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**Human rights situation in Palestine and other occupied Arab territories****Torture and genocide****Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967\****Summary*

This report examines Israel's systematic use of torture against Palestinians from the occupied Palestinian territory since 7 October 2023, encompassing both custodial and non-custodial practices, which meet the threshold for genocide under the Genocide Convention. It documents how torture has become integral to the domination of and punishment inflicted on men, women and children, both through custodial abuse and through a relentless campaign of forced displacement, mass killings, deprivation and destruction of all means of life to inflict long-term collective pain and suffering. A continuous, territorially pervasive regime of psychological terror is being imposed, designed to break bodies, deprive a people of their dignity and force them from their land. This is not incidental violence. It is the architecture of settler-colonialism, built on a foundation of dehumanization and maintained by a policy of cruelty and collective torture.

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\* The present report was submitted after the deadline in order to reflect the most recent information.

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## I. Introduction

1. This report examines the use of torture – the intentional infliction of severe pain or suffering, physical or mental, for purposes including intimidation and coercion or for any reason based on discrimination – by Israel against Palestinians as a group, and finds that torture is a structural feature of the ongoing Israeli genocide and broader settler-colonial apartheid.

2. Due to Israeli obstruction of her mission, the Special Rapporteur gathered relevant information through written submissions, including over 300 testimonies, collected by numerous organizations, as well as remote consultations with legal experts and torture survivors, together with a review of primary and public sources, including accounts by Israeli whistle-blowers.

3. Torture has always been a central feature of Israel’s dispossession of Palestinians. Yet, since October 2023, Israel has employed it on a scale that suggests collective vengeance and destructive intent. The targeting of Palestinians “as an entire nation out there that is responsible”, in President Herzog’s words,<sup>1</sup> is apparent in the brutality of Israel’s detention system and in the broader carceral regime imposed on all Palestinians. Characterized as necessary for Israel’s ‘security’, these practices operate as an ideological project of societal destruction, normalizing cruelty and with the political objective of debilitating the Palestinian nation.

4. The escalation of torture in Israeli detention centres is a coordinated plan. National Security Minister Itamar Ben-Gvir, who oversees the Israel Prison Service (IPS), has promoted his “prison revolution”, which institutionalized a policy of degradation.<sup>2</sup> On 14 November 2023, Ben-Gvir ordered that Palestinian detainees labelled “terrorists” be kept handcuffed, in dark cells, on iron beds, with pit toilets and subjected to the Israeli national anthem blaring continuously.<sup>3</sup> He has also called for the death penalty for Palestinian detainees – a cynical solution to the overcrowding created by Israel’s own mass arrests.<sup>4</sup>

5. Torture is not confined to cells and interrogation rooms. Through the cumulative impact of mass displacement, siege, denial of aid and food, unrestrained military and settler violence and pervasive surveillance and terror, the occupied Palestinian territory (oPt) has become a space of collective punishment, where the destruction of the conditions of life turns genocidal violence into a tool of collective torture with long-term mental and physical consequences for the occupied population. Enabled by the global security industry and Third States’ inaction, this regime dehumanizes Palestinians, subjects them to multiple humiliations and types of violence and instils collective fear.<sup>5</sup>

6. Across the oPt, Israeli authorities have engineered a “torturous environment”,<sup>6</sup> designed to break resistance, dignity and *sumud* (steadfastness). As openly articulated by Minister of Finance Bezalel Smotrich and other officials whose statements are analysed in this report and who have supported the on-going genocide and collective torture, pursuing an ultimate, and avowed, objective: the forcible removal of Palestinians to enable annexation and settler conquest.<sup>7</sup>

7. In the context of the envisaged “new Nakba” plan,<sup>8</sup> the combination of custodial and non-custodial torture practices documented in this report shows the intimate relationship between torture and settler-colonial genocide. When torture is systematically used on a

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<sup>1</sup> [www.itv.com/news/2023-10-13/israeli-president-says-gazans-could-have-risen-up-to-fight-hamas](http://www.itv.com/news/2023-10-13/israeli-president-says-gazans-could-have-risen-up-to-fight-hamas).

<sup>2</sup> [www.timesofisrael.com/ben-gvir-urges-death-penalty-for-terrorists-in-video-filmed-next-to-bound-prisoners/](http://www.timesofisrael.com/ben-gvir-urges-death-penalty-for-terrorists-in-video-filmed-next-to-bound-prisoners/).

<sup>3</sup> [x.com/itamarbengvir/status/1724522158683013549](https://x.com/itamarbengvir/status/1724522158683013549).

<sup>4</sup> [www.thenationalnews.com/news/mena/2024/07/02/israeli-minister-wants-death-penalty-for-terrorists-to-solve-prison-overcrowding/](http://www.thenationalnews.com/news/mena/2024/07/02/israeli-minister-wants-death-penalty-for-terrorists-to-solve-prison-overcrowding/).

<sup>5</sup> Submission No.14.

<sup>6</sup> A/HRC/43/49, paras. 34, 68, 70, and 86; Pau Pérez-Sales, Andrea Galán-Santamarina, Julia Manek, ‘Torturing Environments and Migration’, *Migration and Torture in Today’s World*, (2023) pp. 73-74.

<sup>7</sup> [www.timesofisrael.com/smotrich-proposes-annexing-82-of-west-bank-in-bid-to-prevent-palestinian-state/](http://www.timesofisrael.com/smotrich-proposes-annexing-82-of-west-bank-in-bid-to-prevent-palestinian-state/).

<sup>8</sup> [www.timesofisrael.com/pm-warns-ministers-to-pipe-down-after-comments-on-new-nakba-and-nuking-gaza/](http://www.timesofisrael.com/pm-warns-ministers-to-pipe-down-after-comments-on-new-nakba-and-nuking-gaza/).

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population “as such”, it is both a means of domination and evidence of genocidal intent under Article II(b) of the Genocide Convention.

8. If justice is ever to be served, it must be recognized that in the context of a genocide, torture, whether custodial or non-custodial, is inherently intentional and purposive; its sustained use across time and space against the same population is probative of policies aimed at the physical and psychological destruction of that group.<sup>9</sup>

## II. Applicable legal framework

9. Under international law, the prohibition of torture and other cruel, inhuman or degrading treatment or punishment is absolute and non-derogable (*jus cogens*),<sup>10</sup> meaning that no exceptional circumstances may be invoked to justify it.<sup>11</sup> No State can practise or tolerate torture under any circumstances including during war, emergencies, or when preventing or responding to a security threat.<sup>12</sup> All States must prevent, criminalize, investigate, punish and provide effective redress for such acts, in any territory under their jurisdiction or effective control, without exception.<sup>13</sup> This obligation is all the more imperative in the oPt, given the International Court of Justice’s (ICJ) call for the unconditional and total dismantlement of the Israeli occupation,<sup>14</sup> the pending international criminal proceedings against Israeli government officials, including Prime Minister Benjamin Netanyahu<sup>15</sup> and the genocide proceedings directed at Israel and Germany before the ICJ.<sup>16</sup>

10. The UN Convention Against Torture (UNCAT) defines torture as “the intentional infliction of severe physical or mental pain or suffering, for such purposes as obtaining information or a confession, punishment, intimidation or coercion, or discrimination, where the conduct is attributable to the State through the involvement, whether direct perpetration, instigation, consent, or acquiescence, of a public official or other person acting in an official capacity”.<sup>17</sup> The Convention also prohibits cruel, inhuman or degrading treatment or punishment.<sup>18</sup>

11. Torture is considered an international crime in its own right,<sup>19</sup> a grave breach under international humanitarian law,<sup>20</sup> a war crime when committed during armed conflict<sup>21</sup> and a crime against humanity when perpetrated as part of a widespread or systematic attack on

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<sup>9</sup> International Criminal Tribunal for Rwanda (ICTR), *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment, 2 September 1998, paras. 523–524; International Criminal Tribunal for the former Yugoslavia (ICTY), *Prosecutor v. Karadžić and Mladić*, Cases Nos. IT-95-5-R61 and IT-95-18-R61, Trial Chamber I, Review of the Indictments pursuant to Rule 61 of the Rules of Procedure and Evidence, 11 July 1996, para. 94.

<sup>10</sup> *Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)*, Judgment of 20 July 2012, ICJ Reports 2012, p. 422, para. 99; ICTY, *Prosecutor v. Delalić et al.*, Case No. IT-96-21-T, Trial Chamber Judgment, 16 November 1998, para. 454.

<sup>11</sup> CAT, arts. 1, 2, 4, 12–16; International Covenant on Civil and Political Rights, arts. 4, 7, 9 and 10; Convention on the Rights of the Child, art. 37(a) and (c); Universal Declaration of Human Rights, art. 5; Human Rights Committee, General Comment No. 20(1992), para 3; UNCAT, General Comment No. 2(2008), para. 5.

<sup>12</sup> Convention against Torture (CAT), art. 2(2).

<sup>13</sup> CAT, arts. 2(1), 4, 12 - 16.

<sup>14</sup> *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion*, 19 July 2024, ICJ Reports 2024, paras 261-164, 267.

<sup>15</sup> [www.icc-cpi.int/defendant/netanyahu](http://www.icc-cpi.int/defendant/netanyahu); [www.icc-cpi.int/defendant/gallant](http://www.icc-cpi.int/defendant/gallant).

<sup>16</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Application Instituting Proceedings, 29 December 2023; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (Nicaragua v. Germany)*, Application Instituting Proceedings, 1 March 2024.

<sup>17</sup> CAT, art. 1.

<sup>18</sup> CAT, art. 16.

<sup>19</sup> CAT, art. 5.

<sup>20</sup> Geneva Convention I, art. 50; Geneva Convention III, art. 130; Geneva Convention IV, art. 147; Additional Protocol I to the Geneva Conventions, art. 85.

<sup>21</sup> Rome Statute, arts. 8(2)(a)(ii), 8(2)(c)(i), 8(2)(c)(ii), 8(2)(b)(xxii), 8(2)(e)(vi).

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civilians.<sup>22</sup> Torture may also form part of the crime of apartheid when serving as a tool of domination, repression and persecution.<sup>23</sup> Furthermore, inhuman treatment, cruel treatment and outrages upon personal dignity are prohibited under international humanitarian law.<sup>24</sup> Persecution, rape, starvation and inhuman acts are also considered crimes against humanity:<sup>25</sup> Although international criminal law formally categorises them as distinct offenses, they often function as interdependent components of a single regime of domination and destruction.

12. While torture also occurs outside genocidal contexts, *any* genocide involve some forms of torture. The Genocide Convention, states that “causing serious bodily or mental harm” constitutes an underlying act of genocide when inflicted with the intent to destroy, in whole or in part, a protected group “as such”.<sup>26</sup> International jurisprudence and the International Criminal Court (ICC) Elements of Crime recognize that torture may constitute conduct falling within the act of “causing serious bodily or mental harm” to members of a protected group under Article II(b), where it is sufficiently serious and is accompanied by the required specific intent.<sup>27</sup> This understanding has crystallized in the case law.<sup>28</sup>

13. Torture, whether custodial or non-custodial, is not incidental but intrinsically purposeful; its systematic use against a population as such, across time and space, can point to coordinated policies designed to erode the group’s physical integrity and psychological survival.<sup>29</sup> In this context, systematic torture may constitute evidence from which the specific intent to destroy can be inferred when assessed in light of the totality of the circumstances.<sup>30</sup> This framing is central to Article II(b) of the Genocide Convention. Although genocide jurisprudence focuses predominantly on killing, the Convention’s text and case law confirm that genocide may be committed through sustained practices that break bodies, minds and collective resilience. Torture thus provides a critical evidentiary bridge, demonstrating deliberate harm, foreseeability and the instrumentalization of suffering – key indicators of *dolus specialis*.

14. Causing serious bodily or mental harm to members of the group does not necessarily mean permanent and irremediable harm,<sup>31</sup> but it must involve harm that goes beyond

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<sup>22</sup> Rome Statute art. 7(1)(f); International Criminal Court (ICC), *Elements of Crimes*, 2011, art. 7(1)(f).

<sup>23</sup> Apartheid Convention, art. II(a)(ii)–(iii).

<sup>24</sup> Geneva Conventions, Common art. 3 (a) and (c); Geneva Convention IV, art. 32.

<sup>25</sup> Rome Statute, art. 7(1)(f)(g)(h)(k).

<sup>26</sup> Rome Statute, art. 6; ICC, *Elements of Crimes*, 2011, fn. 3 to element 1 of article 6(b); ICTY, *Prosecutor v. Blagojević and Jokić*, Case No. IT-02-60-T, Trial Chamber I Judgment, 17 January 2005, para. 646; ICTY, *Prosecutor v. Krstić*, Case No. IT-98-33-T, Trial Chamber Judgment, 2 August 2001, para. 513.

