Occupied Palestinian Territory between September and mid-December 2025 to examine the situation *in situ*. He regrets that his visit request has not been responded to by Israel and as a result, he has not been able to access Israel, Gaza or other parts of the Occupied Palestinian Territory.
4. The report draws on the Special Rapporteur’s own reports and communications, as well as the reports of other United Nations human rights mechanisms, including independent fact-finding bodies established by the Human Rights Council, and publicly available information. The four selected conflict situations are not intended to suggest that systematic or widespread destruction of housing may only have occurred in these countries or territories. A comprehensive review of housing destruction in all contemporary conflict situations is beyond the scope of this report.

## II. Gaza

5. The substance of this section of the report draws on a comprehensive communication by the Special Rapporteur and other mandate holders to the State of Israel in December 2025,<sup>2</sup> which addresses allegations of the intentional, widespread and systematic destruction of housing and essential civilian infrastructure, as well as the resulting extensive and repeated forced displacement of civilians, carried out as part of Israel’s military campaign in Gaza since 7 October 2023. These actions have rendered the majority of Gaza’s population homeless, drastically reduced Palestinian control over Gaza’s territory, rendered almost the entire territory uninhabitable, and prevented internally displaced persons (IDPs) from returning to their homes.
6. Indeed, the level and scale of destruction of housing and civilian infrastructure in Gaza is unprecedented even by the terrible standards of modern warfare since the 20<sup>th</sup> century. The suffering of the Palestinian people in Gaza is almost impossible to describe in words alone, but the Special Rapporteur considers it his duty to submit this report to the international community and global public opinion with a view to advance justice for Palestinians.

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<sup>1</sup> See communications OTH 11/2022, MMR 1/2022, ISR 1/2025 and ISR 11/2025; “Ukraine: UN expert seriously concerned by housing rights violations”, 9 March 2022 and “Myanmar: over 50,000 exposed to forced evictions and housing destruction, say UN experts”, 2 December 2022, “Domicide: the mass destruction of homes should be a crime against humanity”, *New York Times*, 29 January 2024. Available at <https://www.nytimes.com/interactive/2024/01/29/opinion/destruction-of-homes-crime-domicide.html>.

<sup>2</sup> AL ISR (25.2025).

7. The conduct covered in this report includes intentional and indiscriminate attacks on homes and other civilian objects not justified by military necessity; the use of weapons with wide-area effects in densely populated residential areas; reliance on artificial intelligence systems for targeting homes in a manner that is disproportionate and indiscriminate; pillaging, burning, destruction and bulldozing of homes and civilian infrastructure, including in the absence of active hostilities; extensive demolition of structures to create corridors and buffer zones; attacks on designated humanitarian zones; and measures taken to prevent the delivery of shelter, reconstruction, and the return of IDPs. These acts have occurred in the context of prolonged occupation, blockade, attempts at annexation, and the use of force amounting to acts of aggression.

8. Between October 2023 and October 2025, estimates indicate that at least 92 percent of Gaza's housing units were either fully destroyed or damaged; over 90 percent of the population was displaced; and more than 86 percent of Gaza's territory was placed under displacement orders or incorporated into Israeli-militarized zones. The alleged acts constitute grave violations of international human rights law, international humanitarian law and international criminal law. There is overwhelming evidence that these violations of the right to adequate housing may amount to war crimes, crimes against humanity, and may be considered as part of the crime of genocide against the Palestinian population in Gaza. Given the recorded paucity of prosecutions for violations of economic, social and cultural rights such as the right to adequate housing under international law, there is an urgent need to term such acts as "domicide", defined as the widespread or systematic destruction of housing and civilian infrastructure essential to the survival of a population, a concept proposed by the Special Rapporteur for codification as a stand-alone international crime.<sup>3</sup>

## **A. Pre-conflict housing situation in Gaza**

9. Prior to 7 October 2023, Gaza faced a chronic housing crisis resulting from prolonged occupation, blockade, border restrictions, recurrent military assaults, decades of conflict, and the resulting economic stagnation. Approximately 2.3 million people lived within a 365 square kilometre area, making Gaza one of the most densely populated urban territories globally.

10. Before the escalation, Gaza's housing stock comprised approximately 472,660 units, of which 77 percent were apartments in multi-story buildings, 22 percent individual homes, and 1.4 percent informal housing.<sup>4</sup> Severe land scarcity, coupled with restrictions on border crossings and the entry of construction materials such as cement, concrete and iron, severely constrained the ability to meet housing needs including housing reconstruction after previous wars.

## **B. Conduct of hostilities and destruction of housing**

11. Israeli airstrikes commenced in Gaza on the morning of 7 October 2023 following attacks by Hamas and other armed groups in Israel that resulted in the killing of approximately 1,200 persons and the abduction of 251 individuals. On 8 October 2023, Israel announced the launch of a large-scale military operation named "Swords of Iron". Ground operations began on 27 October 2023, progressing from north to south, including operations in Beit Hanoun, Gaza City, Jabalya, Khan Younis and later Rafah. The campaign effectively severed northern Gaza from the south through the creation of a buffer zone stretching from the Israeli border to the Mediterranean Sea. In August 2025, following announcements to seize Gaza City, attacks intensified in Gaza City and northern Gaza. A phased ceasefire brokered by the United States entered into force on 10 October 2025; however, housing

<sup>3</sup> A/77/190.

<sup>4</sup> World Bank et al., Gaza and West Bank interim rapid damage and needs assessment, February 2024, p. 26.

destruction has continued, with entire neighbourhoods that continue to be flattened even beyond the “yellow line” at the time of submission of this report.<sup>5</sup>

12. Israeli officials have justified the campaign as aimed at defeating Hamas, demilitarizing Gaza, and securing the release of hostages while terming the deaths and destruction as proportionate and aimed at Hamas or other armed groups. However, statements by Israeli officials suggesting that Israel is targeting combatants and not civilians have been contradicted by internal Israeli military intelligence data indicating that at least 83 percent of Palestinians killed between October 2023 and May 2025 were civilians.<sup>6</sup>

13. From all available evidence, the military campaign has deliberately targeted clearly identifiable civilian infrastructure, including high-rise residential buildings and apartment blocks<sup>7</sup>, often resulting in the killing of entire families. The conduct of hostilities suggests that the disproportionate killing of civilians and systematic destruction of housing and civilian infrastructure were integral to the military strategy, eroding the fundamental distinction between civilian objects and military objectives.

### **Incitement and collective punishment**

14. Indeed, statements by senior Israeli officials since 7 October 2023 have included language inciting vengeance, collective punishment, destruction of housing, permanent displacement, and territorial annexation.<sup>8</sup> Public statements explicitly referred to turning Gaza into rubble, imposing complete siege, rendering Gaza uninhabitable, and replacing its population while enjoying a ‘real-estate bonanza’<sup>9</sup> through rebuilding.

### **Means and methods of warfare**

15. The destruction of residential areas has been attributed to the use of unguided munitions, wide-area effect weapons, tanks, artillery, rockets, armoured bulldozers, experimental weapons such as explosive-laden robots, and artificial intelligence-driven targeting systems. The Israeli Air Force has reportedly deployed large payload bombs, including the US-manufactured Mark 80 series, in densely populated urban areas. Artillery and multiple launch rocket systems shelled neighbourhoods prior to ground incursions, while tanks fired high-explosive shells into residential areas.

16. Drones operated by Israeli forces have targeted civilians for forcible displacement, broadcast distressing sounds to induce panic, and conducted intrusive surveillance inside homes. Armoured bulldozers, including Caterpillar D9s supplied by the United States of America, were used extensively to flatten neighbourhoods – many motivated by revenge on the part of Israeli Defence Forces (IDF) units<sup>10</sup> - as well as to create corridors, and establish buffer zones such as the Netzarim and Morag corridors. Controlled demolitions of housing have been systematically undertaken by IDF units such as 8219 even after the end of active hostilities, without any conceivable military imperatives.<sup>11</sup> In some cases, civilian contractors were allegedly hired to conduct demolitions and reportedly compensated per structure destroyed.<sup>12</sup>

### **Use of artificial intelligence in targeting**

17. Artificial intelligence systems including *Gospel*, *Lavender* and *Where’s Daddy* have reportedly been deployed by the Israeli military, resulting in attacks causing disproportionate

<sup>5</sup> See for example, <https://reliefweb.int/report/occupied-palestinian-territory/gaza-protection-cluster-snapshot-protection-monitoring-reporting-period-15-january-3-february-2026>.

