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Regulating Assistance for Victims of the October 7th Attack



Abstract

The Compensation for Victims of Hostile Attacks Law, 1970 (the Compensation Law), sets out the rights of citizens and foreign nationals suffering harm due to hostile attacks, as well as the rights of bereaved families of individuals killed in such events. The law provides them with entitlements that are equivalent to those of disabled personnel of the Israel Defense Forces (IDF) and to the families of fallen soldiers. This multidisciplinary support is intended to continue throughout their lifetimes, including, under certain circumstances, monthly disability payments and various grants. Members of bereaved families are similarly entitled to compensation, rehabilitation, and benefits. The National Insurance Institute (NII) serves as the designated body to address the needs of victims of hostile attacks, and to which claims for recognition as victims are submitted. For an individual to be recognized as a victim of a hostile attack, it must be demonstrated that there exists a real and direct causal link between the claimed injury and a specific hostile attack, as well as that the victim was physically present during that event and was not merely harmed by its aftermath or ramifications. According to the Compensation Law, the authority responsible for determining whether an injury is classified as a hostile attack injury is the "Confirmation Authority" within the Ministry of Defense; thus, claims for recognition are forwarded by the NII to this Authority for a decision. The Confirmation Authority's determination that the injury is a hostile attack injury is a precondition for the NII's continued handling of the matter, including any claims of the victim for compensation and benefits under the Compensation Law.

On October 7th, 2023, during the holiday of Simchat Torah, the terror organization of Hamas attacked the state of Israel with thousands of missiles and infiltration of thousands of terrorists into IDF bases, cities and other civilian communities in the Western Negev (communities around the Gaza Strip). The terrorists also targeted outdoor multiparticipant parties¹ taking place near the Gaza Strip. They committed egregious and unfathomable acts of violence. They murdered hundreds of soldiers, over 1,000 Israelis and foreigners, committed horrific assaults against women, men, the elderly, children, babies and soldiers. Moreover, they injured thousands of people, sexually assaulted the victims and took 251 hostages into the Gaza Strip: women, men, and children. The terrorists also damaged property, destroyed, burned and demolished houses, factories, equipment and other property. During the attack in the communities many residents were forced to hide long hours in protected places or other hiding places, fearing for their lives, being aware of their families, neighbors' and friends' horrors and even witnessing them (the October 7th events). Many other saw the horrific events live through the media or social networks.

1 The Nova and Psyduck parties and a preparatory meeting for the Midburn event (the Parties).

The October 7th events constitute an unprecedented occurrence by any measure, particularly when compared with prior hostile attacks within Israel, with regard to the sheer number of victims, the number of communities attacked simultaneously, the severity of the violence perpetrated, and the sustained duration of the assaults. A significant consequence of these events is the resultant psychological damage, including mental trauma, necessitating a systematic budgetary response aimed at mitigating the risk of post-traumatic stress disorder and other potential mental health disorders among victims, thus facilitating their reintegration into normalcy to the greatest extent feasible.

This report differentiates between “first tier” victims – those physically present at the hostile attack with a verifiable and direct causal connection between their injury and the violence experienced – and “second tier” victims – those exposed to the hostile event who suffer psychological harm as a result, but do not meet the criteria for status as victim of a hostile attack as defined in the Compensation Law², thereby rendering them ineligible for benefits and compensation.

**The victims of
the Nova Party
monument in
Re'im parking lot.**

Photo: Jonathan
Zindle, Flash 90



² It should be clarified that these terms and definitions were established for the convenience of reading the report, and are not anchored in the law, which refers only to the status of “victims of hostile attacks”.

Key Figures

about 61,000 claims

for recognition as victims of hostile attacks from the October 7th events were approved by the Confirmation Authority by March 2024 (59,000 in 2023) – compared to the annual average of 450 claims for recognition approved by the Authority in 2009–2022

84%

applicants rate receiving a disability level of at least 20%, entitling them to a monthly allowance, in the wake of the October 7th attack (876 victims), out of all claims of disability submitted to the medical committees of the NII after the October 7th events (1,049 victims) – compared to 55% in 2022, an increase of 29%