<sup>27</sup> ICTY, *Prosecutor v. Stakić*, Case No. IT-97-24-T, Trial Chamber II Judgment, 31 July 2003, para. 516; ICTR, *Prosecutor v. Seromba*, Case No. ICTR-2001-66-A, Appeals Chamber Judgment, 12 March 2008, para. 46; ICTR, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment, 2 September 1998, para. 504; ICTY, *Prosecutor v. Brđanin*, Case No. IT-99-36-T, Trial Chamber Judgment, 1 September 2004, paras. 690, 741; ICTR, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber Judgment, 21 May 1999, paras. 108–109; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, ICJ. Reports 2007, p. 43, paras. 300, 319; ICC, *Prosecutor v. Al-Bashir*, Second Decision on the Prosecution’s Application for a Warrant of Arrest (Pre-Trial Chamber I) (Case No. ICC-02/05-01/09), 12 July 2010, para. 30 Rome Statute, art. 6; ICC, *Elements of Crimes*, 2011, fn. 3 to element 1 of article 6(b).

<sup>28</sup> Stuart Casey-Maslen, “Torture and Ill-Treatment as International Crimes,” in *The Prohibition of Torture and Ill-Treatment under International Law* (Cambridge: Cambridge University Press, 2025), 280.

<sup>29</sup> ICTR, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment, 2 September 1998, paras. 523–524; ICTY, *Prosecutor v. Karadžić and Mladić*, Cases Nos. IT-95-5-R61 and IT-95-18-R61, Trial Chamber I, Review of the Indictments pursuant to Rule 61 of the Rules of Procedure and Evidence, 11 July 1996, para. 94.

<sup>30</sup> ICTR, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment, 2 September 1998, paras. 523–524; ICTY, *Prosecutor v. Karadžić and Mladić*, Cases Nos. IT-95-5-R61 and IT-95-18-R61, Trial Chamber I, Review of the Indictments pursuant to Rule 61 of the Rules of Procedure and Evidence, 11 July 1996, para. 94.

<sup>31</sup> ICTR, *Prosecutor v. Bagilishema*, Case No. ICTR-95-1A-T, Trial Chamber Judgment, 7 June 2001, para. 59; ICTR, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber

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*temporary* unhappiness, embarrassment or humiliation, and cause “grave and long-term disadvantage”.<sup>32</sup> The “serious bodily harm” threshold involves significant health impairment or disfigurement.<sup>33</sup> “Serious mental harm” must be assessed on a case-by-case basis,<sup>34</sup> and may constitute, *inter alia*, terror, fear or coercive measures that fundamentally impair the victim’s ability to lead a normal life.<sup>35</sup>

15. International courts assess severity holistically, recognizing that severe suffering often results from prolonged mistreatment and not only single acts.<sup>36</sup> Consequently, the former Special Rapporteur on Torture explained, deprivation, threats and enforced insecurity, through their cumulative and prolonged effects, may together inflict severe psychological torture at scale as part of a *torturous environment*.<sup>37</sup> This can apply to both conventional situations of detention and to an entire territory, expanding the boundaries of torture as a merely isolated incidents of violation.

16. The international regulation of detention is predicated on the principle that a detaining authority, by exercising an exceptionally coercive form of control, must always protect the physical and psychological integrity of all detainees<sup>38</sup> – captured combatants, security detainees and civilians alike – regardless of their characterization by authorities.<sup>39</sup> Humane treatment is a structural requirement of detention, necessitating the categorical prohibition of torture, other cruel, inhuman or degrading treatment or punishment.<sup>40</sup> Consequently, the legality of detention depends not only on the initial grounds for detention but also on its administration, including the material conditions, daily routines and specific practices

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Judgment, 21 May 1999, para. 108; ICTR, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment, 2 September 1998, para. 502; ICTY, *Prosecutor v. Krstić*, Case No. IT-98-33-T, Trial Chamber Judgment, 2 August 2001, paras. 510, 513; ICTY, *Prosecutor v. Tolimir*, Case No. IT-05-88/2-A, Appeals Chamber Judgment, 8 April 2015, para. 201; ICTY, *Prosecutor v. Karadžić*, Case No. IT-95-5/18-T, Trial Chamber Judgment, 24 March 2016, para. 543.

<sup>32</sup> ICTY, *Prosecutor v. Krstić*, Case No. IT-98-33-T, Trial Chamber Judgment, 2 August 2001, para. 513; ICTR, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber Judgment, 21 May 1999, para. 113; ICTY, *Prosecutor v. Tolimir*, Case No. IT-05-88/2-A, Appeals Chamber Judgment, 8 April 2015, para. 201; ICTR, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment, 2 September 1998, para. 502.

<sup>33</sup> ICTR, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber Judgment, 21 May 1999, para. 109; ICTR, *Prosecutor v. Seromba*, Case No. ICTR-2001-66-A, Appeals Chamber Judgment, 12 March 2008, para. 46; ICTR, *Prosecutor v. Semanza*, Case No. ICTR-97-20-T, Trial Chamber Judgment, 15 May 2003, para. 320.

<sup>34</sup> ICTR, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber Judgment, 21 May 1999, paras. 110, 113; ICTR, *Prosecutor v. Kamuhanda*, Case No. ICTR-99-54A-T, Trial Chamber Judgment, 22 January 2004, para. 634.

<sup>35</sup> ICTR, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber Judgment, 21 May 1999, para. 110; ICTR, *Prosecutor v. Kajelijeli*, Case No. ICTR-98-44-T, Trial Chamber Judgment, 1 December 2003, para. 815; ICTR, *Prosecutor v. Semanza*, Case No. ICTR-97-20-T, Trial Chamber Judgment, 15 May 2003, para. 321; ICTR, *Prosecutor v. Seromba*, Case No. ICTR-2001-66-A, Appeals Chamber Judgment, 12 March 2008, para. 46; ICTY, *Prosecutor v. Tolimir*, Case No. IT-05-88/2-A, Appeals Chamber Judgment, 8 April 2015, para. 203; ICC, *Elements of Crimes* (2011), Article 6(b), footnote 3.

<sup>36</sup> ICC, *Prosecutor v. Ongwen*, Case No. ICC-02/04-01/15, Trial Chamber IX Judgment, 4 February 2021, para. 2701; ICC, *Prosecutor v. Ongwen*, Case No. ICC-02/04-01/15, Pre-Trial Chamber II Decision on the Confirmation of Charges, 23 March 2016, para. 230; ICTY, *Prosecutor v. Krnojelac*, Case No. IT-97-25-T, Trial Chamber Judgment, 15 March 2002, para. 182; European Court of Human Rights (hereafter “ECtHR”), *Selmouni v. France*, Application No. 25803/94, Grand Chamber Judgment, 28 July 1999, para. 105.

<sup>37</sup> A/HRC/43/49, paras. 34, 68, 70, and 86.

<sup>38</sup> UN Human Rights Committee, General Comment No. 21 (1992), paras. 2-4; HRC, General Comment No. 36 (2019), para. 25; Convention Against Torture, arts. 1 and 2; Geneva Convention IV, art. 32; ICRC, *Customary Rules of International Humanitarian Law*, Rule 90; *Lantsova v. Russian Federation*, *Communication No. 763/1997*, *U.N. Doc. CCPR/C/74/D/763/1997 (2002)*, para. 9.2.

<sup>39</sup> Geneva Convention III, art. 13 and 14; Geneva Convention IV arts. 5, 27, and 79; Common Article 3 of the Geneva Conventions.

<sup>40</sup> CAT, arts. 2(1)–(2), 16; Geneva Convention III, art. 13; Geneva Convention IV, art. 27; ICRC on customary international humanitarian law, Rules 87, 99, 118; Common Article 3 of the Geneva Conventions; Additional Protocol I, art. 75.

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causing distress.<sup>41</sup> Legal scrutiny therefore considers the cumulative effects of the carceral environment, including overcrowding, inadequate sanitation, restricted access to food and medical care and the deliberate prolonged use of sleep disruption or humiliation to cultivate fear and uncertainty.<sup>42</sup> Where such practices are deliberate, with entirely predictable consequences, it is not a matter of deficient conditions but of prohibited treatment effected through the carceral environment itself, and can potentially – depending on severity and purpose – fulfil the definition of torture or other cruel, inhuman or degrading treatment or punishment.<sup>43</sup>

17. Where policies involve “the deliberate and purposeful infliction of fear” and aim at “intimidating or coercing”, the resulting harm reflects torture’s core purpose: the intended suffering to establish “complete dominance”.<sup>44</sup> Thus, the genocidal process itself constitutes a structurally torturous regime, since its method of destruction involves the systematic infliction of severe mental suffering at scale, intended to eliminate the group’s capacity to survive.

18. In 2025 the UNCAT also expressed grave concern regarding the reported alarming intensification by Israel of “the application of a de facto State policy of organized and widespread torture and ill-treatment since October 2023”.<sup>45</sup> The same year the Independent International Commission of Inquiry on the oPt, including East Jerusalem, and Israel (the Commission of Inquiry) concluded that Article II(b) grounds, as set out in paragraph 12 above, are established.

### III. Torture as an act of genocide

#### A. Rationale

19. Dehumanization underpins policies of colonial and racially ordered regimes by legitimizing torture, humiliation and erasure as necessary to “regular” administrative processes.<sup>46</sup> During its Mandate in Palestine, Britain used torture as one of the counterinsurgency tactics honed in Ireland and later imparted to Zionist militias; such practices, a colonial legacy, were then absorbed into the Israeli security apparatus before and after 1948 as a tool of repression and a preventive measure against Palestinian resistance.<sup>47</sup>

20. From early State-building and through decades of occupation, Israel has practised and condoned coercive violence as a structural component of its apparatus of domination. Reports

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<sup>41</sup> UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, GA Res 70/175 (17 December 2015); UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*, GA Res 43/173 (9 December 1988); UN Human Rights Committee, General Comment No 35 (Article 9 ICCPR); Geneva Convention IV, arts. 110, 32; ICRC on customary international humanitarian law, Rules 118.

<sup>42</sup> ECtHR, *Ananyev and Others v. Russia*, Application Nos. 42525/07 and 60800/08, Judgment, 10 January 2012, para. 142; ECtHR, *Idalov v. Russia* [GC], Application No. 5826/03, Judgment, 22 May 2012, para. 94; ECtHR, *Muršić v. Croatia* [GC], Application No. 7334/13, Judgment, 20 October 2016, para. 101.

<sup>43</sup> ECtHR, *Ilaşcu and Others v. Moldova and Russia* [GC], Application No. 48787/99, Judgment, 8 July 2004, operative provisions, para (ii); ICTY, *Prosecutor v. Delalić et al.*, Case No. IT-96-21-T, Trial Chamber Judgment, 16 November 1998, paras. 556, 558; ICTY, *Prosecutor v. Krnojelac*, Case No. IT-97-25-T, Trial Chamber Judgment, 15 March 2002, para. 183.

<sup>44</sup> A/HRC/43/49, paras. 35, 49, 69.

<sup>45</sup> CAT/C/ISR/CO/6, para. 28.

<sup>46</sup> Marnia Lazreg, ‘Torture and the Twilight of Empire: From Algiers to Baghdad’ (Princeton, NJ, Princeton University Press, 2007); Caroline Elkins, *Imperial Reckoning: The Untold Story of Britain’s Gulag in Kenya* (New York: Henry Holt and Company, 2005).

<sup>47</sup> Matthew Hughes, ‘Terror in Galilee: British-Jewish Collaboration and the Special Night Squads in Palestine during the Arab Revolt, 1938–39’ (2015) 43(4) *The Journal of Imperial and Commonwealth History* 590–610; Salman Abu Sitta and Terry Rempel, ‘The ICRC and the Detention of Palestinian Civilians in Israel’s 1948 POW/Labor Camps,’ *Journal of Palestine Studies*, vol. 43, no. 4 (Summer 2014), pp. 11–38.

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of torture and ill-treatment emerged soon after the beginning of the occupation,<sup>48</sup> and were increasingly documented from the 1970s onwards by Palestinian,<sup>49</sup> Israeli<sup>50</sup> and international NGOs<sup>51</sup> and the United Nations.<sup>52</sup> Israeli torture practices such as “Palestinian hanging”<sup>53</sup> and “Palestinian chair”<sup>54</sup> have become infamous due to their widespread use by Israeli interrogators against Palestinian detainees.