<sup>6</sup> <https://www.972mag.com/israeli-intelligence-database-83-percent-civilians-militants/>.

<sup>7</sup> See, among others, A/80/337 and A/HRC/60/CRP.3.

<sup>8</sup> See e.g., <https://www.gov.il/en/pages/statement-by-pm-netanyahu-7-oct-2023>.

<sup>9</sup> <https://www.bbc.com/news/articles/c5y59z6rznvo>.

<sup>10</sup> <https://www.bellingcat.com/news/2024/04/29/weve-become-addicted-to-explosions-the-idf-unit-responsible-for-demolishing-homes-across-gaza/>.

<sup>11</sup> Ibid.

<sup>12</sup> Haaretz, ‘I did it for the money, then for revenge’: Israeli’s profit from raging Gaza. 28 July 2025.

civilian harm<sup>13</sup>. *Lavender* reportedly identified over 37,000 potential targets based on data-driven probability scores, with minimal human oversight. Attacks based on *Lavender*-generated targets were often carried out using unguided bombs, resulting in significant civilian deaths. Authorization to inflict collateral damage reportedly extended to the killing of up to 15 or 20 civilians for any junior operative/combatant, and over 100 civilians for senior commanders. *Where's Daddy* was used to track individuals to their homes, facilitating strikes while families were present.<sup>14</sup> *Gospel* reportedly identified entire buildings as military targets, and not individual combatants.

18. Armoured explosive-laden robots reportedly destroyed approximately 300 residential units daily in Gaza City and Jabalya, detonating explosives with a destructive radius of up to 500 metres. IDF Unit 8200 reportedly collected millions of Palestinian phone call recordings and stored them on Microsoft Azure for targeting until Microsoft terminated access in September 2025 after this was exposed in the media.<sup>15</sup>

### Scale of destruction

19. The volume of ordnance deployed in Gaza has been unprecedented. Between 7 and 12 October 2023 alone, approximately 6,000 bombs were dropped, destroying over 12,600 homes.<sup>16</sup> More than 200,000 tonnes of explosives were dropped on Gaza in almost two years – the equivalent of the total energy of approximately 13 Hiroshima-type nuclear bombs. The UN Office for the Coordination of Humanitarian Affairs reported that more than 92 percent of Gaza's housing stock has been damaged or destroyed.<sup>17</sup> The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel found that average daily damage to buildings far exceeded the damage during previous hostilities.

### Buffer zones and corridors and the resulting attempted annexation of territory

20. Israel has established and expanded buffer zones and corridors, including Philadelphi, Morag, Netzarim, and Magen-Oz. As of August 2025, approximately 86 percent of Gaza's territory was under Israeli-militarized zones, under displacement orders or where they overlap,<sup>18</sup> prohibiting Palestinian access and habitation. The United Nations Satellite Centre (UNOSAT) reported near-total destruction of structures within these areas, including 95 percent destruction in the Netzarim corridor and 99 percent in the expanded Philadelphi corridor.<sup>19</sup> According to the Food and Agriculture Organization (FAO), agricultural land destruction has been so extensive that less than 5 percent of cropland area in Gaza was available for cultivation as early as April 2025.<sup>20</sup> Due to these extreme impacts from buffer zones, corridors and total destruction, there has been a further massive displacement of Palestinians from their territory in Gaza, resulting in loss of territory to Israel which has a serious risk of becoming a permanent annexation contrary to international law.

### Attacks on humanitarian zones

21. More than 150 evacuation orders were issued between October 2023 and September 2025, designating supposed humanitarian zones. Civilians who complied with those orders were repeatedly attacked. Numerous documented incidents occurred in Rafah, Khan Younis, Al-Nuseirat, Deir al-Balah and Al-Mawasi. Al-Mawasi, despite remaining a designated

<sup>13</sup> <https://www.ohchr.org/en/press-releases/2024/04/gaza-un-experts-deplore-use-purported-ai-commit-domicide-gaza-call>.

<sup>14</sup> <https://www.972mag.com/lavender-ai-israeli-army-gaza>.

<sup>15</sup> See <https://www.amnesty.org/en/latest/news/2025/09/microsoft-block-israel-military-unit-from-using-its-technology/>.

<sup>16</sup> See A/HRC/56/CRP.4, para 75.

<sup>17</sup> <https://www.ochaopt.org/content/report-humanitarian-response-un-and-humanitarian-partners-during-phase-one-ceasefire>.

<sup>18</sup> <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-20-august-2025>.

<sup>19</sup> <https://unosat.org/products/4213>;

<https://www.arcgis.com/apps/dashboards/11816edccdc24205990a33b1b3afd259>.

<sup>20</sup> <https://openknowledge.fao.org/server/api/core/bitstreams/c4be554e-170f-413e-ae57-f77030be8d09/content>.

humanitarian zone, was subjected to repeated strikes, killing hundreds, while hosting over 425,000 people in severely overcrowded conditions.

### **Forced displacement and attacks on shelters**

22. By June 2025, approximately 90 percent of Gaza's population, more than half of them children, had been displaced, many multiple times.<sup>21</sup> Between October 2023 and April 2025, at least 2,592 attacks were recorded on refugee or makeshift camps. UNRWA installations serving as shelters were repeatedly attacked, resulting in deaths of at least 965 IDPs and 370 UNRWA staff. Restrictions on entry of aid including winterization materials have continued despite the cease fire, made worse by restrictive measures preventing UNRWA from transporting aid into Gaza and the de-licensing of 37 international NGOs who, together, have historically been the main source of delivery of shelter assistance. Entry of shelter materials has largely remained blocked since 2 March 2025 despite a commitment to allow them under the ceasefire agreements of January and October 2025. The lack of shelter has been particularly devastating during the winter of 2025-2026, resulting in eleven children freezing to death.<sup>22</sup>

### **Destruction of essential civilian infrastructure**

23. Access to healthcare, water, sanitation, education, transport, food production and livelihoods—core components of the right to adequate housing – have been systematically destroyed. The World Health Organization (WHO) recorded 793 attacks on health facilities, damaging or destroying 94 percent of hospitals.<sup>23</sup> Education infrastructure was devastated, with approximately 97 percent of school buildings damaged or destroyed<sup>24</sup> and 95 percent of higher education campuses damaged or destroyed.<sup>25</sup> Over 89 percent of water, sanitation and hygiene (WASH) assets were damaged even as of early 2025,<sup>26</sup> and 96 percent of households experienced water insecurity.<sup>27</sup> Road destruction has affected approximately 77 percent of Gaza's network as of July 2025, according to UNOSAT.<sup>28</sup> Agricultural devastation has contributed to famine conditions affecting over half a million people.<sup>29</sup>

### **Mental, psychological and cultural harm**

24. The destruction of homes and repeated displacement have caused severe and lasting psychological trauma. Cultural and religious heritage suffered extensive damage, with the United Nations Educational, Scientific and Cultural Organization (UNESCO) verifying damage to 145 sites,<sup>30</sup> including historic churches, mosques, museums and cultural centres, reportedly without military necessity. The desecration and bulldozing of cemeteries in Gaza by Israeli forces has further amplified the psychological trauma and harm inflicted.<sup>31</sup>

<sup>21</sup> <https://www.unrwa.org/resources/reports/unrwa-situation-report-186-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

<sup>22</sup> <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-355-gaza-strip>.

<sup>23</sup> <https://www.unicef.org/media/175666/file/UNICEF%20State%20of%20Palestine%20%20Humanitarian%20Situation%20Report%20No.%2043%20-%2030%20September%202025.pdf>.

<sup>24</sup> <https://www.unicef.org/sop/stories/after-two-years-war-gazas-education-system-brink-collapse>.