NIS 1–1.7 billion

state Comptroller's estimate as to the increase in permanent compensation to be paid annually due to the number of October 7th victims (including those already recognized); this contrasts with the Budget Division's estimate in December 2023 which was NIS 520 million, significantly lower than the State Comptroller's estimate. (Following the audit, an updated estimate by the Budget Division was prepared, which was close to the estimated range calculated by the audit)

95%

Claims rate in which psychological harm was recognized (992 claims) by the medical committees after the October 7th events, out of all claims submitted to the NII by March 2024 – compared to 30% in 2021–2023 (more than threefold)



Photo: Kobi Gideon, GPO

NIS 525 million

total of compensation payments paid in 2022 to victims of hostile attacks recognized until then (i.e. before the October 7th events)

NIS 806 million

total payment advances and grants paid by the NII to victims of hostile attacks from the October 7th events for the months of October and November 2023

about 180,000 people

the State Comptroller's Office estimate from April 2024, as to the number of adults who were present in the October 7th events or had someone close to them present in the events and who may be experiencing psychological symptoms – post-traumatic stress disorder, anxiety or depression or a combination thereof at a severe level³. Since some of them have already been recognized as victims of hostile attacks, the upper limit estimate of their number is about 138,000 people

no limitation on fees for representation

as of the audit end date, there is no limitation on the fees that representatives are allowed to charge for representing victims of hostile attacks under the Compensation Law; this is in contrast with the fee limitation set, for example, in respect of claims under the Disabled Victims of Nazi Persecution Law and the Compensation to Family Members of Missing Persons or Hostages in Hostile Attacks Law

³ For more information on this subject, please see the report "Mental Health Care Following the October 7th Attack and the Iron Sword War" (published as part of this publication).

Audit Actions

Due to the unprecedented increase in the number of victims of hostile attacks as a result of the October 7th attack, the State Comptroller's Office audited, between December 2023 and March 2024, the long-term economic implications for the state treasury and the necessity for a normative response to thousands of individuals who experienced psychological trauma from the October 7th attack but are not legally recognized as victims of hostile attacks under the Compensation Law, owing to their physical absence from the events in question. The audit was carried out at the National Insurance Institute, specifically within the Victims of Hostile Attacks Division, the Rehabilitation Division, the Legal Bureau, and the Medical Director's Office; at the Ministry of Defense, in the Confirmation Authority; and at the Ministry of Justice, specifically within the Public-Constitutional Law Department and the Legal Aid Department. Additional examinations were carried out at the Budget Division of the Ministry of Finance and the Ofakim Municipality.

Key Findings



The Unified Recognition Process of the Confirmation Authority for Victims of Hostile Attacks

Under the Ministry of Defense's directives, the Confirmation Authority is empowered to issue either a general confirmation in regard to a hostile attack or individual confirmations for specific victims. Furthermore, it may turn to security agencies, including the Israel Police, the IDF, or other relevant bodies, to obtain assessments and responses pertaining to the event in question. To expedite assistance to the victims of the October 7th attack, the Confirmation Authority, in a joint decision with the NII, bestowed confirmation, shortly after the events, to about 54,700 victims of hostile attacks inhabiting regions within 0–7 km of the Gaza Strip, which were subject to terrorist infiltration or direct combat, and to participants in the dance parties. Based on a determination from the Ministry of Health, it was resolved that all individuals recognized through the aforementioned unified process would be classified as experiencing temporary mental injury – acute stress disorder (ASD). This classification was rendered without the necessity for claimants to substantiate such recognition with supporting documentation, and individual assessments of

each injury were not conducted⁴. However, the audit raised that as the Police and the IDF failed to respond to requests from the NII and the Confirmation Authority for information needed to accurately delineate the areas and residents eligible for unified recognition, particularly in regard to the areas of Sderot where confrontations or terrorist infiltrations occurred, and in the city of Ofakim, the Confirmation Authority ultimately developed the list with assistance solely from the NII, despite this body's lack of adequate knowledge regarding the specific locations of the terrorist events and associated combat. Under these circumstances, the unified recognition process resulted in ambiguities, as the Confirmation Authority's recognition did not encompass all residents situated in areas where hostile attacks or terrorist infiltrations took place, particularly in Ofakim, where unified recognition was limited to residents of select streets within the Mishor HaGefen neighborhood. Subsequently, unified recognition was expanded to include additional streets defined as locations of hostile attacks or terrorist infiltrations. It should be noted that the Ofakim Municipality has asserted that the entirety of the city, which witnessed the deaths of 53 individuals, should be classified as a war zone, with all residents recognized as victims of hostile attacks. In May 2024, a petition was filed with the High Court of Justice regarding this matter.