21. Public scandals<sup>55</sup> involving the torture of Palestinians and systematic cover-up led the Israeli Government to establish the Landau Commission, tasked with investigating the General Security Services’ interrogation methods.<sup>56</sup> In its 1987 report, the Commission concluded that in addition to psychological pressure, “moderate physical pressure” could be used on a person suspected of involvement in terrorist activities, on the grounds of “public interest” and “necessity”.<sup>57</sup> The Commission’s findings were a cause of grave concern for UNCAT<sup>58</sup> as well as for many human rights organizations.<sup>59</sup> In 1999, Israel’s High Court recognized this doctrine of “necessity”, permitting “special means of pressure” in interrogations,<sup>60</sup> which was further expanded in 2018.<sup>61</sup> The result has been near-blanket impunity: over 1,300 torture complaints between 2001–2020 produced two investigations and no indictments.<sup>62</sup>

22. An ecosystem of discriminatory legal frameworks and abusive operational practices has metastasized, encompassing Israeli military detention sites and prisons,<sup>63</sup> some of them secret.<sup>64</sup> Existing laws already violating due process – e.g., the 2002 Unlawful Combatants Law, applicable to Palestinians from Gaza only<sup>65</sup> – have been repeatedly amended to allow even harsher treatment.<sup>66</sup> Embedded impunity has fuelled Israel’s normalized abuses of Palestinian detainees.<sup>67</sup>

## B. Escalation of torture in detention

23. Since October 2023, torture in detention has, been used on an unprecedented scale as punitive collective vengeance – a clear feature of genocide. All Palestinians have been treated collectively as “terrorists” and “security threats”.<sup>68</sup>

<sup>48</sup> [unispal.un.org/pdfs/A32132.pdf](http://unispal.un.org/pdfs/A32132.pdf), p. 3; [www.jstor.org/stable/2535792](http://www.jstor.org/stable/2535792), p. 208.

<sup>49</sup> [yplus.ps/wp-content/uploads/2021/01/Al-Haq-A-Nation-under-Siege.pdf](http://yplus.ps/wp-content/uploads/2021/01/Al-Haq-A-Nation-under-Siege.pdf).

<sup>50</sup> B’Tselem, *The Interrogation of Palestinians during the Intifada: Ill-treatment, “Moderate Physical Pressure” or Torture?* (1991).

<sup>51</sup> [www.amnesty.org/en/documents/pol10/001/1979/en/](http://www.amnesty.org/en/documents/pol10/001/1979/en/) pp. 163-164;

[www.amnesty.org/en/documents/pol10/0001/1983/en/](http://www.amnesty.org/en/documents/pol10/0001/1983/en/) pp. 311-316.

<sup>52</sup> A/8389, paras. 64-67.

<sup>53</sup> European Court of Human Rights, *Aksoy v. Turkey*, Application No. 21987/93, Judgment, 18 December 1996, paras. 14, 23(d), 60, 64; Sara Woldu and Marie Brasholt, ‘Suspension torture and its physical sequelae’ *Journal of Forensic and Legal Medicine*, vol. 80 (2021), p. 2.

<sup>54</sup> [www.democracynow.org/2016/4/7/ex\\_abu\\_ghraib\\_interrogator\\_israelis\\_trained](http://www.democracynow.org/2016/4/7/ex_abu_ghraib_interrogator_israelis_trained); Eric Fair, “Consequence: A Memoir,” *Military Review* (Army University Press), 21 April 2017.

<sup>55</sup> *Nafsu v. Chief Military Advocate*, Case 124/87, Judgment, 24 May 1987, paras. 4-7; [www.nytimes.com/1984/05/29/world/arabs-were-slain-by-israeli-guards-inquiry-concludes.html](http://www.nytimes.com/1984/05/29/world/arabs-were-slain-by-israeli-guards-inquiry-concludes.html); [addameer.ps/media/4821](http://addameer.ps/media/4821), pp. 50-53; [stoptorture.org.il/wp-content/uploads/2024/02/Accountability-Denied.pdf](http://stoptorture.org.il/wp-content/uploads/2024/02/Accountability-Denied.pdf), pp. 6-7.

<sup>56</sup> [hamoked.org/files/2012/115020\\_eng.pdf](http://hamoked.org/files/2012/115020_eng.pdf).

<sup>57</sup> *Ibid.*

<sup>58</sup> [hrlibrary.umn.edu/cat/observations/israel1994.html](http://hrlibrary.umn.edu/cat/observations/israel1994.html).

<sup>59</sup> [www.amnesty.org/en/documents/MDE15/037/1996/en/](http://www.amnesty.org/en/documents/MDE15/037/1996/en/).

<sup>60</sup> Decision 5100/94 of the 1999 Israeli High Court Ruling.

<sup>61</sup> [versa.cardozo.yu.edu/opinions/tbeish-v-attorney-general](http://versa.cardozo.yu.edu/opinions/tbeish-v-attorney-general).

<sup>62</sup> [stoptorture.org.il/wp-content/uploads/2021/06/](http://stoptorture.org.il/wp-content/uploads/2021/06/).

<sup>63</sup> CAT/C/ISR/CO/6, paras 12-14.

<sup>64</sup> [hamoked.org/files/2010/1055\\_eng.pdf](http://hamoked.org/files/2010/1055_eng.pdf).

<sup>65</sup> [stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law\\_July-2024.pdf](http://stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law_July-2024.pdf).

<sup>66</sup> [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), pp. 6-7.

<sup>67</sup> Submission No.11.

<sup>68</sup> [www.btselem.org/sites/default/files/publications/202507\\_our\\_genocide\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202507_our_genocide_eng.pdf), pp. 66-70.

24. Israeli authorities have arrested more than 18,500 Palestinians including at least 1,500 children<sup>69</sup> and as of February 2026, Israel still holds 9,245 Palestinians in various detention facilities, including 1,330 sentenced prisoners, 3,308 remand detainees and 3,358 administrative detainees held without trial. Israel also holds 1,249 people as "unlawful combatants".<sup>70</sup> In addition, more than 4,000 have been subjected to enforced disappearance, and it is likely that many are no longer alive.<sup>71</sup> Israeli authorities initially refused to acknowledge detention and withheld details of the location of detainees for several months. In May 2024, under legal pressure they introduced a detainee tracing mechanism, but which can only be invoked after 45 days of captivity;<sup>72</sup> yet families and lawyers are still unable to obtain accurate information<sup>73</sup> and the International Committee of the Red Cross (ICRC) has been denied access to detention facilities.<sup>74</sup>

25. Israeli soldiers have swept up entire communities, forcibly seizing even elderly people, persons with disabilities, pregnant women and children.<sup>75</sup> Arrests occurred everywhere, from inside Israel to all over the oPt: during raids on houses, shelters and hospitals, at checkpoints and in the street,<sup>76</sup> and even in corridors designated as "safe" by Israeli Occupying Forces (IOF) and aid distribution sites, including those operated by the "Gaza Humanitarian Foundation".<sup>77</sup>

26. The Israeli authorities have, since October 2023, used two main types of detention centres: ad hoc military-run detention camps – Sde Teiman, Anatot and Ofer among the most notorious – and IPS facilities.<sup>78</sup> The Rakefet facility at Ayalon Prison – closed in 1985 because of its inhumane underground conditions – was reopened on the orders of Ben-Gvir.<sup>79</sup> Treatment is especially inhumane in military-run camps,<sup>80</sup> but torture is systematic across the entire detention network.<sup>81</sup>

27. By November 2023, human rights organizations had denounced widespread torture as arbitrary arrests of Palestinians increased sharply.<sup>82</sup> In 2024, as documentation accumulated,<sup>83</sup> an Israeli organization warned that "any semblance of restraint had been cast aside".<sup>84</sup>

28. Specific groups have been targeted for detention and heightened abuse, sometimes resulting in violent death: activists, medical doctors, political figures, human rights defenders and journalists.<sup>85</sup> Hundreds of health and rescue workers have been arbitrarily arrested, often

<sup>69</sup> Submission No.1.

<sup>70</sup> [hamoked.org/prisoners-charts.php](http://hamoked.org/prisoners-charts.php).

<sup>71</sup> [www.un.org/unispal/document/un-experts-press-release-18jul25/](http://www.un.org/unispal/document/un-experts-press-release-18jul25/).

<sup>72</sup> CAT/C/ISR/CO/6, para 16.

<sup>73</sup> [btselem.org/sites/default/files/publications/202408\\_welcome\\_to\\_hell\\_eng.pdf](http://btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf), pp. 14 and 36.

<sup>74</sup> [www.haaretz.com/israel-news/2025-10-29/ty-article/.premium/defense-minister-signs-order-to-continue-ban-on-red-cross-visits-to-palestinian-prisoners/0000019a-2fac-d856-a9ff-6faf5cf50000](http://www.haaretz.com/israel-news/2025-10-29/ty-article/.premium/defense-minister-signs-order-to-continue-ban-on-red-cross-visits-to-palestinian-prisoners/0000019a-2fac-d856-a9ff-6faf5cf50000).

<sup>75</sup> [ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 12.

<sup>76</sup> [ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 12; [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), p. 19.

<sup>77</sup> [ohchr.org/en/press-releases/2025/08/un-experts-alarmed-reports-enforced-disappearances-gaza-humanitarian](http://ohchr.org/en/press-releases/2025/08/un-experts-alarmed-reports-enforced-disappearances-gaza-humanitarian).

<sup>78</sup> [ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 16.

<sup>79</sup> [www.theguardian.com/world/2025/nov/08/israel-underground-jail-rakefet-palestinians-gaza-detainees](http://www.theguardian.com/world/2025/nov/08/israel-underground-jail-rakefet-palestinians-gaza-detainees).

<sup>80</sup> [www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 38.

<sup>81</sup> [www.btselem.org/publications/202601\\_living\\_hell](http://www.btselem.org/publications/202601_living_hell).

<sup>82</sup> [www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/](http://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/).

<sup>83</sup> See for instance: [www.un.org/unispal/wp-content/uploads/2024/07/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.un.org/unispal/wp-content/uploads/2024/07/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf); [www.unrwa.org/resources/reports/detention-and-alleged-ill-treatment-detainees-gaza-during-israel-amas-war](http://www.unrwa.org/resources/reports/detention-and-alleged-ill-treatment-detainees-gaza-during-israel-amas-war); [www.btselem.org/sites/default/files/publications/202408\\_welcome\\_to\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf); [www.hrw.org/news/2024/07/23/israel-detainees-face-inhumane-treatment](http://www.hrw.org/news/2024/07/23/israel-detainees-face-inhumane-treatment).

<sup>84</sup> [www.phr.org.il/en/prisoners-violations-report-2024/](http://www.phr.org.il/en/prisoners-violations-report-2024/).

<sup>85</sup> CAT/C/ISR/CO/6, para 46.

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in a degrading manner, while performing their medical duties.<sup>86</sup> Among those tortured to death in custody are Dr Al Bursh, Dr Al Rantisi, Dr Al-Dalou and paramedic Abu Anaba.<sup>87</sup> More than 50 employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have also been arrested, interrogated – specifically about UNRWA’s work – and tortured.<sup>88</sup>

29. This regime of cruelty has been operationalized and tightly coordinated through the IOF, the Israeli Security Agency (Shin Bet), the Israeli Police and the IPS.<sup>89</sup>

### C. Methods of Torture

30. Ben-Gvir publicly described the degradation of prisoner conditions as one of his “highest goals”,<sup>90</sup> ordering drastic reductions in caloric intake, defending this starvation policy before the Israeli Supreme Court, and vowing to provide detainees only the “minimum of the minimum”.<sup>91</sup>

31. Palestinians are subjected to abuse from the moment of detention; detainees are routinely blindfolded, violently restrained, stripped naked and paraded by Israeli soldiers.<sup>92</sup>

32. Transfers deliberately foster stress, disorientation and fear: detainees are painfully handcuffed, urinated on, verbally abused with degrading insults targeting identity and faith and threatened with death, including against family members.<sup>93</sup> Repeated transfers – on average 4.5 times<sup>94</sup> - are often made without notice and between unknown locations.<sup>95</sup>

33. In custody, Palestinians are held outdoors, in the open air without shelter or in cages – often referred to as “monkey cages”<sup>96</sup> – or packed into cramped spaces, sometimes underground.<sup>97</sup> Detainees are kept blindfolded and fully shackled for prolonged periods, even during medical care, sometimes causing injuries leading to amputations.<sup>98</sup> Personal belongings including wheelchairs,<sup>99</sup> blankets and clothing are confiscated and detainees are deliberately exposed to the cold.<sup>100</sup> Through prolonged isolation, sleep deprivation, starvation and dehydration,<sup>101</sup> detainees have become “walking skeletons”.<sup>102</sup> Access to toilets and showers is routinely restricted and some detainees are forced to use diapers,<sup>103</sup> often for

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<sup>86</sup> [www.phr.org.il/wp-content/uploads/2025/02/6265\\_DetentionReport\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2025/02/6265_DetentionReport_Eng.pdf).