<sup>25</sup> <https://www.unesco.org/en/articles/unesco-presents-assessment-damage-and-reconstruction-needs-higher-education-institutions-gaza>.

<sup>26</sup> <https://palestine.un.org/en/289429-gaza-and-west-bank-interim-rapid-damage-and-needs-assessment-february-2025>.

<sup>27</sup> <https://www.nrc.no/feature/2025/water-crisis-in-gaza-precious-drops-that-save-lives>.

<sup>28</sup> <https://unosat.org/products/4201>.

<sup>29</sup> <https://www.who.int/news/item/22-08-2025-famine-confirmed-for-first-time-in-gaza>.

<sup>30</sup> <https://www.unesco.org/en/gaza/assessment>.

<sup>31</sup> See for example: <https://www.cnn.com/2024/01/20/middleeast/israel-gaza-cemeteries-desecrated-investigation-intl-cmd> and more recently: <https://www.theguardian.com/world/2026/feb/04/idf-bulldoze-gaza-war-cemetery-allied-graves-satellite-images>.

### **Impacts on vulnerable groups**

25. Women, children, persons with disabilities and older persons have been disproportionately affected by the loss of housing and displacement, including the resulting homelessness. Risks include gender-based violence, malnutrition, orphanhood, disability from injuries and amputations, neglect of older persons, and severe mental health impacts among children, including depression and risks of suicide.

### **Barriers to relief, return, recovery and reconstruction**

26. Despite ceasefires, repeated displacement, destruction, and restrictions on aid entry have prevented durable return and recovery. The February 2025 Interim Rapid Damage and Needs Assessment by the World Bank<sup>32</sup> estimated USD 53.2 billion in reconstruction needs, with housing accounting for 53 percent. Debris volume exceeds 61 million tonnes, with clearance projected to take decades. Reconstruction timelines range extend to 80 years, depending on material access through the blockade. Economic recovery – including a return to 2022 GDP levels for Gaza – is projected to take centuries<sup>33</sup> under current conditions of occupation and blockade and the scale of destruction to physical and human capital.

27. The ceasefire has been followed by reports that indicate plans supported by external actors led by the United States, to decide the future of Gaza and redevelop the territory in a manner that offers no assurance of respect for human rights including the right to self-determination and the end of occupation. Meanwhile, slow-motion genocide and domicile in Gaza continue through killings, demolitions, restricted access, militarized zones marked by the “Yellow Line” that exclude Palestinians from more of their own land and a complete failure to ensure delivery of aid including shelter.

## **C. Applicable legal framework**

### **International law in situations of armed conflict**

28. The Human Rights Council has affirmed, including in resolution 9/9, that both international human rights law and international humanitarian law apply in situations of armed conflict and provide complementary and mutually reinforcing protection. Effective measures must be taken to guarantee and monitor the realization of human rights of civilian populations in such contexts, and to ensure effective protection against violations, in accordance with applicable international human rights law and international humanitarian law. Violations of these norms, including grave breaches, may constitute international crimes.

### **International law governing occupation and annexation**

#### *Findings of the International Court of Justice*

29. On 19 July 2024, the International Court of Justice (ICJ) issued its Advisory Opinion on the Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. The Court clarified that Gaza constitutes an integral part of the Occupied Palestinian Territory (OPT) and that, notwithstanding Israel’s disengagement since 2005, Israel remains bound by international law as the occupying Power (para. 94). The ICJ declared Israel’s presence in the OPT unlawful under both *jus ad bellum* and *jus in bello* standards and recognized that Israel had violated the prohibitions against racial segregation and apartheid.

30. The Court reaffirmed that occupation cannot transfer or confer sovereign title to an occupying Power over occupied territory, reiterating that occupation is a temporary, *de facto* situation in which the occupying Power can neither claim possession nor exert sovereignty over the territory. The ICJ explicitly affirmed that Israel’s security concerns cannot override

<sup>32</sup> <https://thedocs.worldbank.org/en/doc/133c3304e29086819c1119fe8e85366b-0280012025/original/Gaza-RDNA-final-med.pdf>.

<sup>33</sup> <https://www.un.org/unispal/document/unctad-report-10sep24/>.

the prohibition on the acquisition of territory by force, which constitutes a peremptory norm of international law.

31. The ICJ further affirmed that prolonged occupation may become unlawful and may amount to de facto annexation through the use of force, in violation of the jus cogens norm prohibiting the acquisition of territory by force. While occupation per se is not unlawful under international law when it is temporary and governed by strict rules, an occupation maintained through force and prolonged to the point of annexation constitutes an act of aggression.

32. This interpretation aligns with the definition of aggression contained in General Assembly resolution 3314 (1974), which defines aggression as “the use of armed force by a State against the sovereignty, territoriality or political independence of another State or in any other manner inconsistent with the Charter of the United Nations” (art. 1(a)). This definition, incorporated verbatim into article 8 bis of the Rome Statute, applies irrespective of questions of recognition or UN membership of the occupied territory. Accordingly, under all plausible legal interpretations, Israel’s prolonged occupation of Palestine including Gaza—declared unlawful by the ICJ in 2024—constitutes an act of aggression.

#### *Legal consequences and obligations of third States*

33. The ICJ mandated Israel to terminate its occupation, dismantle all settlements and the associated settlement regime, provide reparations to Palestinian victims, and facilitate the return of Palestinians displaced since 1967. The Court further observed that all States must refrain from rendering aid or assistance in maintaining the situation created by Israel’s unlawful presence, and must ensure that impediments to the Palestinian people’s right to self-determination are brought to an end. The ICJ also affirmed that all States parties to the Fourth Geneva Convention have an obligation to ensure Israel’s compliance with international humanitarian law (para. 279), and that all States must cooperate with modalities established by the General Assembly and Security Council to bring the occupation to an end (para. 281).

34. On 18 September 2024, the General Assembly adopted resolution ES-10/24, establishing those modalities. The resolution demanded that Israel end its unlawful presence in the OPT without delay and no later than 12 months after adoption (para. 2), i.e., by 18 September 2025. It called upon States to take steps toward ceasing the provision or transfer of arms, munitions and related equipment to Israel where there are reasonable grounds to suspect their use in the OPT (para. 5(b)). The resolution further affirmed Israel’s obligation to make reparations for internationally wrongful acts (para. 9) and called for the establishment of an international mechanism for reparation and an international register of damage (para. 10).

35. Despite the expiration of the deadline set by the General Assembly, Israel has escalated settlement expansion and conversion of Palestinian land, including Area C, to Israel as ‘state land’ across the OPT and has not withdrawn its forces from Gaza.

#### **Genocide Convention and ICJ provisional measures**

36. In its order of 26 January 2024 in Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), the ICJ concluded, *prima facie*, that it has jurisdiction under article 9 of the Genocide Convention and that Israel’s acts in Gaza since 7 October 2023 could amount to genocide. The Court issued six binding provisional measures under article 41 of its Statute, ordering Israel to prevent genocidal acts, prevent and punish incitement to genocide, ensure humanitarian assistance, and preserve evidence.

37. The ICJ intervened again on 28 March and 24 May 2024, recognizing an “exceptionally grave” risk of genocide in Rafah and ordering Israel to immediately cease military operations and unconditionally withdraw from Gaza, ensure unimpeded humanitarian access, and permit fact-finding, monitoring and evidence-preservation activities.

38. Independently of these provisional measures, the Genocide Convention imposes obligations on all States parties. As clarified by the Court (26 January 2024, para. 33), all States share a common interest in preventing, suppressing and punishing genocide. The

prohibition of genocide is a *jus cogens* norm, and the issuance of provisional measures triggers, at a minimum, a duty to prevent, given the Court's findings on the plausibility and urgency of the risk.

### **State responsibility and reparations**

39. General international law governs annexation, occupation, and State responsibility for internationally wrongful acts, including the duty to make full reparation. The destruction of Gaza and the complicity of other States and businesses implicates violations of obligations prohibiting genocide, crimes against humanity, war crimes, and other norms of international law. These principles are grounded in the jurisprudence of the Permanent Court of International Justice, the International Court of Justice, and the International Law Commission's Articles on State Responsibility, and are particularly relevant to the future reconstruction of Gaza.