🔗 The Powers and Administrative Placement of the Confirmation Authority Under the Compensation Law

The Compensation Law mandates that the Minister of Defense, in consultation with the Minister of Labor, appoint a Confirmation Authority. In general, the Confirmation Authority renders individual decisions on claims for recognition based on documents and opinions submitted by the NII, as well as information provided by the Israel Police pertaining to the investigation of the circumstances surrounding the attack, i.e. whether or not it was 'nationalistic' in character. The audit has raised that there are instances in which the Confirmation Authority lack a relative advantage or independent information regarding hostile attack injuries, such as during the Iron Swords War. It should be noted that the NII's position is that there is no justification for transferring the Confirmation Authority's powers to it, given that such a fundamental change has numerous ramifications and is likely to introduce more difficulties than those which may exist under the existing law, which under normal circumstances meets the public's needs. Conversely, the Confirmation Authority advocates transferring its powers to the NII, due to its extensive experience in managing the numerous

4 It should be noted that victims who were not recognized within the framework of the unified recognition, and who met the requirements for recognition, were granted recognition on an individual basis – including victims who were physically injured, persons with psychological injuries who were present in the first-line settlements but were not included in the lists for unified recognition, as well as persons with psychological injuries who were in areas of combat or terrorist infiltration that were not defined as first-line localities for the purposes of the unified recognition.

claims for recognition submitted for its adjudication. The responses from the NII and the Ministry of Defense underscore a fundamental disagreement regarding the approach to resolving the challenges in the recognition process during wartime, and specifically in regard to the necessity of transferring the powers of the Confirmation Authority from the Ministry of Defense to the NII.

📌 The Makeup of Disability Claims Submitted Subsequent to the October 7th Attack, Pertaining to Physical or Psychological Injury, and the Disability Levels as Determined by the Medical Committees Before and After October 7th

The vast majority of claims lodged with the NII following the October 7th events – comprising 95%, or 992 claims – pertain to psychological injury. This proportion exceeds threefold the prevalence of such claims filed in the years preceding October 7th (2021–2023), which accounted for less than one-third of total claims (about 30%). Until the October 7th attack, nearly half (45%) of the cases in which a disability was recognized by the medical committees fell within a disability range of 10% to 19%, entitling individuals to a one-time grant; slightly more than half (55%) received entitlements to monthly compensation. In contrast, post-October 7th, these rates were recorded at 13% and 84%, respectively, with 3% classified at a minimal level that does not confer financial benefits. The characteristics of the October 7th attack are notable due to the substantial number of casualties, the severity of the injuries, and the protracted duration of the war. Consequently, the nature of compensation claims from victims of hostile attacks handled by the state prior to October 7th is markedly different from those processed thereafter. This distinction is evident not only in the type of injury, where as of March 2024 about 95% of victims are primarily affected by mental health issues, but also in the classifications of disability that grant entitlement to compensation as determined by the medical committees. In the absence of adequate preparation by the pertinent bodies, including the Ministry of Finance in conjunction with the NII, the Ministry of Health, and the HMOs (Health Maintenance organizations), optimal treatment of psychological injuries sustained by victims cannot be achieved, thereby impeding their potential reintegration into a healthy routine and life, as much as possible.

📌 Economic Estimates for the Increase in Compensation for Victims of the October 7th Attack Under Existing Law (“First Tier” Victims)

1. The NII's estimate for the annual budget for 2024 indicates that the required increase in compensation for victims of hostile attacks will be about NIS 2.5 billion, for roughly 20,000 individuals anticipated to being granted recognition of a physical or mental disability of 50% or greater. This figure represents nearly five times the total compensation disbursed in 2022, which amounted to NIS 525 million. The audit raised that the NII did not assess the long-term budgetary

implications of the anticipated compensation burden on state finances, an assessment estimated by the audit team to be between NIS 1 billion to NIS 1.7 billion, annually. Consequently, this crucial information was not communicated to the NII Council⁵, which should have been made aware of the significant budgetary scope required for the increment in compensation for the victims of the October 7th events, even if the associated budgetary implications affect the state budget rather than that of the NII. Furthermore, this information was not presented to the Ministry of Finance, even though it bears significant budgetary ramifications for the overall state budget necessitating thorough budgetary considerations. Additionally, it was to be expected that the NII Council would proactively seek a presentation of the long-term implications stemming from the increase in compensation required for victims of hostile attacks.