<sup>87</sup> Ibid.

<sup>88</sup> [x.com/unlazzarini/status/1917129897010516243?s=46&t=ccWRJzS530FlzJwwxUAeMg](https://x.com/unlazzarini/status/1917129897010516243?s=46&t=ccWRJzS530FlzJwwxUAeMg).

<sup>89</sup> Submission No.11.

<sup>90</sup> [www.haaretz.com/israel-news/2023-01-06/ty-article/.premium/ben-gvir-pays-first-visit-to-israeli-prison-to-ensure-conditions-havent-improved/00000185-865e-d4ba-add5-aedfc8fe0000](http://www.haaretz.com/israel-news/2023-01-06/ty-article/.premium/ben-gvir-pays-first-visit-to-israeli-prison-to-ensure-conditions-havent-improved/00000185-865e-d4ba-add5-aedfc8fe0000).  
[www.middleeasteye.net/live-blog/live-blog-update/ben-gvir-worsening-prisoners-conditions-one-my-highest-goals](http://www.middleeasteye.net/live-blog/live-blog-update/ben-gvir-worsening-prisoners-conditions-one-my-highest-goals).

<sup>91</sup> [nif.org/stories/human-rights-democracy/insisting-on-prisoners-right-to-food](http://nif.org/stories/human-rights-democracy/insisting-on-prisoners-right-to-food).

<sup>92</sup> A/HRC/56/CRP.4, paras. 386-390.

<sup>93</sup> Submission No.11.

<sup>94</sup> [pchgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf](http://pchgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf), p. 7.

<sup>95</sup> Ibid.

<sup>96</sup> [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), p. 41.

<sup>97</sup> [www.theguardian.com/world/2025/nov/08/israel-underground-jail-rakefet-palestinians-gaza-detainees](http://www.theguardian.com/world/2025/nov/08/israel-underground-jail-rakefet-palestinians-gaza-detainees).

<sup>98</sup> CAT/C/ISR/CO/6, para. 28;

[https://www.btselem.org/sites/default/files/publications/202601\\_living\\_hell\\_eng.pdf](https://www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf), p. 14.

<sup>99</sup> [www.972mag.com/israeli-prisons-lawyers-palestinian-detainees](http://www.972mag.com/israeli-prisons-lawyers-palestinian-detainees).

<sup>100</sup> [ppsmo.ps/home/studies/18041?culture=ar-SA](http://ppsmo.ps/home/studies/18041?culture=ar-SA).

<sup>101</sup> [www.btselem.org/publications/202601\\_living\\_hell](http://www.btselem.org/publications/202601_living_hell).

<sup>102</sup> [www.972mag.com/israeli-prisons-lawyers-palestinian-detainee](http://www.972mag.com/israeli-prisons-lawyers-palestinian-detainee).

<sup>103</sup> [www.phr.org.il/wp-content/uploads/2024/02/5845\\_Imprisoned\\_Paper\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2024/02/5845_Imprisoned_Paper_Eng.pdf), pp. 14-15.

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prolonged periods.<sup>104</sup> They are kept in long-term isolation, deprived of sleep and often prohibited prayer.<sup>105</sup>

34. Severe physical violence is routine. Israeli guards subject detainees to waterboarding,<sup>106</sup> suspend them for prolonged periods by cuffed hands and subject them to severe beatings,<sup>107</sup> including with batons and other weapons. They burn detainees with cigarettes, force them to kneel on gravel, hold prolonged stress positions<sup>108</sup> and to take hallucinogenic drugs.<sup>109</sup> Pepper spray, tear gas, electric shocks and assault dogs are also used.<sup>110</sup> In frequent raids by specialized repression units, Palestinians are forced to bend over while being slapped, beaten and systematically humiliated.<sup>111</sup>

35. Following Ben-Gvir's plan, the starving of detainees mirrors the engineered famine in Gaza,<sup>112</sup> suggesting two policies constitutive of the same ideological framework. To further torment the captives, images of destruction in Gaza have been displayed in the prisons where Palestinians from Gaza are held.<sup>113</sup>

36. Torture is also used during interrogations. Sessions last for hours, sometimes days, punctuated by confinement in so-called "disco rooms", where deafening music is blasted continuously to induce sensory overload, sleep deprivation and psychological collapse.<sup>114</sup> Explicit threats to injure, rape or kill detainees and their families are routine.<sup>115</sup> Israeli officials urinate on detainees,<sup>116</sup> throw food at them "as if they were dogs" and force them to "act like animals", or perform acts of extreme submission designed to debase.<sup>117</sup> One Israeli whistle-blower commented: "They stripped them down of anything that resembles human beings."<sup>118</sup>

37. Sexual violence against children, women and men, is also rife.<sup>119</sup> Israeli personnel have committed rape, including gang rape, often involving objects such as iron bars, batons and metal detectors.<sup>120</sup> Detainees are subjected to beatings and electric shocks on their genitals or anus, forcibly and publicly stripped naked, forcibly and invasively strip-searched in humiliating positions.<sup>121</sup> Sexual assaults frequently occur when detainees are

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<sup>104</sup> [www.btselem.org/sites/default/files/publications/202601\\_living\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf), p. 14; [jewishcurrents.org/what-the-soldiers-did-in-gaza](http://jewishcurrents.org/what-the-soldiers-did-in-gaza).

<sup>105</sup> [www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 34; [www.btselem.org/sites/default/files/publications/202408\\_welcome\\_to\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf), pp. 39-41.

<sup>106</sup> CAT/C/ISR/CR/6, para. 28.

<sup>107</sup> Ibid.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

<sup>110</sup> Ibid; [www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), paras. 38, 40-41.

<sup>111</sup> [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), pp. 15-18.

<sup>112</sup> Brendan Ciarán Browne, 'The Coloniality of Enforced Starvation: Reading Famine in Gaza through an Gorta Mór', *Journal of Palestine Studies*, vol. 53 no. 2 (2024), pp. 75-77.

<sup>113</sup> [www.youtube.com/shorts/3i9X1axaDIk](https://www.youtube.com/shorts/3i9X1axaDIk).

<sup>114</sup> [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), pp. 21, 30-31; [www.phr.org.il/wp-content/uploads/2025/02/6265\\_DetentionReport\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2025/02/6265_DetentionReport_Eng.pdf), p. 8.

<sup>115</sup> CAT/C/ISR/CO/6, para. 28.

<sup>116</sup> Ibid.

<sup>117</sup> [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), pp. 33.

<sup>118</sup> [edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd](https://edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd).

<sup>119</sup> Consultation with CSOs.

<sup>120</sup> Maha Aon, Natacha Bracq, Lisa Michaelsen, Tina Søndergaard Madsen, Basel Alsourani, Yasser Abdel Ghafour, Hamdi Shaqura and Raji Alsourani, "What is there left after losing oneself?": 100 testimonies of genocidal torture from Gaza, *Torture: Quarterly Journal on Rehabilitation of Torture Victims and Prevention of Torture*, vol. 35, Nos. 2-3 (October 2025), pp. 61-78; [pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf](http://pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf), pp. 59-63; [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), pp. 44-47.

<sup>121</sup> Ibid.

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blindfolded.<sup>122</sup> Detainees are photographed naked, and women and girls are forced to remove veils in front of men.<sup>123</sup>

38. Denial of medical care is systematic: As torture and starvation generate acute medical needs, hospitalization and treatment is systematically withheld or delayed;<sup>124</sup> essential medication is denied, medical procedures are sometimes performed by underqualified medics<sup>125</sup> and surgery without anaesthesia.<sup>126</sup> Skin diseases – most notably scabies – are widespread,<sup>127</sup> exacerbated by crowded, damp conditions, lack of showers, clean clothing and refusal of treatment.<sup>128</sup>

39. Israeli detention authorities have openly boasted about the conditions inflicted.<sup>129</sup> Journalists<sup>130</sup> and, reportedly, civilians have been allowed access to witness, and even use phones to record the abuse of Palestinians.<sup>131</sup>

40. Obstructing legal assistance also enables torture. Testimonies indicate systemic intimidation of detainees and their lawyers<sup>132</sup>, including violent “dissuasion” tactics, comprising beatings or sexual violence, immediately before lawyers’ visit to deter them from speaking freely or even attending.<sup>133</sup> Access bans, security interrogations and last-minute cancellations also hamper visits.<sup>134</sup> Since October 2023, detainees, including children, have attended military court hearings remotely, their access to timely legal advice severely undermined.<sup>135</sup>

#### **Extreme “Unchilding”<sup>136</sup>**

41. Palestinian children are increasingly detained without charge or trial, nearly half administratively detained,<sup>137</sup> and are denied family contact and meaningful access to lawyers, including during interrogations.<sup>138</sup>

42. In IPS prisons – particularly Megiddo and Ofer – Israeli forces hold children under the same punitive regime imposed on adults.<sup>139</sup> Testimonies describe shackling until bleeding, beatings, dragging, starvation, exposure to cold, denial of medical care, attacks by dogs, solitary confinement, sexual abuse, forced stripping,<sup>140</sup> and threats to rape and kill

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<sup>122</sup> [www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 41; [www.alhaq.org/advocacy/27172.html](http://www.alhaq.org/advocacy/27172.html), p. 44; Submission No.8; [www.btselem.org/sites/default/files/publications/202408\\_welcome\\_to\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf), pp. 58-59.

<sup>123</sup> [www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 41.

<sup>124</sup> CAT/C/ISR/CO/6, paras. 18 and 28; [www.btselem.org/sites/default/files/publications/202601\\_living\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf).

<sup>125</sup> [edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd](https://edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd).

<sup>126</sup> CAT/C/ISR/CO/6, para. 28.

<sup>127</sup> CAT/C/ISR/CO/6, para. 18.

<sup>128</sup> Consultations with CSOs; Submission No.19.

<sup>129</sup> [www.btselem.org/sites/default/files/publications/202601\\_living\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf), p. 3.

<sup>130</sup> [www.instagram.com/reels/DUv2NOgILh-/](https://www.instagram.com/reels/DUv2NOgILh-/).

<sup>131</sup> [euromedmonitor.org/en/article/6153/%E2%80%9CThey-brought-Israeli-civilians-to-watch-our-nude-torture%E2%80%9D:-IDF-torture-of-Palestinian-prisoners-is-turned-into-entertainment-for-Israeli-viewers](https://euromedmonitor.org/en/article/6153/%E2%80%9CThey-brought-Israeli-civilians-to-watch-our-nude-torture%E2%80%9D:-IDF-torture-of-Palestinian-prisoners-is-turned-into-entertainment-for-Israeli-viewers).

<sup>132</sup> [www.haaretz.com/opinion/editorial/2025-08-11/ty-article/ben-gvir-is-intimidating-palestinian-prisoners-by-lying-about-their-lawyers/00000198-957f-d50b-a398-9fff18b90000](https://www.haaretz.com/opinion/editorial/2025-08-11/ty-article/ben-gvir-is-intimidating-palestinian-prisoners-by-lying-about-their-lawyers/00000198-957f-d50b-a398-9fff18b90000).

<sup>133</sup> Consultation with CSOs.

<sup>134</sup> [www.un.org/unispal/wp-content/uploads/2024/07/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](http://www.un.org/unispal/wp-content/uploads/2024/07/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf), para. 16.

<sup>135</sup> [www.timesofisrael.com/knesset-approves-wartime-prison-crowding-among-other-emergency-measures](https://www.timesofisrael.com/knesset-approves-wartime-prison-crowding-among-other-emergency-measures); [www.dci-palestine.org/nearly\\_half\\_of\\_palestinian\\_child\\_detainees\\_have\\_no\\_charge](https://www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge).  
<sup>136</sup> A/78/545.

<sup>137</sup> [www.dci-palestine.org/nearly\\_half\\_of\\_palestinian\\_child\\_detainees\\_have\\_no\\_charge](https://www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge).

<sup>138</sup> CAT/C/ISR/CO/6, para 12; Consultation with CSOs.

<sup>139</sup> [www.dci-palestine.org/nearly\\_half\\_of\\_palestinian\\_child\\_detainees\\_have\\_no\\_charge](https://www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge); [www.dci-palestine.org/the\\_prison\\_is\\_inside\\_me\\_three\\_released\\_palestinian\\_boys\\_abducted\\_tortured\\_by\\_israeli\\_forces\\_while Seeking\\_aid](https://www.dci-palestine.org/the_prison_is_inside_me_three_released_palestinian_boys_abducted_tortured_by_israeli_forces_while Seeking_aid).