40. The ceasefire agreement concluded on 10 October 2025 did not address Israel's responsibility, or that of other complicit actors, to repair the extensive destruction inflicted on Gaza. However, such responsibility remains central to the reconstruction of Gaza.

### **International human rights law and the right to adequate housing**

#### *Normative content of the right to adequate housing*

41. The right to adequate housing, as clarified by the Committee on Economic, Social and Cultural Rights (CESCR) in general comment No. 4, extends beyond mere shelter and encompasses security of tenure, availability of services and infrastructure, affordability, habitability, accessibility, appropriate location, and cultural adequacy. It should also include sustainability, as previously noted by the Special Rapporteur.<sup>34</sup>

42. The large-scale destruction of housing and life-sustaining infrastructure in Gaza, combined with displacement orders rendering most of the territory uninhabitable or inaccessible, and the resulting mass homelessness, constitute egregious violations of all core elements of the right to adequate housing. Housing must also be understood as a cornerstone of individual and collective memory, social belonging and cultural identity. The reduction of entire cities to rubble and the uprooting of their inhabitants gravely endanger these social and cultural bonds and risk the permanent severing of Palestinians from their land, identity and heritage.

#### *Interdependence with other human rights*

43. The destruction of housing has triggered a domino effect on the enjoyment of numerous rights, including the rights to life; security of the person; food; water; sanitation; health; education; work; social security; privacy and family life; and a clean, healthy and sustainable environment. These impacts raise concerns under the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention against Torture (CAT) and the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), all of which have been ratified by Israel.

44. Thousands of civilians have reportedly been killed in their homes, with many more missing under the rubble. Additional loss of life has occurred and likely due to homelessness, starvation, lack of safe water and sanitation, unhygienic conditions, unexploded ordnance, and lack of medical care. Hundreds of thousands have been injured, maimed or disabled. The cumulative trauma caused by loss of homes, family members, uncertainty, and repeated displacement constitutes a serious violation of the right to physical and mental health.

45. The systematic destruction of housing, particularly when combined with deliberate restrictions on food, water, shelter, energy and medicine, may amount to cruel, inhuman or degrading treatment or punishment. Evacuation orders, while permissible in limited circumstances, must be lawful, necessary, proportionate and rights-respecting. However, in

<sup>34</sup> A/HRC/52/28.

Gaza, such orders have resulted in repeated, large-scale displacement, family separation, disruption of livelihoods and education, and forced concentration of civilians in shrinking areas lacking basic services, disproportionately affecting vulnerable groups while inflicting disproportionate and widespread destruction and suffering.

*Relevant human rights standards*

46. Israel is a party to the ICCPR, ICESCR and CAT. Obligations under these treaties continue to apply during armed conflict and wherever a State exercises jurisdiction.

47. Relevant provisions include, inter alia:

- (a) ICCPR articles 1, 6, 7, 9, 12 and 17;
- (b) ICESCR articles 1, 11, 12, 13 and 15.
- (c) CAT article 16.

48. Common article 1 of both Covenants affirms the right to self-determination. General Assembly resolution 45/130 reaffirms the inalienable right of the Palestinian people to self-determination and condemns violations and expansionist activities obstructing that right.

49. General comments Nos. 4, 7 and 26 of the CESCR further clarify the scope of the right to adequate housing, the prohibition of forced evictions, and the centrality of land to economic, social and cultural rights. The 1998 Guiding Principles on Internal Displacement establish protections against displacement, discrimination, and practices aimed at altering the demographic composition of a population.

**International humanitarian law**

50. Housing constitutes civilian property protected under international humanitarian law. Intentionally directing attacks against housing used by civilians constitutes a war crime. The patterns described raise concerns of grave breaches of the Fourth Geneva Convention (art. 147) and violations of Additional Protocol I, including articles 51, 57 and 85.

51. The use of wide-area effect weapons in densely populated areas, the destruction of housing in areas under effective control, and evacuation orders suggesting permanent displacement may amount to unlawful forcible transfer, collective punishment (Fourth Geneva Convention, art. 33), and violations of article 53 prohibiting destruction of property by an occupying Power.

52. The reported use of artificial intelligence-based targeting systems, including *Lavender*, *Gospel* and *Where's Daddy*, raises serious concerns regarding compliance with the principles of distinction, proportionality, necessity and precaution. The systematic destruction of housing by IDF Unit 8219 using controlled demolitions after the end of hostilities constitutes 'wanton destruction' and is prohibited under the Hague regulations and the Geneva Conventions.

53. Restrictions on humanitarian aid, including the full blockade since 2 March 2025, further contravene obligations under article 69 of Additional Protocol I to ensure essential supplies, including shelter.

**International criminal law**

54. The widespread, systematic and intentional nature of the alleged violations provides reasonable grounds to believe that crimes against humanity, war crimes and genocide have been committed, as defined in the Rome Statute.

55. Potential crimes against humanity include deportation or forcible transfer (art. 7(1)(d)), persecution (art. 7(1)(h)), apartheid (art. 7(1)(j)) and other inhumane acts (art. 7(1)(k)). Potential war crimes include extensive destruction of property not justified by military necessity (art. 8(2)(a)(iv)), unlawful deportation or transfer (art. 8(2)(a)(vii)), attacks on civilian objects (art. 8(2)(b)(iii)), and indiscriminate attacks (art. 8(2)(b)(iv)–(ix)).

56. The acts described may also meet the threshold for genocide under articles 6(a)–(c) of the Rome Statute and the Genocide Convention, including killing members of the group,

causing serious bodily or mental harm, and deliberately inflicting conditions of life calculated to bring about physical destruction. The ICJ has clarified that destruction of homes and denial of living accommodation, when of sufficient scale or duration, may constitute genocidal acts. Reference is further made to the report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel of 16 September 2025, concluding that Israel has committed genocide in Gaza.<sup>35</sup>

57. The allegations described embody the concept of domicide, defined by the Special Rapporteur as the deliberate, widespread and systematic destruction of housing during conflict (A/77/190; A/80/351). The systematic destruction of housing and infrastructure in Gaza reflects such a pattern and underscores the need to recognize domicide as a standalone international crime.

58. Finally, the destruction of housing coupled with expanded territorial control over Gaza reinforces concerns regarding the crime of aggression. Prolonged occupation amounting to unlawful annexation constitutes an act of aggression under article 8 bis of the Rome Statute and General Assembly resolution 3314 (1974). Such acts represent a fundamental challenge to the international legal order.

### III. Myanmar

59. The Special Rapporteur on the right to adequate housing has repeatedly expressed concern about widespread and systematic housing destruction in Myanmar.<sup>36</sup>

#### A. Systematic housing destruction and displacement in 2017-2018

60. In August 2017, the Myanmar military launched a campaign of mass atrocities against the Rohingya population of Rakhine state, marked by the burning of villages, mass killings and widespread sexual violence. The violence resulted in the forced displacement of over 700,000 Rohingya from Rakhine State into Bangladesh. On 25 September 2025, the Independent Investigative Mechanism for Myanmar issued a detailed report on the destruction and dispossession of land and property during this operation.<sup>37</sup>

61. Geospatial analysis conducted by UNOSAT documents the extensive and sustained destruction of Rohingya villages in northern Rakhine State. Between 25 August 2017 and November 2018, 411 settlements across Maungdaw, Buthidaung and Rathedaung townships were damaged or destroyed. Approximately 40,600 structures were destroyed, though likely undercounted by at least 10 percent. The visible shift from rapid burning to slow, deliberate razing of civilian settlements underscores the systematic and ongoing nature of the destruction.<sup>38</sup>

62. Aerial photographs show villages razed to the ground, leaving only barren terrain with consistent patterns of bulldozing, parallel tracks, and uniform land levelling, spanning from Ah Lei Than Kyaw in the south to Taung Pyo Let Wea in the north of Maungdaw township. The scale and uniformity of this clearance indicate a coordinated and organized operation, aimed not only at destruction but also at obliterating visible evidence of Rohingya habitation.<sup>39</sup>

63. Following the 2017 military operations in northern Rakhine State and the demolition of burned villages, a coordinated effort involving multiple Myanmar state entities initiated extensive redevelopment projects that re-appropriated destroyed Rohingya villages for

<sup>35</sup> A/HRC/60/CRP.3.