2. The Budget Division's estimate posits that the fixed increase in annual state budget compensation commencing in 2024 would be NIS 520 million. This estimate was predicated on an underestimation involving 6,700 individuals anticipated to be recognized with a disability level of 20% or higher, entitling them to a monthly allowance for life. In contrast, the NII's estimate at that time projected 20,000 victims qualifying for the aforementioned monthly allowance, reflecting a disparity of three-fold in comparison to the Budget Division's estimate. As of the audit end date, about 61,000 victims of hostile attacks had been recognized in the unified recognition process.
3. The State Comptroller's Office estimates that the fixed increase in annual compensation within the state budget commencing in 2024 will be about NIS 1 billion at a minimum and about NIS 1.7 billion at a maximum. This estimate does not include the amount of NIS 525 million to be paid to victims of hostile attacks recognized prior to the October 7th events.
4. After the completion of the audit, the Budget Division revised its estimate in July 2024 for the fixed annual budget supplement required to a minimum of about NIS 900 million and a maximum of NIS 1.623 billion. These estimates do not include the compensation for bereaved families, approximating NIS 135 million.

5 The NII Council constitutes the preeminent authority of this institution and functions in accordance with the National Insurance Regulations (Institute Council) of 1958. It is chaired by the Minister of Labor and comprises 19 members, which include representatives from the government, employee organizations, employer organizations, and various experts. The Council is responsible for overseeing the operations and management of the NII; providing legislative advice to the Minister; discussing the NII's budget proposals and submitting them for approval to the Minister of Labor and the Minister of Finance, among other duties. [Link].

📌 Gathering Information About 'Second Tier' Victims

Individuals considered within the second tier include those whose community or residence was invaded by terrorists while they themselves were not present. Additionally, others experienced the traumatic events either in real time or in proximity to their occurrence through mobile phones and social media. There are also individuals who were physically present in the vicinity of the attacks immediately thereafter, for example, when searching for missing loved ones or assisting the injured. This group too includes individuals who have experienced emotional trauma and are anticipated to face challenges in resuming a routine life without structured assistance and support. As of the audit end date, about six months following the October 7th attack, the NII had not procured data regarding the size of the second tier or the number of individuals likely to struggle with normal functioning due to their exposure to these events. A survey conducted by the State Comptroller's Office in April 2024 provided an initial estimate extending to the entire adult population, suggesting about 180,000 individuals were either present during the October 7th attack or had a close acquaintance involved, and may be experiencing severe mental health symptoms, such as post-traumatic stress, anxiety, or depression, or a combination thereof. With around 42,000 adults already recognized as victims of hostile attacks, it can be inferred that the upper estimate of unrecognized victims within this broader context may reach about 138,000 individuals. This situation indicates that alongside the victims of the first tier, formally acknowledged under the law, there exists a significant number of additional victims, the majority of whom are likely among the second tier, while a minority may belong to the first tier but have not yet applied for formal recognition as victims of hostile attacks or are in the process thereof. Given their experiences of serious mental trauma, it is reasonable to assume that these individuals will require appropriate health and rehabilitation interventions, which are expected to have consequential budgetary implications.

📌 Adapting the Law to Provide a Response to Second Tier Victims

The current legal framework is inadequate to address the exceptional circumstances that have emerged, as it only regulates the rights of individuals who were present during hostile attacks and were directly harmed, thereby failing to account for second tier victims. In this context, despite the causal connection between their psychological injuries and the October 7th attack, existing legislation does not recognize these individuals as victims of hostile attacks. Such recognition would potentially enable them to access support services, including treatment interventions, rehabilitation programs, and financial assistance provided by the state to victims of the first tier. Although these individuals may seek treatment support within the existing public mental health framework, this system is burdened significantly, resulting in lengthy waiting periods for treatment. Moreover, they may qualify for disability benefits if

deemed eligible, alongside support from local authorities and relevant organizations. However, this alternative response lacks the comprehensive components of assistance afforded to victims of hostile attacks.