<sup>140</sup> A/79/232, paras. 60-69; CAT/C/ISR/CO/6, paras. 20 and 28; Submission No.5; [www.dci-palestine.org/the\\_prison\\_is\\_inside\\_me\\_three\\_released\\_palestinian\\_boys\\_abducted\\_tortured\\_by\\_israeli\\_forces\\_while Seeking\\_aid](https://www.dci-palestine.org/the_prison_is_inside_me_three_released_palestinian_boys_abducted_tortured_by_israeli_forces_while Seeking_aid).

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family members.<sup>141</sup> In March 2025, such conditions led to the death of 17-year-old Walid Khalid Ahmad in Megiddo Prison; an autopsy documented starvation, dehydration, untreated infections and systemic neglect.<sup>142</sup>

### **Deaths in custody**

43. UNCAT has expressed concern about the “abnormally high number of deaths” “exclusively” affecting Palestinians.<sup>143</sup> Since October 2023, between 84<sup>144</sup> and 94<sup>145</sup> Palestinians have died in Israeli detention; some remain unidentified.<sup>146</sup> Israeli authorities withhold information regarding many detainees’ status, their whereabouts and even identities, rendering the true death toll unverifiable.<sup>147</sup>

44. Israel also withholds the bodies of deceased detainees, weaponizing death to prolong families’ suffering.<sup>148</sup> Even when bodies are returned to families, delays and improper handling compromise autopsies, and decomposition prevents identification.<sup>149</sup> These practices constitute ill-treatment, denying families the most basic dignity of mourning and grieving.

### **Ill-treatment upon release**

45. Detainees, including children, are frequently released without notice, without families being informed and in random locations, consistent with the broader pattern of denial of dignity.<sup>150</sup> Reports of released detainees, injured and abandoned in the streets in the middle of the night, sometimes wearing diapers or only their underwear,<sup>151</sup> or collapsing into the arms of their loved ones, are appalling.<sup>152</sup> This is all the more cruel when detainees have lost limbs, their sight, ability to speak or mental capacities.<sup>153</sup>

### **Torture as a strategy**

46. Since October 2023, how torture has been deployed in detention facilities reveals its integration into the genocidal campaign. It is openly declared and publicly performed.<sup>154</sup> The torturous conditions in detention has led to an unprecedented number of deaths in custody. The systematic targeting of specific professional categories – e.g., doctors, scholars, scientists – demonstrates an intent to dismantle the technical capacities needed for a group’s survival. Torture in detention is therefore not merely punitive: it is strategic. It operates to degrade Palestinian bodies, fracture psychological integrity, and erode collective resilience. Even short-term detention produces physical and psychological harm whose effects radiate beyond the individual, affecting families and entire communities in ways that are enduring and, in many instances, irreparable.

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<sup>141</sup> Consultation with CSOs.

<sup>142</sup> [edition.cnn.com/2025/04/06/middleeast/palestinian-teen-malnutrition-death-intl](https://edition.cnn.com/2025/04/06/middleeast/palestinian-teen-malnutrition-death-intl).

<sup>143</sup> CAT/C/ISR/CO/6, para. 24.

<sup>144</sup> [www.btselem.org/sites/default/files/publications/202601\\_living\\_hell\\_eng.pdf](http://www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf).

<sup>145</sup> [www.phr.org.il/wp-content/uploads/2025/11/6538\\_Death\\_custody\\_Paper\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2025/11/6538_Death_custody_Paper_Eng.pdf).

<sup>146</sup> Ibid.

<sup>147</sup> Ibid.

<sup>148</sup> M. Haddad, “For Palestinians, Even Death Is No Escape from Israel’s Violence,” *Journal of Palestine Studies*, vol. 54, no. 3 (2025), pp. 58–70.

<sup>149</sup> [www.phr.org.il/wp-content/uploads/2025/11/6538\\_Death\\_custody\\_Paper\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2025/11/6538_Death_custody_Paper_Eng.pdf).

<sup>150</sup> [pchgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf](https://pchgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf), p. 33.

<sup>151</sup> [www.reuters.com/world/middle-east/un-rights-official-says-gaza-detainees-humiliated-dressed-diapers-2024-01-19/](https://www.reuters.com/world/middle-east/un-rights-official-says-gaza-detainees-humiliated-dressed-diapers-2024-01-19/).

<sup>152</sup> [www.youtube.com/shorts/icOS2W\\_D5As](https://www.youtube.com/shorts/icOS2W_D5As).

<sup>153</sup> [www.aljazeera.com/news/2025/10/18/palestinian-detainee-relays-how-torture-in-israeli-prison-made-him-blind](https://www.aljazeera.com/news/2025/10/18/palestinian-detainee-relays-how-torture-in-israeli-prison-made-him-blind); [www.aljazeera.com/video/newsfeed/2024/6/23/traumatised-palestinian-detainee-describes-torture-in-israeli-custody](https://www.aljazeera.com/video/newsfeed/2024/6/23/traumatised-palestinian-detainee-describes-torture-in-israeli-custody).

<sup>154</sup> [www.nybooks.com/articles/2024/10/17/torture-in-israels-prisons-aryeh-neier](https://www.nybooks.com/articles/2024/10/17/torture-in-israels-prisons-aryeh-neier).

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## IV. Genocide as torture

47. After October 2023, conditions in the “open air-carceral regime”, enforced for decades in the entirety of the oPt,<sup>155</sup> were intensified, creating a torturous environment. Mass displacement, siege and starvation, unchecked settler violence and constant humiliation, all under pervasive surveillance, have deliberately inflicted collective suffering.

48. The relationship between torture and genocide is twofold: Israeli authorities use torture as a tool of genocide, as analysed above, and acts of genocide perpetrated by Israel to destroy Palestinians as a group have also been designed to inflict suffering on Palestinians as a collective. By obliterating the victim’s basic status as a human being, torture functions as an archetype of exclusion from the human community, annihilates the subject.<sup>156</sup>

49. The following section addresses genocide itself as a mode of torture, and the infliction of severe physical and psychological suffering on the entire group as such.

### A. Gaza

50. Acts of genocide have engendered permanent mental and physical suffering for Palestinians as a group. Through its genocidal assault, Israel has turned Gaza into a vast torture camp where nowhere is safe – not hospitals, homes, schools, refugee camps or even flooded tents. Israel can strike anywhere, at any time, including during so-called “ceasefires”, which have already cost more than 680 lives.<sup>157</sup> Danger and fear are perpetual.

51. By depicting the entire population as “human animals” and “terrorists”, and invoking the notion of “human shields”<sup>158</sup> to justify massacres, Israel has effectively painted a target on the back of the entire civilian population as such. Even children, portrayed as terrorists in the making,<sup>159</sup> describe an overwhelming fear of imminent death.<sup>160</sup>

52. The Israeli military has used mass displacement to create pervasive mental and physical pain under the threat of extermination. “Cartographic terror”<sup>161</sup> has forced nearly two million people to flee. Ordered to abandon everything within hours, they have been left to navigate chaos with contradictory maps, unclear communications and unreliable protocols,<sup>162</sup> and directed to constantly bombarded “safe zones”<sup>163</sup> and “humanitarian areas” unfit for human life.<sup>164</sup>

53. The homes of over a million people – by conservative estimates – have been obliterated,<sup>165</sup> with families forced to watch helplessly as belongings, heirlooms and intimate

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<sup>155</sup> A/HRC/53/59.

<sup>156</sup> Lisa Guenther, *Solitary Confinement: Social Death and Its Afterlives* (Minneapolis: University of Minnesota Press, 2013).

<sup>157</sup> 106 were killed during the January-March 2025 ceasefire, at least 574 in the ongoing one. [www.ungeneva.org/en/news-media/press-briefing/2025/03/](http://www.ungeneva.org/en/news-media/press-briefing/2025/03/); [www.ochaopt.org/content/gaza-humanitarian-response-situation-report-no-66](http://www.ochaopt.org/content/gaza-humanitarian-response-situation-report-no-66).

<sup>158</sup> Neve Gordon and Nicola Perugini. *Human Shields: A History of People in the Line of Fire* (Oakland, California, University of California Press, 2026 [2020]), pp. 218-230.

<sup>159</sup> [www.euronews.com/my-europe/2024/12/03/36-meps-want-to-prevent-knesset-member-from-entering-european-parliament](http://www.euronews.com/my-europe/2024/12/03/36-meps-want-to-prevent-knesset-member-from-entering-european-parliament); [www.ndtv.com/world-news/moshe-feiglin-every-baby-in-gaza-is-an-enemy-ex-israeli-lawmakers-shocking-remarks-8477020](http://www.ndtv.com/world-news/moshe-feiglin-every-baby-in-gaza-is-an-enemy-ex-israeli-lawmakers-shocking-remarks-8477020).

<sup>160</sup> [www.warchild.org.uk/sites/default/files/2024-12/CTCCM\\_Gaza\\_Needs\\_Assessment\\_Report\\_2024\\_WCUK.pdf](http://www.warchild.org.uk/sites/default/files/2024-12/CTCCM_Gaza_Needs_Assessment_Report_2024_WCUK.pdf) p. 20; [www.theguardian.com/world/2024/dec/11/death-feels-imminent-for-96-of-children-in-gaza-study-finds](http://www.theguardian.com/world/2024/dec/11/death-feels-imminent-for-96-of-children-in-gaza-study-finds).

<sup>161</sup> [content.forensic-architecture.org/wp-content/uploads/2024/03/Humanitarian-Violence\\_Report\\_FA.pdf](http://content.forensic-architecture.org/wp-content/uploads/2024/03/Humanitarian-Violence_Report_FA.pdf).

<sup>162</sup> *Ibid.*, p. 2.

<sup>163</sup> [www.alhaq.org/cached\\_uploads/download/2025/01/02/evacuation-orders-two-pages-view-1735842246.pdf](http://www.alhaq.org/cached_uploads/download/2025/01/02/evacuation-orders-two-pages-view-1735842246.pdf), p. 69.

<sup>164</sup> [www.unocha.org/news/conditions-gaza-unfit-human-survival-acting-un-relief-chief-tells-security-council](http://www.unocha.org/news/conditions-gaza-unfit-human-survival-acting-un-relief-chief-tells-security-council).

<sup>165</sup> [palestine.un.org/sites/default/files/2025-02/IRDNA%20-%20Gaza%20and%20West%20Bank%20-%20February%202025\\_1.pdf](http://palestine.un.org/sites/default/files/2025-02/IRDNA%20-%20Gaza%20and%20West%20Bank%20-%20February%202025_1.pdf), p. 26.

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connections with their past are lost.<sup>166</sup> Netanyahu declared that the long-term objective of the operation was to turn Gaza “into cities of ruins” with “effects which will reverberate with them for generations”.<sup>167</sup>

54. Witnessing schools, mosques, libraries, museums and cultural sites being reduced to rubble creates an acute sense of dislocation from individual and collective histories.<sup>168</sup> When educational infrastructure and places of collective memory are systematically erased, the material foundations of a culture are deliberately dismantled.<sup>169</sup> This targets the social fabric itself, attacking a people’s sense of identity, continuity and belonging.

55. The systematic destruction of rescue equipment, including bulldozers,<sup>170</sup> left more than 10,000 trapped under the rubble,<sup>171</sup> increasing deaths, impeding the recovery and burial of bodies and preventing mourning practices. Survivors have to search for the missing with their bare hands, forced to collect body parts in plastic bags,<sup>172</sup> while cemeteries have been repeatedly desecrated.<sup>173</sup>

56. The healthcare system itself has become a target. Deliberate attacks on doctors, nurses, ambulances, clinics and hospitals constitute *medicide*.<sup>174</sup> The continuous obstruction of medical supplies and the expulsion of Doctors Without Borders (MSF) in February 2026 are part of this pattern.<sup>175</sup> With nearly all hospitals damaged or destroyed,<sup>176</sup> more than two million people are deprived of life-saving care; those with cancer, chronic illness or severe injuries know they face predictable decline and death. Inside damaged hospitals, surgeries have to be performed without anaesthetic,<sup>177</sup> patients die from preventable infections,<sup>178</sup> newborn babies in incubators have been left to die in forcibly evacuated hospitals.<sup>179</sup> Medical workers continue treating patients as best as they can while their own homes are destroyed and their families injured or killed.<sup>180</sup> When medical care is almost entirely dismantled as a policy, pain and death are calculated tools of terror.