<sup>36</sup> See for example <https://www.ohchr.org/en/press-releases/2022/12/myanmar-over-50000-exposed-forced-evictions-and-housing-destruction-say-un>; and communications MMR 1/2022, AL OTH 11/2022; MMR 13/2020; MMR 2/2019; MMR 5/2017.

<sup>37</sup> Independent Investigative Mechanism for Myanmar: The Destruction and Dispossession of Rohingya Land and Property during the 2017 clearance operations – public summary, available at: <https://imm.un.org/sites/default/files/2025/09/Land%20Report%20Public%20Summary%20EN.pdf>.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid., p. 13.

infrastructure, Border Guard Police Battalion bases, and the settlement of non-Rohingya ethnic groups.<sup>40</sup>

64. Legislation was instrumentally used to extinguish future claims for land and property restitution. Burned land was reclassified as "Government-managed land" under Myanmar's Natural Disaster Management Law, effectively stripping Rohingya of land rights. In 2018, authorities amended the Vacant, Fallow and Virgin Lands Management Law to impose a six-month deadline for applications to retain land rights - a requirement displaced Rohingya could not meet.<sup>41</sup> Witness accounts confirmed that these laws had their intended effect: destruction of villages ensured automatic state repossession, while new legislative requirements foreclosed avenues for Rohingya to return. In so doing, the Myanmar authorities not only carried out the physical destruction of Rohingya villages but also adopted deliberate legislative and administrative acts to terminate all land rights of Rohingya former residents.<sup>42</sup>

65. By destroying and repurposing Rohingya farms, homes, businesses and land, the authorities reinforced the effects of the military operations and forced displacement and created very serious impediments to the ability of Rohingya to ever reconstitute the communities where they had lived for generations.

## **B. The continuity of domicile after the military coup**

66. The domicile in Myanmar has not ended. After a military junta took power in a military coup on 1 February 2021, systematic destruction and burning of housing and infrastructure continued in an internal armed conflict that has emerged between the military junta and various opposition forces.<sup>43</sup>

67. Using sophisticated weapons of war, including drones, the military junta has been escalating its attacks on civilian housing and settlements. Schools, clinics, monasteries, churches, mosques and the shelters of those displaced by violence have been systematically attacked by military aircraft, artillery and well-armed troops. Over 100,000 civilian homes have been destroyed in arson attacks since the coup. Meanwhile, 21.9 million civilians require humanitarian assistance and 16.7 million face acute food insecurity in Myanmar.<sup>44</sup>

68. The Independent Investigative Mechanism for Myanmar has continued to collect and analyse evidence of crimes connected to various ongoing armed conflicts throughout Myanmar, including in Sagaing and Magway Regions and in Shan, Chin, Kachin, Kayah, Kayin and northern Rakhine States. Investigations of past and new incidents involve, in particular: (a) indiscriminate or intentional artillery and aerial attacks against civilians or civilian objects; (b) killings of civilians or fighters detained during operations; and (c) the intentional burning of civilian dwellings and other civilian buildings. The Mechanism has collected evidence of the continued frequent use of air-to-surface bombs, causing significant numbers of civilian casualties without any apparent military target in the vicinity. The objects of such attacks have included IDP camps, schools, religious buildings and health facilities.<sup>45</sup>

69. According to the Special Rapporteur on human rights in Myanmar, the junta has ramped up its attacks on civilians in areas controlled by the opposition, seeking to destroy population centres that it cannot control.<sup>46</sup> On 28 March 2025, a 7.7 magnitude earthquake affected severely the Sagaing and Mandalay Regions of Myanmar, killing over 3,700 people, damaging more than 157,000 buildings and leaving approximately 200,000 people homeless. Many of those whose homes were destroyed or rendered uninhabitable by the quake ended up on streets and open spaces, with scant shelter or support. Despite a temporary ceasefire, the military junta increased its attacks on civilians and their homes following the

<sup>40</sup> Ibid., para. 48.

<sup>41</sup> A/HRC/45/5, paras. 43-44.

<sup>42</sup> Independent Investigative Mechanism for Myanmar, cited above, p.14.

<sup>43</sup> See, A/HRC/54/5, paras. 41-46.

<sup>44</sup> Report of the Special Rapporteur on the human rights situation in Myanmar, A/80/490, para.2.

<sup>45</sup> A/HRC/57/18.

<sup>46</sup> A/80/490.

earthquake.<sup>47</sup> Sagaing and Mandalay Regions, which were most affected by the earthquake, saw the highest number of aerial attacks in the two weeks following the ceasefire.

70. In Rakhine State, where the Arakan Army is battling junta forces and Rohingya armed groups, civilians are trapped in a vortex of violence and oppression. All parties to the conflict stand accused of committing grave human rights violations. Desperate Rohingya families are again crossing the border in large numbers, with approximately 150,000 having arrived in refugee camps in Bangladesh in 2024 and 2025. Ethnic Rakhine have also begun to cross the border to escape the violence. Junta forces have burned down Rakhine villages and Rohingya wards of larger towns, including Buthidaung.

71. The internal and international displacement caused by the systematic destruction of homes and human settlements is severe. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), there are over 1.5 million refugees and asylum seekers from Myanmar present in Bangladesh, Malaysia, India, Thailand and Indonesia. Meanwhile, the international community, including countries with significant capacity to assist, has failed to do its part in addressing the refugee crisis. Inadequate funding and paltry refugee resettlement quotas have put refugees from Myanmar and the countries that host them, especially Bangladesh, in precarious circumstances.

### C. Applicable legal framework

72. The Special Rapporteur is of the view that the above-described acts committed in Myanmar amount to domicile. The destruction of Rohingya settlements is not only a severe violation of the right to adequate housing, but in many instances, the observed acts may also amount to war crimes, crimes against humanity, or genocide. Civilians and civilian housing and infrastructure have been deliberately made targets of attack in violation of the Geneva Conventions. The systematic housing destruction since 2017 has also resulted in the forcible transfer of the Rohingya population which also violates the Geneva Conventions. In addition, the deliberate and sustained manner in which the domicile has been carried out suggests the possible intent to destroy a group in whole or part, in violation of the Genocide Convention.<sup>48</sup>

## IV. Sudan

73. The Special Procedures including the Special Rapporteur have repeatedly alerted the international community about gross violations of human rights and international humanitarian law in the conflict currently occurring in Sudan, which has resulted in systematic and widespread destruction of residential housing, human settlements and an unprecedented internal and international displacement, in addition to other grave violations of human rights.<sup>49</sup> As of January 2026, Sudan faces the world's largest displacement crisis with an estimated 13.6 million people uprooted by the conflict, of whom around 9.3 million are internally displaced and 4.3 million are seeking refuge in neighbouring countries.<sup>50</sup>

### A. Systematic attacks on housing and civilian infrastructure

74. On 15 April 2023, fighting broke out between the Sudan Armed Forces (SAF), and the Rapid Support Forces (RSF) in Khartoum, and in Merowe Town, 270 km north of Khartoum. On the following days, fighting escalated between the two parties and extended

<sup>47</sup> A/HRC/60/20, paras. 6-7, and Centre for Information Resilience, Myanmar Witness, "Ceasefire in name only: Reported aerial attacks continue after Myanmar's earthquake truce," 6 August 2025.

<sup>48</sup> This matter is under consideration before the International Court of Justice, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*.

<sup>49</sup> See for example "Sudan: 25 million people in dire humanitarian need, say UN experts", 5 February 2025, available at: <https://www.ohchr.org/en/press-releases/2024/02/sudan-25-million-people-dire-humanitarian-need-say-un-experts> and "UN experts demand action as human rights violations escalate in Sudan's displacement camps." 8 May 2025, available at: <https://www.ohchr.org/en/press-releases/2025/05/un-experts-demand-international-action-human-rights-violations-escalate>.