🔻 Promoting a Regulatory Response for Second Tier Victims of the October 7th Attack

The need to establish a regulatory response for addressing the needs of second tier victims was the subject of discussion, beginning in December 2023, among various bodies responsible for the treatment of victims of hostile attacks: the NII, the Confirmation Authority, the Legal Aid Department of the Ministry of Justice (which represents family members of homicide victims, including in the context of hostile attacks), and the Department of Public-Constitutional Law of the Ministry of Justice (which focuses on providing legal counsel and advocacy in areas such as social rights, welfare, health, and social security). These deliberations were propelled by the need to adjudicate claims for recognition submitted by second tier victims and the anticipation of an influx of additional claims from this demographic. The matter was additionally addressed within the Knesset Health Committee, and the NII raised the issue before the Minister of Labor in December 2023 and January 2024. However, as of the audit end date in March 2024, the question of aid for second tier victims remained unresolved.

Subsequent to the audit's completion, in April 2024, the Minister of Finance established a public committee tasked with developing a unique response for the victims of the October 7th attack. The committee was instructed to evaluate strategies for providing a supplementary response to the existing legal one, primarily focusing on a one-time financial grant within a proposed budget of NIS 1 billion. The committee presented its recommendations in July 2024, which included the identification of victim groups eligible for one-time financial assistance ranging from about NIS 7,000 to 30,000, alongside short-term mental health treatments and rehabilitation services, also valued between about NIS 7,000 to 30,000, according to specified criteria. This was preferred to a legislative change to the Compensation Law. Notably, the recommendations did not offer a medium or long-term response for the victims of the October 7th attack. The government approved the committee's recommendations in September 2024.

Regulation of Fee Limits for Representation of Victims of Hostile Attacks

The audit disclosed the absence of a maximum fee for representatives (including lawyers, rights-extraction companies, tax consultants, or accountants) authorized to represent victims in exercising their rights under the Compensation Law. Furthermore, the system for fee collection remained unregulated. This omission is notable given the existence of specific types of claims submitted to the NII that have regulated fee structures, as well as analogous regulations present in statutes such as the

Disabled Victims of Nazi Persecution Law, 1957 and the Compensation to Family Members of Missing Persons or Hostages in Hostile Attacks Law, 2023. Moreover, no maximum fee has been stipulated for injured IDF personnel seeking compensation from the Ministry of Defense. A private member's bill concerning this matter had been presented prior to October 7th, yet it had not progressed. To prevent situations in which representatives in compensation claims impose disproportionately high fees and exploit the vulnerable conditions of victims, the State Comptroller, in November 2023, requested that the Ministers of Justice, Defense, Labor, and Finance legislate a maximum fee that representatives may charge victims of hostile attacks and injured IDF personnel, alongside the establishment of a supervised and equitable rate for representation. During the audit, in March 2024, a government bill was introduced to regulate maximum fees for compensation and disability claims pertaining to disabled members of the security forces, bereaved families, victims of hostile attacks, freed hostages, and family members of hostages and missing persons. As of the audit end date, the legislative process had not yet reached completion.



Providing an Initial Response to Victims of the October 7th Attack

In the aftermath of the October 7th attack, the NII implemented swift modifications to the protocols concerning the treatment of victims of hostile attacks. These modifications included the expeditious streamlining of processes and the rapid disbursement of grants and advances, at about NIS 806 million. Furthermore, the NII, in conjunction with the Confirmation Authority, established a prompt solution for the centralized recognition of tens of thousands of residents from frontline communities as victims of hostile attacks, despite the absence of cooperation from pertinent security agencies, namely the police and the IDF.

Assistance for the Psychologically Injured Following the October 7th Attack as Part of the Anxiety Treatment Procedure

To address the urgent needs of numerous victims of the October 7th attack and to mitigate the potential deterioration of their mental health, victims of hostile attacks were afforded the opportunity to receive treatments under the NII's Anxiety Treatment Procedure. This procedure enables any individual experiencing anxiety who was present during a hostile attack to access immediate and short-term treatment with the aim of preventing further mental impairment, without the prerequisite of undergoing a recognition process as a victim of hostile attacks. Within this framework, the NII expanded the eligibility criteria under the procedure to include an additional 12 treatments and disseminated this information via its official website. Consequently, victims were permitted to avail themselves of up to 36 treatments if deemed necessary.