57. Israeli conduct has caused permanent disablement on a mass scale. An estimated 40,000 people have sustained life-altering injuries – at least 4,000 have lost limbs –<sup>181</sup>

<sup>166</sup> Samir Qouta, Raija-Leena Punamaki and Eyad El Sarraj, “House Demolition and Mental Health: Victims and Witnesses”, *Journal of Social Distress and the Homeless*, vol. 7, no. 4 (1998), p. 280; [www.msf.ie/article/rafah-city-gaza-destruction-life-and-homes-leaves-people-unable-return-safely](http://www.msf.ie/article/rafah-city-gaza-destruction-life-and-homes-leaves-people-unable-return-safely).

<sup>167</sup> [x.com/netanyahu/status/1710744539403571430](https://x.com/netanyahu/status/1710744539403571430); [www.youtube.com/watch?v=Tr7CxQZZHFA](https://www.youtube.com/watch?v=Tr7CxQZZHFA).

<sup>168</sup> [www.timesofisrael.com/after-two-year-of-war-palestinians-scramble-to-salvage-gazas-history/](http://www.timesofisrael.com/after-two-year-of-war-palestinians-scramble-to-salvage-gazas-history/).

<sup>169</sup> A/HRC/59/26.

<sup>170</sup> [pchgaza.org/israel-persists-in-genocide-by-deliberately-destroying-bulldozers-and-rescue-equipment/](http://pchgaza.org/israel-persists-in-genocide-by-deliberately-destroying-bulldozers-and-rescue-equipment/).

<sup>171</sup> [www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-160](http://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-160).

<sup>172</sup> [www.theguardian.com/world/2025/oct/12/my-heart-is-broken-palestinians-begin-searching-the-gaza-rubble-for-their-dead](http://www.theguardian.com/world/2025/oct/12/my-heart-is-broken-palestinians-begin-searching-the-gaza-rubble-for-their-dead); [www.youtube.com/shorts/\\_rdHLTsqBw0](https://www.youtube.com/shorts/_rdHLTsqBw0).

<sup>173</sup> [www.atlanticcouncil.org/blogs/menasource/gaza-idf-cemetery-desecration-israel/](http://www.atlanticcouncil.org/blogs/menasource/gaza-idf-cemetery-desecration-israel/).

<sup>174</sup> [www.ohchr.org/sites/default/files/documents/countries/opt/20241231-attacks-hospitals-gaza-en.pdf](http://www.ohchr.org/sites/default/files/documents/countries/opt/20241231-attacks-hospitals-gaza-en.pdf); Nicola Perugini and Neve Gordon, “‘Medicide’ in Gaza and International Law: Time for Banning the Bombing of Hospitals”, Policy Paper, No. 94 (Institute for Palestine Studies, 2024); Nicola Perugini and Neve Gordon, “Medical Lawfare: The Nakba and Israel’s Attacks on Palestinian Healthcare”, *Journal of Palestine Studies*, vol. 53, No. 1 (2024).

<sup>175</sup> [msf.org.au/article/project-news/devastating-consequences-msfs-deregistration-palestine](http://msf.org.au/article/project-news/devastating-consequences-msfs-deregistration-palestine).

<sup>176</sup> [www.who.int/news/item/22-05-2025-health-system-at-breaking-point-as-hostilities-further-intensify--who-warns](http://www.who.int/news/item/22-05-2025-health-system-at-breaking-point-as-hostilities-further-intensify--who-warns).

<sup>177</sup> [news.un.org/en/story/2025/08/1165713](http://news.un.org/en/story/2025/08/1165713).

<sup>178</sup> [www.msf.org/sites/default/files/2024-04/MSF-GazaSilentKillings-Full%20Report\\_ENG\\_April%202023.pdf](http://www.msf.org/sites/default/files/2024-04/MSF-GazaSilentKillings-Full%20Report_ENG_April%202023.pdf), p. 11.

<sup>179</sup> [www.washingtonpost.com/world/2023/12/03/gaza-premature-babies-dead-nasr/](http://www.washingtonpost.com/world/2023/12/03/gaza-premature-babies-dead-nasr/).

<sup>180</sup> [msf.org.uk/sites/default/files/2024-12/20241229\\_REPORT\\_Gaza%20Life%20in%20a%20death%20trap%20Report\\_FINAL.pdf](http://msf.org.uk/sites/default/files/2024-12/20241229_REPORT_Gaza%20Life%20in%20a%20death%20trap%20Report_FINAL.pdf), pp. 11-12.

<sup>181</sup> [www.humanity-inclusion.org.uk/en/more-than-6-thousand-prosthetic-limbs-needed-in-gaza](http://www.humanity-inclusion.org.uk/en/more-than-6-thousand-prosthetic-limbs-needed-in-gaza);

[cdn.who.int/media/docs/default-source/hq-whe/estimating-trauma-rehabilitation-needs-in-gaza-september-2025.pdf](http://cdn.who.int/media/docs/default-source/hq-whe/estimating-trauma-rehabilitation-needs-in-gaza-september-2025.pdf), pp. 21-22.

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including approximately 10,000 children.<sup>182</sup> Such pervasive maiming causes long-lasting trauma, debilitation, fear and vulnerability.

58. An intentional state of siege and starvation have caused severe bodily and mental suffering. After Minister of Defense Gallant announced a “total siege” on Gaza to fight what he called “human animals”, the former Minister of Energy – now Minister of Defense – Israel Katz explicitly described measures that would inflict suffering on an entire population: “Without fuel, even local electricity will shut down within days, and water-pumping wells will cease functioning within a week. Thus it shall be done to a people of murderers and child butchers. What shall be no more.”<sup>183</sup>

59. With starvation threatening over half a million people,<sup>184</sup> at least 461 people, including 157 children, died from malnutrition.<sup>185</sup> Survivors describe how hunger strains social bonds, mutual support yielding to the individual instinct to survive.<sup>186</sup> Food distribution sites functioned as traps, where weak and desperate civilians risked death to survive. Starvation used as societal torture is a revived colonial technique that causes mass misery and cumulative and irreversible harm,<sup>187</sup> devastating a people’s present and future.<sup>188</sup>

60. Advanced weaponry is deployed not only to kill but also to generate fear, helplessness and psychological collapse. Armed drones that kill, destroy or spy bring about continuous coercion and punishment. Constant drone surveillance, swarms of quadcopters, aerial attacks with dumb bombs or advanced explosive weaponry with massive impacts, apparently even thermobaric weapons, which pulverize human flesh,<sup>189</sup> white phosphorous and advanced AI-based targeting systems – are deployed “to cause superfluous injury or unnecessary suffering”,<sup>190</sup> integrating cutting-edge technologies of genocide into practices of collective torture.

## B. West Bank including east Jerusalem

61. The Israeli occupation had already established an omnipresent, high-tech system of surveillance across the entire oPt, prior to October 2023,<sup>191</sup> creating a “carceral continuum”.<sup>192</sup> Tracking and scanning by ubiquitous cameras and facial recognition technologies, at prison-like checkpoints and in walled or militarized spaces, serve as a “tool of spatial control”<sup>193</sup> and collective terrorization of the population. The inescapable surveillance functions as a torture mechanism by instilling a climate of fear in communities, eroding social bonds and suppressing individual freedoms.<sup>194</sup>

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<sup>182</sup> [cdn.who.int/media/docs/default-source/hq-whe/estimating-trauma-rehabilitation-needs-in-gaza-september-2025.pdf](https://cdn.who.int/media/docs/default-source/hq-whe/estimating-trauma-rehabilitation-needs-in-gaza-september-2025.pdf), p. 6.

<sup>183</sup> [https://x.com/Israel\\_katz/status/1711659347590156417](https://x.com/Israel_katz/status/1711659347590156417).

<sup>184</sup> [www.ipcinfo.org/ipcinfo-website/countries-in-focus-archive/issue-134/en/](http://www.ipcinfo.org/ipcinfo-website/countries-in-focus-archive/issue-134/en/).

<sup>185</sup> [www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip](http://www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip).

<sup>186</sup> [www.amnesty.org/en/latest/news/2025/08/](http://www.amnesty.org/en/latest/news/2025/08/).

<sup>187</sup> Brendan Ciarán Browne, “The Coloniality of Enforced Starvation: Reading Famine in Gaza through *An Gorta Mór*”, *Journal of Palestine Studies*, vol. 53, No. 2 (2024), pp. 75-76; Bridget Conley and Alex de Waal, “The Purposes of Starvation: Historical and Contemporary Uses”, *Journal of International Criminal Justice*, vol. 17, No. 4 (2019).

<sup>188</sup> Tom Dannenbaum, “Siege Starvation: A War Crime of Societal Torture”, *Chicago Journal of International Law*, vol. 22, No. 2 (2022), p. 437; Miranda Cleland et al, ‘Starving a Generation: Israel’s Famine Campaign Targeting Palestinian Children in Gaza’ (Defence for Children International, Palestine and Doctors Against Genocide, June 24 2025), p. 19; A/79/171, para. 20.

<sup>189</sup> [www.aljazeera.com/features/2026/2/10/israel-used-weapons-in-gaza-that-made-thousands-of-palestinians-evaporate](http://www.aljazeera.com/features/2026/2/10/israel-used-weapons-in-gaza-that-made-thousands-of-palestinians-evaporate).

<sup>190</sup> Additional Protocol I to the Geneva Conventions, art. 35(2).

<sup>191</sup> [nymag.com/intelligencer/article/watched-tracked-targeted-israel-surveillance-gaza.html](https://nymag.com/intelligencer/article/watched-tracked-targeted-israel-surveillance-gaza.html); [www.theguardian.com/world/2025/aug/06/microsoft-israeli-military-palestinian-phone-calls-cloud](https://www.theguardian.com/world/2025/aug/06/microsoft-israeli-military-palestinian-phone-calls-cloud); Submission no. 20; John Hawkins, “The necropolitics of Gaza: Architectures of controlled space, surveillance, and the logic of psychological torture”, *Torture*, vol. 35, No. 2-3, p. 127.

<sup>192</sup> A/HRC/53/59.

<sup>193</sup> John Hawkins, “The necropolitics of Gaza: Architectures of controlled space, surveillance, and the logic of psychological torture”, *Torture*, vol. 35, No. 2-3, p. 125.

<sup>194</sup> Submission No.20.

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62. Large-scale military operations have intensified the mechanism of coercion, where terror and enforced evacuations, justified as counter-terrorism, function as methods of collective destruction and forcible displacement.<sup>195</sup>

63. Since October 2023, this carceral continuum has evolved into a *torture continuum*, in which techniques of settler colonial expulsion and genocide are wielded to inflict sustained collective suffering and intergenerational trauma.

64. Attacks by the military and by settlers – or both – have blighted Palestinian life for decades. In the unprecedented escalation in frequency and brutality between 2023 and 2025, more than 1,054 Palestinians were killed in the West Bank, including east Jerusalem.<sup>196</sup> Documented settler attacks rose from about 1,860 in 2021–2023<sup>197</sup> to at least 3,088 in 2023–2025.<sup>198</sup>

65. Often armed by the government,<sup>199</sup> groups of Israeli citizens residing in the colonies in the West Bank including east Jerusalem operate as paramilitary gangs,<sup>200</sup> enjoy legal impunity, institutional protection<sup>201</sup> and widespread praise when attacking or killing Palestinians.<sup>202</sup>

66. Critical infrastructure has been obliterated and thousands of houses.<sup>203</sup> Livelihoods have been destroyed, including traditional agricultural resources, livestock stolen or killed,<sup>204</sup> precipitating the largest forced displacement since 1967.<sup>205</sup> More than 40,000 people have been displaced by military assaults that have destroyed three refugee camps amidst state-sanctioned settler terror.<sup>206</sup> Every dimension of daily life for the Palestinian residents of the West Bank is disrupted – including travelling to school or work and harvesting olives<sup>207</sup> – escalating prolonged physical, mental and social torment. Katz made explicit the long-term objective to “prepare for an extended stay for the coming year and to not allow the return of residents”.

67. Israeli forces and settler militias together function as an intentional system of terror, which constitutes torture targeting the social, economic and psychological fabric of Palestinian life.

68. Settler groups in the West Bank have celebrated the destruction of Gaza and echoed the messaging of Israeli ministers, who promised to turn the West Bank “into ruins like the Gaza Strip”.<sup>208</sup> They erected billboards bearing the slogan “No Future in Palestine”<sup>209</sup> and images of the destruction in Gaza, epitomizing how acts of genocidal destruction are conceived within the settler-colonial mindset: as a form of torture, where the colonist inflicts

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<sup>195</sup> [www.timesofisrael.com/this-is-a-war-fm-calls-for-gaza-style-evacuation-of-palestinians-in-west-bank/](https://www.timesofisrael.com/this-is-a-war-fm-calls-for-gaza-style-evacuation-of-palestinians-in-west-bank/); [x.com/Israel\\_katz/status/1828854473206444351?s=20](https://x.com/Israel_katz/status/1828854473206444351?s=20).