<sup>50</sup> <https://news.un.org/en/story/2026/01/1166738>.

to other regions, with clashes reported in El Fasher (North Darfur), El Geneina (West Darfur), Nyala (South Darfur), Zalingei (Central Darfur), El Obeid (North Kordofan), Ed Damazin (Blue Nile), and Kassala. By October 2023, UNHCR reported that at least 29 cities, towns and villages had been destroyed across Darfur after extensive looting and burning. In addition, armed attacks on IDP camps and gathering sites for displaced people had resulted in hundreds of casualties.<sup>51</sup>

75. Both parties carried out indiscriminate attacks in densely populated areas, used residential areas for military purposes and used explosive weapons with wide-area effects, including missiles fired from fighter jets, unmanned aerial vehicles, tanks, mortars, anti-aircraft weapons and artillery shells. Such weapons, when used in residential areas, result in indiscriminate attacks on civilians and property prohibited under international humanitarian law.

76. The conflict parties deployed military equipment and took positions in or close to residential neighbourhoods in Khartoum, in Khartoum-North (Bahri), and in Omdurman, as well as launched military attacks that led to high civilian deaths, and severe damage to critical civilian infrastructure. The RSF has adopted a strategy of occupying residential buildings, including houses and apartment buildings, for purposes of shielding themselves from attacks by the SAF and from which they have launched military attacks. Hospitals, public markets, and residential buildings in Dar El Salam and in Al Salha in Omdurman, and Al Haji Youssef in East Nile, and in Al Kalakla south of Khartoum were used for military purposes. In some instances, residents of houses occupied by the RSF were forced to remain in their homes and, in some cases, to perform forced labour for the RSF.<sup>52</sup>

77. RSF has systemically looted, destroyed, and occupied civilian objects, including houses, hospitals, markets and other public facilities. People fleeing from the Al Haj Youssef area of East Nile reported that, before they fled their houses, they suffered severe shortages of food, water, medicines and electricity, and faced dramatic increases in the prices of basic goods and commodities, cash scarcity, limited communications and internet. In residential areas under the control of the RSF, public order was not maintained, which led to massive looting of private, commercial and public property, including embassies, diplomatic missions, houses, banks, shops, and commercial entities.<sup>53</sup>

## **B. Attacks on villages and IDP camps**

78. In West Darfur, the RSF and allied Arab militia carried out widespread attacks causing loss of civilian life and damage to civilian objects, predominantly in Masalit-inhabited neighbourhoods and the main IDP camp in Ardamata. On 4 and 5 November 2023 after the SAF base in Ardamata fell under the RSF control, the RSF and allied Arab militia carried out attacks against civilians and summary executions in at least two neighbourhoods and an IDP camp that are primarily inhabited by members of the African Masalit community by: 1) opening fire randomly on men on the streets who were fleeing their homes; and 2) conducting house-to-house searches and summarily executing people, primarily men. The RSF and allied Arab militia carried out looting and pillaging of neighbourhoods, including by forcing male residents to push their vehicles and to carry out their furniture in order to steal them.<sup>54</sup>

79. During 2024, there was an increase in civilian casualties in the context of attacks by the RSF and their allied Arab militias while attempting to take control of villages and localities in several states, including Al-Gazira, North Darfur, Sennar, West Kordofan and

<sup>51</sup> <https://www.unhcr.org/news/briefing-notes/nearly-4-000-killed-civilian-property-destroyed-raging-conflict-sudan-s-darfur>, 17 October 2023.

<sup>52</sup> <https://www.ohchr.org/sites/default/files/documents/countries/sudan/ohchr-sudan-report-monitoring-mission-chad-june-2023.pdf>.

<sup>53</sup> Ibid.

<sup>54</sup> Findings of the monitoring mission by OHCHR Sudan to the Chadian border with Sudan from 18 February - 3 March 2024, in the context of the hostilities between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) in West Darfur, available at: <https://www.ohchr.org/en/documents/country-reports/findings-monitoring-mission-ohchr-sudan-chadian-border-sudan-18-february>.

White Nile States. In October and November 2024, attacks by the RSF on Kutum, Breidik, Bir Maza and Anka led to markets and surrounding homes being set ablaze, widespread looting, and villages burned down.<sup>55</sup> In early February 2025, the SAF killed scores of civilians in attacks that used unguided air-dropped bombs on residential and commercial neighbourhoods in Nyala, the capital of South Darfur, destroying residential homes and other structures.<sup>56</sup>

### C. Destruction of the Zamzam IDP camp

80. From 1 December 2024 into early 2025, Zamzam IDP camp in El Fasher – which at that time hosted an estimated half a million IDPs – and surrounding villages came under relentless and coordinated RSF attacks which resulted in extensive damage and destruction of civilian objects, including markets, houses and hospitals, as well as numerous civilian casualties. From 11 to 13 April 2025, the RSF and allies launched a large-scale ground offensive on the IDP camp. Over three-days the RSF and allied armed men repeatedly attacked the camp, its market, and surrounding satellite villages, such as Abu Zeriga, pillaged large amounts of food and livestock, looted shops and homes, and burned numerous houses, in some cases reportedly with people inside. The RSF and allied armed men continued to systematically loot and burn the camp after it was emptied of almost all its residents. In the week following the offensive, large parts were reported to be completely destroyed or severely damaged, including the main market, stores, homes, and the hospital. The brutality of the incursions, the killing of inhabitants, the burning of homes and civilian infrastructure after the RSF took total control of the camp, appear intended to punish IDPs based on ethnic identity and to spread terror among the civilian population.<sup>57</sup>

### D. Housing destruction in El-Fasher

81. Since April 2023, the city of El-Fasher, North Darfur, has been engulfed in a continuous battle between the RSF and the SAF, along with their allied groups, for the control of the city and its surrounding towns and villages, culminating in a siege around the city and its capture by the RSF on 23 October 2025. The RSF repeatedly shelled civilian neighbourhoods in areas under the control of the SAF in the southern and western parts of El-Fasher city, mostly inhabited by non-Arab communities, destroying homes and infrastructure, and killing many civilians in houses, hospitals, markets and streets. UNOSAT satellite analysis showed that between 11 November 2023 and 31 July 2024 more than 23,600 structures of the Eastern part of the city of El-Fasher had become damaged or destroyed, most of them after May 2024.<sup>58</sup> After 540 days of siege, the city of El-Fasher fell to the RSF on 23 October 2025. Reports indicate widespread atrocities during and after the takeover, including ethnically targeted killings of civilians and the use of gender-based violence against women and girls.<sup>59</sup> Using satellite imagery and radar technologies, the Humanitarian Research Lab of the Yale School of Public Health has, since 2023, documented in over 60 reports the impact of the fighting across civilian areas in Khartoum, the systematic destruction of villages in North Sudan by arson attacks, the targeted bombardment on healthcare and humanitarian facilities, attacks and bombardments on the Zanzam, Abu Shouk IDP camps, the systematic arson attacks and aerial bombardments on human settlements and residential areas in and

<sup>55</sup> A/HRC/60/22, para 75.

<sup>56</sup> Human Rights Watch, Sudan: Armed Forces Airstrikes in South Darfur - Indiscriminate Strikes Add to Record of War Crimes, 4 June 2025, available at: <https://www.hrw.org/news/2025/06/04/sudan-armed-forces-airstrikes-south-darfur>.

<sup>57</sup> See OHCHR Sudan, “Three days of terror with no safe refuge” RSF offensive on Zamzam IDP camp, El Fasher, available at: <https://www.ohchr.org/en/documents/country-reports/report-ohchr-sudan-country-office-offensive-rapid-support-forces-zamzam>.

<sup>58</sup> UNOSAT, El Fasher Damage Assessment Overview, 14 August 2024, available at: <https://www.unosat.org/products/3913>.