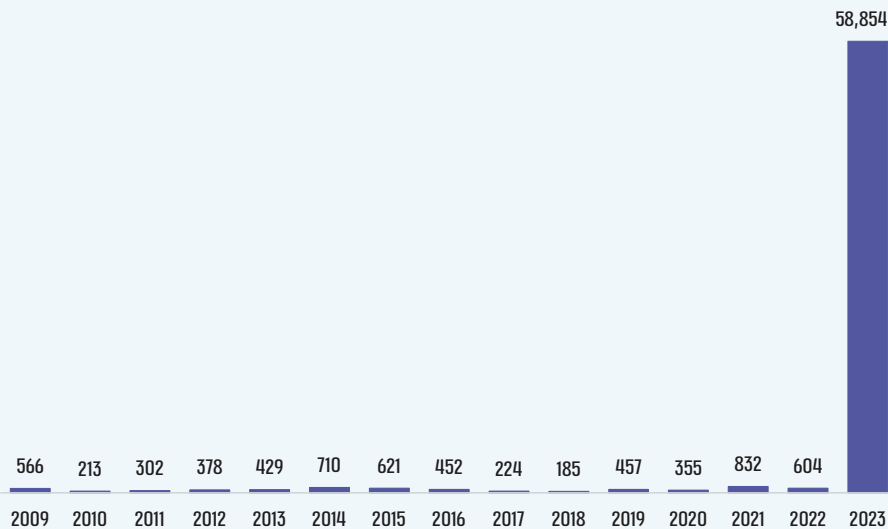
Key Recommendations

- It is recommended that the NII, in collaboration with the Ministry of Defense, thoroughly analyse the treatment afforded to the victims of the October 7th attack. This analysis should encompass the implications stemming from the division of powers pertinent to the implementation of the Compensation Law between the Minister of Labor (NII) and the Minister of Defense (the Confirmation Authority). The assessment should also consider whether the transfer of the Confirmation Authority's powers from the Ministry of Defense to the NII or another relevant body would yield greater efficiency and efficacy. Should the findings support this transition, the Ministers of Labor and Defense should appropriately amend the Compensation Law.
- It is recommended that the Ministry of Finance, in collaboration with the NII and the Ministry of Health, address the needs of the victims of the October 7th attack, both from an economic perspective and in terms of delivering necessary medical, therapeutic, and rehabilitative responses. Specifically, they should devise treatment and rehabilitation plans targeting mental health to mitigate the potential escalation of mental health issues among victims and to ensure access to treatment frameworks that bolster mental resilience and facilitate reintegration into routine life, including employment, social interactions, and overall health.
- It is recommended that the Ministry of Finance, as the principal body supervising the state budget, collaborate with the NII, which manages the recognition of victims of hostile attacks and their rehabilitation, to anticipate the economic repercussions of increased state expenditures over the coming decades.
- Given that the public committee did not address the anticipated magnitude of victims and findings from the State Comptroller's survey, there exists justified concern regarding the potential increase in the number of individuals suffering from mental health-related injuries over time. Consequently, the Ministry of Finance, the Ministry of Health, and the NII should consider the establishment of a dedicated rehabilitation administration that would provide a comprehensive support package for individuals suffering from psychological harm resulting from the October 7th attack, facilitating their functional rehabilitation across various domains, including familial, professional, and social settings, to ease their transition back to a healthy normative routine. Moreover, since the committee's recommendations exclusively pertain to the victims of the October 7th attack, it is recommended that the pertinent bodies – namely, the Ministry of Finance, the Ministry of Justice, and the NII – evaluate the need of formulating an updated policy concerning the application of the Compensation Law, with

respect to victims currently excluded from the definition of “victims of hostile attacks” under the Compensation Law, and consider the need for legislative amendments capable of providing appropriate responses for victims of future complex hostility events.

Figure 1 below presents the number of claims for recognition of victims of hostile attacks that were approved by the Confirmation Authority from 2009 to 2023. The data indicates that between 2009 and 2022, the Confirmation Authority approved between 213 and 832 claims annually. In contrast, in 2023 alone, the Authority approved nearly 59,000 claims⁶, of which a minority, about 370, were not associated with the October 7th attack. This data suggests that the volume of claims recognized in 2023 due to the October 7th attack is unprecedented, representing about 131 times the annual average of about 450 claims observed from 2009 to 2022.