<sup>196</sup> [www.ohchr.org/en/press-briefing-notes/2026/02/](https://www.ohchr.org/en/press-briefing-notes/2026/02/).

<sup>197</sup> [www.ohchr.org/sites/default/files/documents/countries/israel/20260105-thematic-report-israel-discrimin.pdf](https://www.ohchr.org/sites/default/files/documents/countries/israel/20260105-thematic-report-israel-discrimin.pdf), para. 64.

<sup>198</sup> *Ibid*; Submission No.2.

<sup>199</sup> CAT/C/ISR/CO/6, para 48; [visualizingpalestine.org/visual/how-israel-is-arming-israeli-settlers/](https://visualizingpalestine.org/visual/how-israel-is-arming-israeli-settlers/).

<sup>200</sup> Submission No.2.

<sup>201</sup> Mais Qandeel, “Violence and State Attribution: The Case of Occupied Palestine”, *Journal of Palestine Studies*, vol. 52, No. 2 (2023), p. 43.

<sup>202</sup> [opiniojuris.org/2025/08/15/settler-violence-as-state-wrongful-act-and-third-state-obligations/](https://opiniojuris.org/2025/08/15/settler-violence-as-state-wrongful-act-and-third-state-obligations/).

<sup>203</sup> Submission No.2; [www.alhaq.org/advocacy/26732.html](https://www.alhaq.org/advocacy/26732.html).

<sup>204</sup> [www.aa.com.tr/en/middle-east/illegal-israeli-settlers-attack-sheep-farm-in-west-bank-steal-150-animals/3781487#](https://www.aa.com.tr/en/middle-east/illegal-israeli-settlers-attack-sheep-farm-in-west-bank-steal-150-animals/3781487#); [www.reuters.com/world/middle-east/israeli-settlers-accused-killing-117-sheep-west-bank-attack-2025-07-18/](https://www.reuters.com/world/middle-east/israeli-settlers-accused-killing-117-sheep-west-bank-attack-2025-07-18/); [www.aljazeera.com/video/newsfeed/2025/12/23/israeli-settlers-injure-palestinians-kill-livestock-in-owb](https://www.aljazeera.com/video/newsfeed/2025/12/23/israeli-settlers-injure-palestinians-kill-livestock-in-owb).

<sup>205</sup> [apnews.com/article/israel-palestinians-west-bank-gaza-militants-displaced-2fb430ce6ceeff40b416df566712eb99](https://apnews.com/article/israel-palestinians-west-bank-gaza-militants-displaced-2fb430ce6ceeff40b416df566712eb99).

<sup>206</sup> [www.ohchr.org/sites/default/files/documents/countries/israel/20260105-thematic-report-israel-discrimin.pdf](https://www.ohchr.org/sites/default/files/documents/countries/israel/20260105-thematic-report-israel-discrimin.pdf), para. 21; [www.ochaopt.org/content/west-bank-monthly-snapshot-casualties-property-damage-and-displacement-november-2025](https://www.ochaopt.org/content/west-bank-monthly-snapshot-casualties-property-damage-and-displacement-november-2025).

<sup>207</sup> [news.un.org/en/story/2025/12/1166522](https://news.un.org/en/story/2025/12/1166522); [www.ungeneva.org/en/news-media/news/2025/10/111992/un-rights-office-sounds-alarm-over-skyrocketing-israeli-settler](https://www.ungeneva.org/en/news-media/news/2025/10/111992/un-rights-office-sounds-alarm-over-skyrocketing-israeli-settler).

<sup>208</sup> [x.com/bezalelsm/status/1796124951088337026](https://x.com/bezalelsm/status/1796124951088337026).

<sup>209</sup> [www.instagram.com/p/DDusi3UupKN/](https://www.instagram.com/p/DDusi3UupKN/).

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collective suffering intended to terrorize, demoralize and shred social and psychological cohesion and threaten indigenous presence on the land.

### C. Torture as aggregate effect of genocidal violence

69. Smotrich clearly exposes the relationship between infliction of collective torment and settler colonial genocide: “They will be totally despairing, understanding that there is no hope and nothing to look for in Gaza, and will be looking for relocation to begin a new life in other places.”<sup>210</sup>

70. The resulting creation and perpetuation of physical and psychological torture is experienced by the Palestinian people as a continuum of chronic insecurity, fear and suffering. Here, genocidal violence functions as a form of *collective torture against Palestinians as a group*, aimed at breaking their will, stripping their autonomy and ultimately expelling them from their land.

71. Analysing genocide as a torturous environment counters the fragmented characterization of conduct – where starvation, displacement, detention abuse, settler terror and siege are assessed in isolation – that has historically supported impunity. Evaluated cumulatively (across the totality of conduct and against the totality of the population in the totality of the land slated for annexation) these practices reveal a coherent architecture rather than isolated excesses or security failures.

## V. The ‘right to torture’ Palestinians

72. In the oPt, torture and the genocidal intent driving it, is articulated by Israel’s executive and enabled, justified and normalized by the legislature and judiciary. Beyond the State apparatus, medical professionals, religious authorities, media, academia, public figures and other segments of the public have contributed to the rhetoric, consent and operational conditions that sustain these violations. Torture has thus become a collective enterprise.

73. Israel’s legislative body, the Knesset, has repeatedly amended detention laws to expand executive and military powers, erode safeguards, and normalize degraded conditions.<sup>211</sup> It has approved “incarceration emergency” measures to suspend statutory detention conditions,<sup>212</sup> and enacted a new law permitting the deportation of family members of individuals designated “terrorist operatives” (without the “operatives” being charged or convicted).<sup>213</sup> In November 2025, it endorsed the “death penalty for terrorists” initiative.<sup>214</sup> Together, these measures institutionalize collective punishment and remove legal barriers to torture and other grave human rights violations.

74. The judiciary has consistently privileged security claims over fundamental rights.<sup>215</sup> Though formally entertaining limited petitions, such as challenges to prison food reductions, the High Court of Justice has declined to reverse the Gaza siege or other collective punishment measures,<sup>216</sup> to grant access for independent observers to detention facilities,<sup>217</sup> and to require disclosure of the whereabouts of thousands of disappeared Palestinians.<sup>218</sup>

75. In October 2023, the High Court rejected on procedural grounds a *habeas corpus* petition concerning missing Gaza journalists, accepting the State’s assertion that it has no legal obligation to provide information about Gaza residents because Gaza is classified as a

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<sup>210</sup> [www.timesofisrael.com/smotrich-says-gaza-to-be-totally-destroyed-population-concentrated-in-small-area/](http://www.timesofisrael.com/smotrich-says-gaza-to-be-totally-destroyed-population-concentrated-in-small-area/).

<sup>211</sup> [stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law\\_July-2024.pdf](http://stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law_July-2024.pdf).

<sup>212</sup> [main.knesset.gov.il/en/news/pressreleases/pages/press181023q.aspx](http://main.knesset.gov.il/en/news/pressreleases/pages/press181023q.aspx).

<sup>213</sup> [hamoked.org/files/2025/annual\\_report\\_2024\\_v1.pdf?utm](http://hamoked.org/files/2025/annual_report_2024_v1.pdf?utm), p. 14.

<sup>214</sup> [main.knesset.gov.il/en/news/pressreleases/pages/press111125q.aspx?utm](http://main.knesset.gov.il/en/news/pressreleases/pages/press111125q.aspx?utm).

<sup>215</sup> [www.timesofisrael.com/high-court-rules-state-failed-its-duty-to-feed-palestinian-prisoners-in-slap-to-ben-gvir](http://www.timesofisrael.com/high-court-rules-state-failed-its-duty-to-feed-palestinian-prisoners-in-slap-to-ben-gvir); [arabcenterdc.org/resource/israels-justice-system-and-the-genocidal-war-on-gaza/](http://arabcenterdc.org/resource/israels-justice-system-and-the-genocidal-war-on-gaza/).

<sup>216</sup> [www.justsecurity.org/109731/israel-court-rejects-gaza-aid-petition/](http://www.justsecurity.org/109731/israel-court-rejects-gaza-aid-petition/).

<sup>217</sup> [www.thenationalnews.com/news/mena/2026/02/06/israel-keeps-prisons-holding-palestinians-off-limits-to-red-cross/](http://www.thenationalnews.com/news/mena/2026/02/06/israel-keeps-prisons-holding-palestinians-off-limits-to-red-cross/).

<sup>218</sup> Israeli High Court of Justice, *Qashta v. IDF*, Case 7637/23, Judgement, 6 November 2023.

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“hostile territory”.<sup>219</sup> In September 2024, it declined to consider detention conditions, post October 2023, at Sde Teiman.<sup>220</sup> Military courts in the West Bank have continued to authorize detention on the basis of confessions obtained under coercion, effectively sanctioning torture.<sup>221</sup>

76. This pattern has allowed the executive and military to continue to benefit from total impunity. UNCAT noted that while autopsies indicated such causes of death as torture, malnutrition and denial of medical care, “no State officials have been held responsible or accountable for such deaths”.<sup>222</sup> Israeli security forces did not even refrain from mistreating, and reportedly raping and sexually abusing, foreign activists and journalists from the Freedom Flotilla in full view of the international media and diplomatic community.<sup>223</sup>

77. Only one case has been prosecuted since October 2023: in February 2025, a military court sentenced a reservist to seven months’ imprisonment for severely assaulting bound and blindfolded detainees. And yet, the senior official responsible for leaking footage of the sexual abuse of a Palestinian detainee in Sde Teiman<sup>224</sup> was vilified and prosecuted<sup>225</sup> while the perpetrators were celebrated and shielded. Senior ministers described torture as a “holy job”,<sup>226</sup> investigations as national betrayal<sup>227</sup> and abusers as “heroic warriors”.<sup>228</sup> A rabbi offered blessings<sup>229</sup> and the public largely opposed any investigation.<sup>230</sup> Even the most disturbing revelations failed to provoke moral outrage within the Israeli society at large.

78. The Israeli medical profession has been complicit in torture.<sup>231</sup> Prison doctors and forensic personnel have performed amputations without anaesthetic,<sup>232</sup> repeatedly failed to document or report clear signs of torture<sup>233</sup> – often providing only minimal treatment to injured detainees<sup>234</sup> – falsified records, participated in force-feeding hunger strikers<sup>235</sup> and in some cases actively participated in the beating of detained Palestinians seeking medical attention.<sup>236</sup>

79. Religious leaders have legitimized cruelty, providing a moral narrative that reframes abuse as duty and narrows the space for restraint.<sup>237</sup> Complementing biblical motifs in

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<sup>219</sup> Israeli High Court of Justice, *Alwahidi et al v. IDF et al*, Case 7439/23, Judgement, 30 October 2023.

<sup>220</sup> [www.timesofisrael.com/high-court-declines-to-shutter-sde-teiman-orders-state-to-abide-by-law-for-detainees/](http://www.timesofisrael.com/high-court-declines-to-shutter-sde-teiman-orders-state-to-abide-by-law-for-detainees/).

<sup>221</sup> [www.merip.org/2024/10/israel-is-waging-war-on-palestinian-prisoners-2/](http://www.merip.org/2024/10/israel-is-waging-war-on-palestinian-prisoners-2/).

<sup>222</sup> CAT/C/ISR/CO/6, para. 24.

<sup>223</sup> [freedomflotilla.org/2026/01/02/ffc-condemns-sexual-assaults](http://freedomflotilla.org/2026/01/02/ffc-condemns-sexual-assaults).

<sup>224</sup> [www.bbc.com/news/articles/c8dy8r7lq0go](http://www.bbc.com/news/articles/c8dy8r7lq0go).

<sup>225</sup> [www.aljazeera.com/news/2025/11/3/israel-arrests-ex-army-lawyer-over-leaked-video-showing-palestinians-abuse](http://www.aljazeera.com/news/2025/11/3/israel-arrests-ex-army-lawyer-over-leaked-video-showing-palestinians-abuse).

<sup>226</sup> [edition.cnn.com/2024/07/29/middleeast/sde-teiman-protests-idf-investigation-intl/index.html](http://edition.cnn.com/2024/07/29/middleeast/sde-teiman-protests-idf-investigation-intl/index.html).

<sup>227</sup> [apnews.com/article/military-prosecutor-resignation-leak-sde-teiman-abuse-tomer-304deb724067c3644a02dcc0590e703a](http://apnews.com/article/military-prosecutor-resignation-leak-sde-teiman-abuse-tomer-304deb724067c3644a02dcc0590e703a).