<sup>59</sup> Statement by Surya Deva, Chair of the Coordination Committee of the Special Procedures of the Human Rights Council, at the 38th Special Session of the Human Rights Council, 14 November 2025, available at: <https://www.ohchr.org/sites/default/files/documents/hrbodies/special-procedures/statements/hrc-special-session-sudan-cc-chair-state.docx>.

around El-Fasher, including the systematic mass killings and body disposal during and after the RSF take-over of El-Fasher.<sup>60</sup>

## E. Applicable legal framework

82. The Special Rapporteur is of the view that the parties to the conflict in Sudan have committed serious violations of international human rights and humanitarian law, resulting in the death and injury of hundreds of civilians, massive destruction or damage of civilian objects, including housing in residential areas, hospitals and critical infrastructure necessary for survival of the civilian population. Sudan's healthcare system has largely collapsed, with over 70 percent of facilities in conflict zones rendered non-functional.<sup>61</sup> The parties to the conflict have launched targeted attacks on and from residential areas, attacked individuals who were *hors de combat*, carried out systematic looting of commercial and private property, used civilians as human shields, committed sexual violence against women and girls and carried out systematic killings of civilians in market places, streets, IDP camps and in their homes. Housing has been destroyed systematically, including by arson attacks resulting in the destruction of entire villages, IDP camps and residential areas. Such attacks constitute war crimes under the Geneva Conventions and may also constitute crimes against humanity, given their systematic and widespread nature. Such war crimes and crimes against humanity can only be described as acts of domicile which must lead to accountability and recovery.

## V. Ukraine

83. The Special Rapporteur has raised concerns about the systematic targeting of civilians, residential homes and civilian infrastructure by Russian armed forces in Ukraine in his public statements and reports.<sup>62</sup>

### A. Conduct of hostilities and housing destruction

84. Since 22 February 2022, more than 15,000 civilians have been killed and over 40,600 injured in Ukraine. Eighty-eight percent of all civilian deaths are due to explosive weapons with wide area effects, such as missiles and loitering munitions, short-range drones, artillery shelling, or aerial bombs, killing people in their homes, streets, schools, hospitals or at work.<sup>63</sup> Indiscriminate use of cluster munitions, multiple launch rocket systems, tactical missile systems, drones and artillery systems targeting residential housing and civilian infrastructure has been reported in multiple areas of Ukraine, including in Chernihiv, Kharkiv, Kherson, Kyiv, Mariupol, Odessa, Okhtyrka, Zhytomyr and many others.

85. The invasion of Ukraine by the armed forces of the Russian Federation has triggered an unprecedented housing crisis with more than 236,000 residential buildings destroyed or damaged and 2,5 million housing units affected.<sup>64</sup> The direct damage caused by the conflict is immense. In December 2024, the total direct damage to buildings and infrastructure was estimated by the World Bank and the United Nations at approximately US\$176 billion, with housing being the most affected sector (about US\$57 billion, or 33 percent of total damage),

<sup>60</sup> The reports of the Humanitarian Research Lab are available at: <https://medicine.yale.edu/lab/khoshnood/publications/reports/>.

<sup>61</sup> <https://reliefweb.int/report/sudan/sudan-crisis-situation-analysis-period-221225-281225>.

<sup>62</sup> See for example, "Ukraine: UN expert seriously concerned by housing rights violations, 9 March 2022, available at: <https://www.ohchr.org/en/press-releases/2022/03/ukraine-un-expert-seriously-concerned-housing-rights-violations>, and A/77/190, para. 7.

<sup>63</sup> UN Human Rights Monitoring Mission in Ukraine, "Ukraine, Protection of civilians in armed conflict, December 2025 update", 12 January 2026, available at: [https://ukraine.ohchr.org/sites/default/files/2026-01/Ukraine%20-%20protection%20of%20civilians%20in%20armed%20conflict%20%28December%202025%29\\_EN\\_G.pdf](https://ukraine.ohchr.org/sites/default/files/2026-01/Ukraine%20-%20protection%20of%20civilians%20in%20armed%20conflict%20%28December%202025%29_EN_G.pdf).

<sup>64</sup> International Organization for Migration, "Protected Displacement and Precarious Housing: Access to Adequate and Affordable Housing in Ukraine", October 2025, p. 3.

followed by transport (about US\$37 billion, or 21 percent), energy and extractives (over US\$20 billion, or 12 percent), and commerce and industry (over US\$17 billion, or 10 percent).<sup>65</sup> More recent estimates by the Ukrainian Ministry for Development of Communities and Territories of Ukraine suggest that by November 2025, over 13 percent of the total housing stock of Ukraine has been damaged or destroyed, while the number of damaged energy facilities increased in 2025 by 70 percent.<sup>66</sup>

## **B. Destruction of Mariupol**

86. Residential areas in urban centers have been subjected to deliberate attacks and destruction. During 8 weeks of siege of the city of Mariupol by Russian forces in 2022, hundreds of thousands of the city's inhabitants faced devastation and death. Residents cowered in basements, living in fear of airstrikes, incessant shelling, and clashes between the armies. An estimated 400,000 residents had fled the city by mid-May 2022, but those remaining were left for months without basic services, including electricity, running water, and health care. By mid-May 2022, 93 percent of the 477 multi-story apartment buildings in the city's Central District were damaged.<sup>67</sup> Tens of thousands of residents lost their homes and often all their belongings, contributing to mass displacement and homelessness. Beyond the immense loss of life and the economic loss caused by the housing destruction, families faced tremendous psychological suffering, as their homes were turned to rubble or made uninhabitable. Case studies of more than 14 attacks on residential apartment buildings, medical, educational and other public facilities or emergency shelters in Mariupol show a distinctive systematic pattern of deliberate, prohibited indiscriminate attacks on civilians, residential homes and civilian infrastructure by launching explosive weapons with wide-area effects that destroy, kill and harm indiscriminately.<sup>68</sup>

## **C. Increased attacks on civilians and their homes**

87. Since June 2025, there has been a massive increase in the use of long-range weapons, including drones and rockets, by the Russian armed forces causing an increase in civilian harm in urban centres across Ukraine. Regular, hours-long, nightly attacks with hundreds of weapons have killed and injured civilians, destroyed civilian homes, property and infrastructure, and created more anxiety across the country. In the deadliest attack in 2025, long-range weapons launched by the Russian Federation struck a residential building in the western city of Ternopil on 19 November 2025, killing at least 38 civilians, including eight children. At least 99 others, including 17 children, were injured. Long-range weapons launched by the Russian Federation also killed 32 civilians, including five children, and injured 170 in Kyiv on 31 July 2025. The Russian Federation's renewed campaign against Ukraine's energy infrastructure is severely disrupting the essential services that civilians rely on, resulting in millions enduring prolonged periods without electricity, heating and water in the middle of the winter, with temperatures well below minus 10° Celsius.

## **D. Displacement**

88. The domicile in Ukraine has resulted in massive internal and international displacement, causing significant challenges for Ukraine and host countries to provide shelter and housing for the displaced. The United Nations estimates that around 10.6 million Ukrainians have been forced to flee their homes – almost a quarter of its pre-war population,

<sup>65</sup> World Bank et al.: Ukraine: Fourth Rapid Damage and Needs Assessment (RDNA4), February 2022–December 2025.

<sup>66</sup> Ministry of Development of Communities and Territories of Ukraine, "We are launching the RDNA5 assessment together with the World Bank, the EU and the UN", 21 November 2025, available at: <https://mindev.gov.ua/en/news/rozpochynaemo-otsinku-rdna5-razom-zi-svitovym-bankom-ies-ta-on-oleksii-kuleba>.

<sup>67</sup> See Human Rights Watch et al., "Our City was Gone", Russia's Devastation of Mariupol, Ukraine, February 2024, pp. 81-90.