Figure 1: Number of Claims for Recognition as Victims of Hostile Attacks Approved by the Confirmation Authority, 2009–2023



⁶ In 2023, the Confirmation Authority recognized victims of hostile attacks under a unified recognition and individual recognition, following the October 7th attack, in addition to recognizing victims of hostile attacks that occurred before and after that date (about 59,000). In the months of January-March 2024 (the audit end date), the Authority individually recognized another 2,100 victims of hostile attacks, including those who were injured on October 7th (a total of about 61,100).

Figure 2 below presents the economic estimates arrived at by the Ministry of Finance and the State Comptroller's Office. The figure indicates that the supplementary expenditure to the state budget, disbursed under the Compensation Law, will markedly exceed the compensation expenditure for victims of hostile attacks that was allocated before the war.

Figure 2: Summary of the Estimates of the Ministry of Finance's Budget Division and the Office of the State Comptroller for Victims of Hostile Attacks (in millions of NIS)

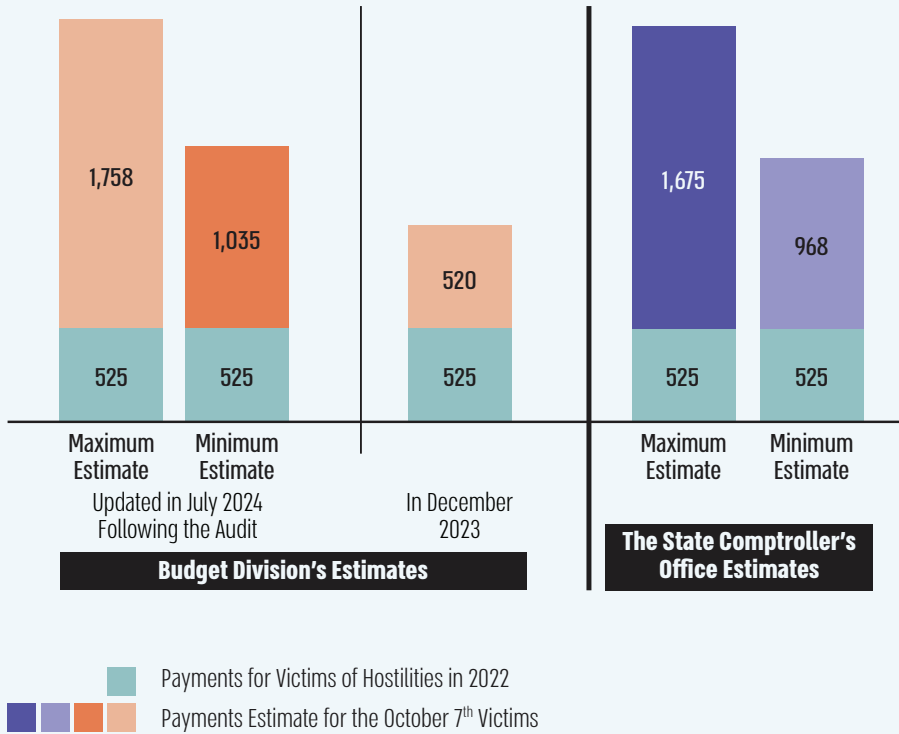
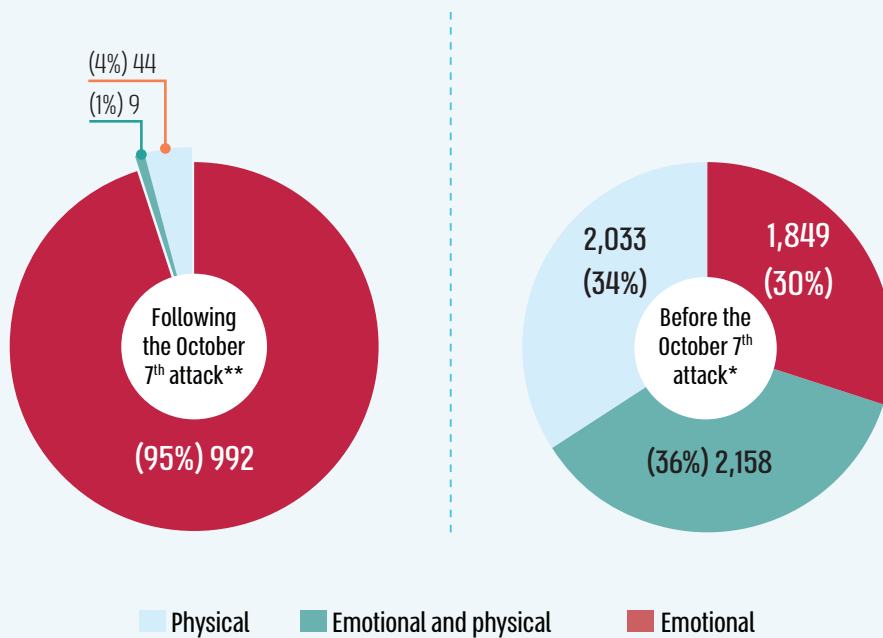