<sup>228</sup> [www.aljazeera.com/news/2024/7/29/israeli-far-right-politicians-protest-arrest-of-soldiers-suspected-of-abuse](http://www.aljazeera.com/news/2024/7/29/israeli-far-right-politicians-protest-arrest-of-soldiers-suspected-of-abuse).

<sup>229</sup> [www.newarab.com/news/rabbi-blesses-soldier-accused-raping-palestinian-prisoner](http://www.newarab.com/news/rabbi-blesses-soldier-accused-raping-palestinian-prisoner).

<sup>230</sup> [en.idi.org.il/articles/62309](http://en.idi.org.il/articles/62309); [x.com/Elizrael/status/1992617255721423138](http://x.com/Elizrael/status/1992617255721423138).

<sup>231</sup> [www.nybooks.com/online/2025/05/31/the-shame-of-israeli-medicine/](http://www.nybooks.com/online/2025/05/31/the-shame-of-israeli-medicine/); Sara El-Solh et al, ‘Torture and health worker complicity in Israeli detention sites’ *British Medical Journal*, vol. 391 (2025).

<sup>232</sup> CAT/C/ISR/CO/6, para 28; [www.phr.org.il/wp-content/uploads/2024/04/5954\\_medical\\_ethics\\_Report\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2024/04/5954_medical_ethics_Report_Eng.pdf); [www.democracynow.org/2025/6/5/physicians\\_for\\_human\\_rights\\_israel](http://www.democracynow.org/2025/6/5/physicians_for_human_rights_israel).

<sup>233</sup> [mondoweiss.net/2024/05/how-israeli-prison-doctors-assist-in-the-torture-of-palestinian-detainees/](http://mondoweiss.net/2024/05/how-israeli-prison-doctors-assist-in-the-torture-of-palestinian-detainees/); [www.aljazeera.com/opinions/2024/6/18/action-must-be-taken-on-alleged-complicity-of-israeli-doctors-in-torture](http://www.aljazeera.com/opinions/2024/6/18/action-must-be-taken-on-alleged-complicity-of-israeli-doctors-in-torture).

<sup>234</sup> [www.phr.org.il/wp-content/uploads/2024/04/5954\\_medical\\_ethics\\_Report\\_Eng.pdf](http://www.phr.org.il/wp-content/uploads/2024/04/5954_medical_ethics_Report_Eng.pdf), p. 9; [btselem.org/sites/default/files/publications/202408\\_welcome\\_to\\_hell\\_eng.pdf](http://btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf), pp. 65-70.

<sup>235</sup> [al-shabaka.org/briefs/the-systematic-torture-of-palestinians-in-israeli-detention/](http://al-shabaka.org/briefs/the-systematic-torture-of-palestinians-in-israeli-detention/).

<sup>236</sup> [pchgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf](http://pchgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf), p. 41.

<sup>237</sup> Rabbi Eliyahu Mali, the head of the religious school "Shirat Moshe," whose students serve in the army called for the killing of children, women, and the elderly in Gaza: [www.middleeastmonitor.com/20240309-yaffa-rabbi-according-to-jewish-law-all-gaza-residents-must-be-killed/](http://www.middleeastmonitor.com/20240309-yaffa-rabbi-according-to-jewish-law-all-gaza-residents-must-be-killed/).

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wartime discourse,<sup>238</sup> prominent religious figures have publicly encouraged collective punishment and revenge against Palestinians,<sup>239</sup> helping to normalize inhumane treatment.

80. Media, academia and popular culture have propagated dehumanizing language on mainstream platforms, with little domestic censure.<sup>240</sup> Calls to “erase” Gaza have been aired publicly;<sup>241</sup> videos feature Ben-Gvir or prison guards celebrating the infliction of torture, and debates on the legitimacy of raping prisoners are televised.<sup>242</sup> The destruction of Gaza is characterized as an “opportunity” for population removal.<sup>243</sup> Soldiers have repeatedly trivialized and gamified terror: choosing a different part of Palestinian bodies to shoot at each day<sup>244</sup> and posting videos of themselves posing beside harshly restrained Palestinian captives, in lingerie pilfered from vandalized homes or blowing up entire neighbourhoods to rousing soundtracks.<sup>245</sup> Popular and digital culture echoes these themes, mocking Palestinian suffering.<sup>246</sup>

81. All this constitutes a collective enterprise and coherent structure: a society-wide system in which dehumanization is intentional, violence is authorized and accountability deflected. Torture is socially produced, politically defended and publicly absorbed as the indisputable right of the colonizer, where one nation coheres in celebrating the annihilation of another.

## VI. Conclusions

82. **Since October 2023, the systematic torture of Palestinians has become an integral component of Israel’s settler-colonial genocide, functioning as an instrument of annihilatory violence directed at the Palestinians as a people. When torture is perpetrated across an entire territory, against a population as such and sustained through policies that destroy the conditions of life, the genocidal intent is apparent.**

83. **This report merely scratches the surface. It situates torture within a broader framework of both custodial and non custodial policies and practices, in which the infliction of collective long-term harm reflects a concerted effort to control and erase a people: by destroying basic conditions of life, breaking social bonds and collective resistance, and ultimately forcing Palestinians from their land to replace them with settlers.**

84. **In custody, Palestinian captives have been subjected to exceptionally ruthless physical and psychological abuse, on a scale and with an intensity without precedent in the history of Palestine/Israel. Brutal beatings, sexual violence, rape, lethal mistreatment, starvation, and the systematic deprivation of the most basic human conditions have inflicted profound and lasting scars on the bodies and minds of tens of thousands of Palestinians and their loved ones. These practices demonstrate that Israel’s detention system has descended into a regime of systemic and widespread humiliation, coercion, and terror, aiming at stripping Palestinians not only of their liberty but of their dignity, identity, and even the most basic sense of humanity. Far from isolated excesses, such conduct has been institutionalized within detention**

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<sup>238</sup> A/HRC/55/73, para. 50.

<sup>239</sup> Rabbi Shmuel Eliyahu on Channel 14 backed conquest of Gaza saying “finish this cancerous growth” ([www.youtube.com/shorts/vFZEjcOy\\_FY](http://www.youtube.com/shorts/vFZEjcOy_FY)) and called to not “make any reservations again” and “finish the job.” ([www.c14.co.il/article/1301009](http://www.c14.co.il/article/1301009)).

<sup>240</sup> A/79/319, para. 64.

<sup>241</sup> [www.972mag.com/israeli-tv-hasbara-media-gaza/](http://www.972mag.com/israeli-tv-hasbara-media-gaza/);  
[www.theguardian.com/commentisfree/article/2024/sep/06/israeli-podcasters-laughing-gaza-genocide-two-nice-jewish-boys](http://www.theguardian.com/commentisfree/article/2024/sep/06/israeli-podcasters-laughing-gaza-genocide-two-nice-jewish-boys).

<sup>242</sup> [www.middleeasteye.net/live-blog/live-blog-update/israeli-journalist-calls-rape-against-palestinian-be-institutionalised](http://www.middleeasteye.net/live-blog/live-blog-update/israeli-journalist-calls-rape-against-palestinian-be-institutionalised).

<sup>243</sup> [theintercept.com/2023/10/25/israel-hamas-opportunity/](http://theintercept.com/2023/10/25/israel-hamas-opportunity/).

<sup>244</sup> [news.sky.com/story/almost-like-a-game-of-target-practice-british-surgeon-says-idf-shooting-gazans-at-aid-points-13401434](http://news.sky.com/story/almost-like-a-game-of-target-practice-british-surgeon-says-idf-shooting-gazans-at-aid-points-13401434).

<sup>245</sup> [www.youtube.com/watch?v=1D3uQbiE8No](http://www.youtube.com/watch?v=1D3uQbiE8No); <https://genocide.live/24375>.

<sup>246</sup> [www.haaretz.com/israel-news/2025-10-04/ty-article-opinion/.premium/inside-the-minds-of-young-israelis-mocking-gazas-suffering-on-tiktok/00000199-a61c-df33-a5dd-a67fb890000?](http://www.haaretz.com/israel-news/2025-10-04/ty-article-opinion/.premium/inside-the-minds-of-young-israelis-mocking-gazas-suffering-on-tiktok/00000199-a61c-df33-a5dd-a67fb890000?);  
[www.instagram.com/reels/DP4B\\_e8Dpaa/](http://www.instagram.com/reels/DP4B_e8Dpaa/).

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structures, politically endorsed by Israeli authorities, and publicly justified, or even celebrated, by segments of society.

85. Beyond detention, Palestinians are subjected to conditions that *cumulatively* inflict severe collective physical and psychological suffering: mass killings, mass displacement, mass destruction of homes and infrastructure, mass starvation, mass deprivation including of essential medical care, and the constant exposure to violence and humiliation without repair. In this torturous environment, the intentional destruction of the conditions necessary for life makes daily existence an ordeal of exhaustion, trauma and precarity.

86. By targeting the totality of the people, across the totality of the occupied land, through a totality of conducts,<sup>247</sup> genocide has become the ultimate form of torture: continuous, generational and *collective*. Taken together, these policies consolidate a comprehensive system of destruction calculated to inflict permanent suffering on Palestinians, annihilate everyday life, and create an environment of sustained anguish, as confirmed by testimonies describing the irreversible erosion of trust, selfhood, and belonging caused by torture and its enduring impact on families. These practices are designed to inflict harm and obliterate once and for all the Palestinian right to self-determination, eroding the possibility of political, cultural and territorial continuity. There can be no doubt that this constitutes both the infliction of serious bodily and mental harm under Article II(b) of the Genocide Convention, and intentional, collective torture.

87. While the dehumanization of the Palestinians predates Ben-Gvir's, Smotrich's and Katz's appointments in the government, these politicians now preside over, and give political direction to, the policies behind this report's findings. Any credible pursuit of justice must confront torture not as an isolated crime, but as a foundational pillar of a genocidal project aimed at the complete erasure - physical and psychological destruction, displacement and replacement - of the Palestinian people.

## VII. Recommendations

88. Recalling her previous 58 recommendations, the Special Rapporteur further recommends that:

89. Israel should:

(a) Immediately cease all acts of torture and ill-treatment of the Palestinian people as part of its ongoing genocide, whether custodial or non-custodial. This requires, as a fundamental precondition, the dismantling of the apartheid regime maintained in the oPt, which the ICJ and the General Assembly have found to be in breach of the Palestinian people's right to self-determination. This process must begin with the immediate end of Israel's unlawful presence in the territory, alongside accountability, full reparation, guarantees of non-repetition and measures to preserve memory through institutional and educational reform.

(b) Give access to the ICRC, UN Commission of Inquiry, OHCHR, UN experts and lawyers needed to monitor violations and investigate all crimes committed, including torture and other ill-treatment.

92. Member States should:

(a) Comply with their obligation not to participate in or be complicit in Israeli crimes, and to instead prevent and address serious breaches of international law, particularly as set out in the UN Charter and Genocide Convention, and to ensure that acts of genocide, torture and ill-treatment are investigated and prosecuted.

(b) Enhance the mechanisms and resources to collect evidence for prosecutions, clarify the fate and whereabouts of all missing Palestinians and ensure Israel provides adequate reparations to Palestinians victims.

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<sup>247</sup> A/79/384, paras. 54 to 74.

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(c) **Activate universal jurisdiction mechanisms to try individuals and corporate entities suspected of involvement in grave breaches and other international crimes, including genocide and torture.**

(d) **Support programmes for psychosocial support for survivors, especially former prisoners and survivors of torture and sexual violence, should be internationally funded, which can be via the UN Voluntary Fund for Torture Victims allocation to Palestinian NGOs, and facilitate transfer of survivors to third States.**

(e) **Ensure corporate entities and their executives cease all engagements with Israel in order not to cause, contribute to or be directly linked to genocide, torture and other human rights violations.**

93. **To the Office of the Prosecutor of the International Criminal Court:**

(a) **Investigate and prosecute acts of genocide, torture and ill-treatment and, in this context, immediately request arrest warrants for Israeli officials in particular Ben-Gvir, Katz and Smotrich suspected of perpetrating and/or ordering atrocity crimes outlined in this report, as well as the Chief of the General Staff of the Israeli military and high-ranking officials within the IPS in charge of detention centres.**

(b) **The Special rapporteur urges States and international institutions to do everything in their power to stop the destruction of what remains of Palestine. The obligation is immediate and ongoing. Every delay worsens irreversible harm and further entrenches a system of cruelty that international law and the United Nations are designed to prevent, stop and punish.**