<sup>68</sup> Ibid. pp. 91-141.

the majority of whom have left the country. Two-thirds of the 3.7 million displaced people who have remained in Ukraine, struggle to pay for their new accommodation. The shortage of municipal housing, combined with an under-regulated rental market and large-scale displacement, has placed severe pressure on housing availability and affordability. 54 percent of Ukraine's IDPs rely on the rental sector, facing high rent costs, eviction risks, and limited access to adequate accommodation. For many, their reliance on the rental market has exhausted family savings.<sup>69</sup>

## **E. Arbitrary expropriation of housing to impede return**

89. In areas occupied by the Russian Federation, de facto authorities are implementing procedures to expropriate so-called "abandoned" residential property in accordance with legislation adopted in 2024, although international humanitarian law prohibits an occupying Power from confiscating private property. The legislation lists failure to pay utility bills and non-use of premises among the criteria for identifying a property as potentially "abandoned". By November 2025, OHCHR had verified that occupying authorities issued notices identifying over 38,178 homes as potentially "abandoned".<sup>70</sup> If ownership is not confirmed within 30 days of the notification, occupying authorities may register the property as "abandoned" and begin judicial proceedings to transfer it to municipal ownership.

90. Persons displaced from occupied territory are unable to verify the status of their property and are prevented from participating in legal proceedings, since Russian courts in occupied territory publish only limited information about these cases online. Once a property has been transferred to municipal ownership, the municipality may allocate it to third parties. According to the occupying authorities in Mariupol, such apartments are added to the compensatory housing fund and allocated to citizens of the Russian Federation "whose residential properties were lost as a result of hostilities on the territory of the Donetsk People's Republic," in accordance with the applicable legislation. Third party individuals have reportedly already taken possession of a number of such apartments. The confiscation of residential property belonging to civilians in occupied territory clearly violates international humanitarian law and obstructs refugees and IDPs from exercising their right to return voluntarily to their homes in safety and dignity.<sup>71</sup> Furthermore, it has been alleged that de facto authorities have built at least 23 multi-storey housing complexes in place of destroyed buildings in Mariupol and advertised them for sale, with low interest rate loans, to Russian citizens.<sup>72</sup>

## **F. Applicable legal framework**

91. The systematic targeting of civilians, residential homes, and civilian infrastructure in Ukraine, combined with the forced displacement and arbitrary dispossession of housing constitute not only severe violations of the right to adequate housing and other human rights, but also a range of war crimes. They may include the war crimes of intentionally directing attacks against civilian populations and civilian objects; extensive destruction and appropriation of property, not justified by military necessity; wilfully causing great suffering, or serious injury to body or health; intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects; attacking and bombarding, by whatever means towns, villages, dwellings or

<sup>69</sup> For a detailed assessment of the housing conditions of internally displaced persons in Ukraine, see IOM: "Protracted Displacement and Precarious Housing: Access to Affordable and Adequate Accommodation in Ukraine", October 2025, available at: <https://dtm.iom.int/reports/ukraine-protracted-displacement-and-precarious-housing-october-2025>.

<sup>70</sup> OHCHR, Report on the Human Rights Situation in Ukraine, 1 June 2025 – 30 November 2025, 9 December 2025, para 89, available at: <https://www.ohchr.org/en/documents/country-reports/ahrc61crp3-43rd-periodic-report-human-rights-situation-ukraine-1-june>.

<sup>71</sup> Ibid, para. 87-91.

<sup>72</sup> <https://www.bellingcat.com/news/europe/2025/11/14/building-on-ruins-the-russification-of-mariupol-one-apartment-block-at-a-time>.

buildings that are undefended; wanton destruction of property.<sup>73</sup> Due to their widespread and systematic nature, these acts may as well amount to crimes against humanity, such as inhumane acts of a grave nature that intentionally cause great suffering, or serious injury, and the crime of forcible transfer of a population.<sup>74</sup> The housing destruction in Ukraine is emblematic of what the Special Rapporteur has called *domicide*: the widespread or systematic destruction of housing with the knowledge or intent to cause grave human suffering to a civilian population.

92. In addition, occupation that is converted to annexation as Russia has done with regard to the areas in Crimea, Donetsk Oblast, Luhansk Oblast, Kherson Oblast and Zaporizhzhia Oblast, since 2022, is grossly illegal under international law and also violates the peremptory norm of aggression. These acts are crimes under international law.

93. The Special Rapporteur welcomes the establishment of the register of damages with the assistance of the Council of Europe, allowing Ukrainian citizens to submit claims and information about damage caused to them. By 10 December 2025, the highest number of claims received by the register related to damage and destruction of residential housing (30,688 claims) followed by claims related to involuntary displacement. The register has also recorded more than 9,620 claims related to loss of access or control of housing in Ukrainian territories occupied by Russian forces.<sup>75</sup> Registering such claims is essential to ensure that, in the future, accountability and fair and adequate reparations for the damage caused by the *domicide* in Ukraine become possible. The Special Rapporteur hopes that the international community will set up similar registers of damages in other conflicts in which civilian housing and infrastructure are systematically destroyed in violation of international law.

## VI. Conclusion and recommendations

94. The present report demonstrates that *domicide*, the widespread and systematic destruction of housing and civilian infrastructure in conflicts, is all too common without any real check or accountability, as illustrated in Gaza, Myanmar, Sudan and Ukraine. Such *domicide* constitutes a grave assault on the right to adequate housing, and on the foundations of human dignity, identity and survival. Across all four conflict contexts, the intentional targeting, demolition or appropriation of homes, has not been incidental to hostilities, but has functioned as a method of warfare, repression and territorial control and often annexation. Attacks on homes are the principal way combatants establish control over land, and thus, territory, with a view to establishing sovereignty. The goals, scale, pattern and effects of this destruction amount to egregious violations of international law, including peremptory norms prohibiting aggression and acquisition of territory by force, core norms of international human rights law and international humanitarian law and, in many instances, give rise to State responsibility for war crimes, crimes against humanity and, where relevant, genocide.

95. The denial of access to land, the obstruction of return, and the destruction of housing and civilian infrastructure essential to life have rendered entire populations homeless, forcibly displaced and dependent on humanitarian assistance, while eroding prospects for recovery, self-determination and durable peace. These practices exemplify *domicide* — the deliberate, widespread or systematic destruction of housing — and underscore the urgent need for accountability, prevention and reparations. Ending impunity for violations of economic, social and cultural rights, particularly the right to adequate housing and land, is indispensable to restoring justice and preventing recurrence.

96. States should:

<sup>73</sup> Rome Statute, Article 8 (2) (a) (iii) and (ix); Article 8 (2) (b) (i), (ii), (iv) and (v), (viii) and (ix).

<sup>74</sup> Rome Statute, Article 7 (d) and (k).

<sup>75</sup> Council of Europe: Register of Damages caused by the Aggression of the Russian Federation against Ukraine, Quarterly report by the Board of the Register of Damage for Ukraine, 11 December 2025, available at: <https://www.rd4u.coe.int/documents/358068/386726/RD4U-Board%282025%2917-EN+-+Board%27s+Quarterly+Report+to+COP+2025-4.pdf>.

- (a) **Respect, protect and fulfil the right to adequate housing and land at all times, including during armed conflict and occupation;**
  - (b) **Cease complicity in domicile, including through active assistance for or failures to prevent mass destruction of housing;**
  - (c) **Immediately cease attacks on civilian housing and infrastructure and prohibit the use of weapons with wide-area effects, including drones and loitering munitions in populated areas;**
  - (d) **Cease and prohibit relying on artificial intelligence for targeting during combat operations;**
  - (e) **Cease and prohibit punitive housing demolitions or other mass clearance of housing after the end of active combat operations;**
  - (f) **Change and implement rules of engagement for armed forces in all conflicts to avoid domicile and mass destruction of other civilian objects;**
  - (g) **Ensure accountability for domicile through independent investigations, criminal prosecutions and international cooperation, including through recognition of domicile as a distinct international crime;**
  - (h) **Refrain from providing arms, assistance or support where there is a clear risk or evidence of their use in housing destruction or forced displacement;**
  - (i) **Guarantee the right of refugees and internally displaced persons to voluntary, safe and dignified return, restitution of housing, land and property, and ensure reparative justice including through reparations and compensation;**
  - (j) **Establish and support international registers of damage and reparations mechanisms prioritizing housing and land losses;**
  - (k) **Ensure that reconstruction processes are rights-based, participatory, non-discriminatory and preserve the social, cultural and territorial integrity of affected communities and based on the right to self-determination.**
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