Figure 3 below presents data from the NII concerning the categories of claims submitted to assess the degree of disability for individuals affected by hostile attacks between January 2021 and September 2023, juxtaposed with the types of claims from victims of the October 7th attack for the period spanning October 2023 to March 2024. The figure indicates that a substantial majority of claims submitted to the NII following the October 7th events (95%, totaling 992 claims) pertain to emotional injury.

Figure 3: Types of Claims for Determining the Degree of Disability for Victims of Hostile Attacks Submitted to the Medical Committees Before the October 7th Attack (January 2021 – September 2023) and Thereafter (October 2023 – March 2024)



* Data for the period from January 2021 to September 2023 is presented as an average.

** In five cases, it was determined that there was no disability and they were not classified by type.

Examples of Recognition Claims Submitted to the Confirmation Authority that Reflect the Characteristics of Second Tier Victims



"My daughter was at a party... Some of her friends were injured and one was murdered... She managed to escape to a shelter... During this time, she managed to record several voice messages for us that tell us that the terrorists are shooting at her and she asks us not to come because there are too many terrorists and there is no way to help... The fear and panic are engraved in my mind and play over and over again... Screams, the sounds of shooting and mortars... Only after 7 hours of hiding... she was rescued."



A man who was outside the kibbutz when the terrorists entered the kibbutz. His wife and children were in a protected room in the kibbutz. Throughout the event, he was with his wife on the phone, a full participant in the event from a distance, while experiencing fear for their lives. During the event, they shot at the door of their house, broke windows, and looted. In the evening, his wife and children were rescued from the protected room. His relatives were kidnapped to Gaza. Starting that day, he felt terrible fear, mental distress expressed in lack of appetite, difficulty sleeping, fear of going out in the dark, flashbacks, fatigue, and difficulty concentrating.

Summary

The State of Israel has a moral duty to care for the needs of victims of hostile attacks and to ensure that they receive the necessary therapeutic and rehabilitation package to help them return to their daily lives. The audit findings indicate, following the October 7th events, a sharp and unusual increase in the number of victims of hostile attacks recognized by the Confirmation Authority – about 61,000 people were recognized as victims of hostile attacks by the audit end date (March 2024), compared to 450 people who were recognized on average each year from 2009 to 2022. They also indicate that the expected fixed annual budgetary addition for compensation for victims of hostile attacks ranges from about NIS 1 billion, the minimum estimate of the Office of the State Comptroller and of the Budget Division, to about NIS 1.7 billion per year, which is the maximum estimate of the State Comptroller's Office, or about NIS 1.8 billion per year, as per the maximum estimate of the Budget Division as of July 2024, which was updated following the audit. These data require the state to prepare budget-wise for the need to provide a long-term, multidimensional response to many victims, some of whom will be recognized as disabled persons eligible for benefits and allowances from the state throughout their lives.

In addition, the exceptional nature of the events could lead to emotional injury among tens of thousands of people in the second tier, who are not addressed under the Compensation Law. To ensure that these victims receive the assistance they need, it is recommended that the Ministry of Finance, the Ministry of Health, the NII, and the Ministry of Justice formulate a holistic and long-term response to the victims of the October 7th attack, including formulating the rehabilitation envelope required for those victims over time. It is recommended that this be done, among other things, by adapting the Compensation Law to the new reality, also with regard to future hostile attacks, or alternatively by promoting another unique arrangement that will allow for accompaniment and support for those who need it, to help them return to their daily lives.