



Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023

Urgent Appeal

To the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

by The Public Committee Against Torture in Israel, Adalah -The Legal Center for Arab Minority Rights in Israel, HaMoked - Center for the Defence of the Individual and Physicians for Human Rights Israel

Summary

Since Hamas' attack on October 7, 2023 and the subsequent Israeli offensive on Gaza, there has been a marked and severe escalation in the abuse of Palestinian detainees and prisoners incarcerated in Israeli prisons and detention facilities. Over the last four months, at least seven Palestinians have died while in custody in Israeli prisons and ad-hoc detention facilities, with initial evidence and testimonies suggesting that at least some of these deaths were connected to instances of severe violence by Israel Prison Service's (IPS) officers. This submission addresses widespread abuse inflicted by IPS officers on Palestinian prisoners and includes testimonies revealing breaches of the absolute prohibition of torture and other cruel, inhuman or degrading treatment and other egregious human rights violations. These violations include severe physical assaults causing significant injuries, sexual harassment and intimidation directed at both male and female detainees, as well as other humiliating acts and threats. These actions also constitute collective punishment and blatant violations of both domestic and international law.

The contributing organizations have extensively documented severe cases of torture and abuse by the IPS over the years. Multiple United Nations (UN) bodies, including the UN Human Rights Committee in 2022 and the UN Committee against Torture in 2016, have criticized the use of torture and ill-treatment by IPS personnel, underscoring the lack of accountability for these actions. However, since October 7, there has been a sharp escalation, characterized by what appears to be systemic violence against Palestinians in Israeli custody.

As of February 2024, Israel holds in prisons administered by the Israeli Prison Service (IPS) a record number of 8,926 Palestinians classified as "security" inmates. The figure includes an unprecedented 3,484 administrative detainees, as well as 606 Palestinians residents of the Gaza Strip held as "illegal combatants"¹, held under amendment number 4 to The Illegal combatants Act, which will be described in detail below. Hundreds more Palestinians who were detained by the Israeli military in the Gaza Strip are presumably being held in military camps², most notably "Sede Teiman" base at the south of Israel, under the same legal framework.

Despite the severely restricted access to Palestinians incarcerated in Israeli prisons and detention facilities for attorneys, families, and the International Committee of the Red Cross (ICRC) to the prisoners and detainees, coupled with threats of reprisals by IPS personnel that instill deep fear in reporting instances of torture and ill-treatment, the contributing organizations have identified and verified numerous cases in which detainees were severely abused by IPS personnel since October 7, 2023. The present submission details some of these cases, particularly those of the utmost severity. Attached to this submission are eleven translated protocols of court hearings and an official complaint filed with IPS. These documents contain detainees' testimonies since October 7 and have been translated and attached for reference.

These incidents occurred in seven different prisons and detention facilities throughout the country, indicating systemic abuse rather than isolated incidents within IPS facilities. The evidence has been collected through court records, formal complaints filed with investigating bodies, visual documentation of injuries sustained, and direct testimonies of detainees and their legal representatives. To safeguard individuals from potential

¹ HaMoked, [8,926 "Security" Inmates Are Held In Prisons Inside Israel](#)

² According to the IDF spokesperson [announcement](#) on 9 January 2024, 2,300 Palestinians have been interrogated by the Military's intelligence force since the onset of the military operation in the Gaza strip, some of whom have been taken into custody and "further questioning" in Israel. The IDF refuses to release more concrete figures regarding the detainees currently held in military camps.

reprisals and due to the limited ability to visit and obtain individuals' consent, the testimonies of those for whom consent was not obtained are presented anonymously.

The contributing organizations express their deepest concern about the fact that the instances of torture and other ill-treatment included in this submission only scratch the surface and are part of a much broader pattern of systemic abuse and dehumanizing rhetoric. Such rhetoric is evident in multiple statements coming from senior Israeli government officials. Notably, National Security Minister Itamar Ben-Gvir who has direct authority over the IPS has consistently advocated for subjecting Palestinians to humiliating and inhumane treatment. On Twitter, the minister proclaimed, "In accordance with my instructions, the terrorists receive the most stringent conditions: eight handcuffed terrorists in a dark cell, iron beds, toilets in a hole in the floor, and Israel's national anthem constantly playing in the background". Additionally, he shared images of detainees, including those arrested for speech-related offenses, portraying elements that were not only humiliating but also exhibited a level of violence.³ Furthermore, Minister Ben-Gvir's ministry has revived discussions on the death penalty, labeling it as a "moral and essential law for the State of Israel." This rhetoric, marked by its dehumanizing nature, serves to legitimize acts of violence directed at Palestinians in Israeli custody. In addition, a new IPS commissioner assumed office on January 24th, 2024, and declared that the primary focus of the IPS will be to address the treatment of those classified as "security prisoners" and worsen their incarceration conditions, in accordance with Minister Ben-Gvir's policies.⁴

While the focus of this submission is on the violence perpetrated by IPS officers against Palestinian detainees within the prevailing public sentiment of fear, anger, and vengeance of following the 7 October attack, it is crucial to recognize that it unfolds against the backdrop of a severe deterioration in the broader conditions of detention for Palestinian detainees. This deterioration includes the introduction, on October 18, 2023 of a temporary order to the prison ordinance, extendable by the government with the approval of the Knesset's National Security Committee, which allows those suspected or convicted of security offenses to be placed on mattresses on the floor alongside other measures that reduce their living space.⁵ In October 2023, Israel's Supreme Court upheld the validity

³ National Security Minister's Twitter post concerning conditions of prisoners is available [here](#), and posts portraying humiliating treatment to Palestinians during arrest and detention are available [here](#) and [here](#).

⁴ See YNET article (in Hebrew) concerning the incoming Commissioner Ya'akov (Kobi) Ya'akobi, available [here](#).

⁵ [Israeli Gov't Approves Temporary Plan to Address Overcrowding of Palestinian Prisoners](#) Haaretz, 18 October 2023. The law (Hebrew) is available [here](#).

of this new amendment, in contradiction with its 2020 ruling requiring the state to allot each prisoner and detainee a living quarter of 4.5 meters.⁶

Additionally, the IPS has severely limited water, electricity, and food supply in all prison cells where Palestinians are held. All detainees who spoke with the organizations reported severe weight loss over the past three months. The IPS has restricted the water supply to less than an hour a day, toilets and basins within the cells are not functional, and some detainees were denied access to showers for several days—a degrading policy that denies minimum sanitary standards to them. Furthermore, the IPS has imposed extremely limited access to prison clinics and restrictions on access to public hospitals which can provide critical care that is unavailable in prison clinics. The lack of access to medical care for detainees raises concerns about medical neglect, with potential life-threatening consequences.

Importantly, the evidence collected by the submitting organizations have lately been upheld and confirmed in a report published by the Israeli Public Defender's Office (PDO), on 6 February 2024.⁷ The report, summarizing the findings of several prison visits conducted by the PDO during December 2023, calls on the IPS to immediately address the harsh and unacceptable living conditions imposed on detainees since the start of the Israeli war in Gaza and pursuant overcrowding of prisons.

Considering this alarming situation, the undersigned organizations urgently request immediate intervention by the Special Rapporteur, to protect Palestinians in Israeli prisons and detention facilities from further acts and omissions constituting torture and other ill-treatment.

The human rights violations documented

A. Torture, physical Abuse, Often Accompanied by Verbal Abuse

The organizations have documented cases of severe beating of detainees and prisoners by IPS personnel, involving punching, kicking, and hitting with clubs. These acts of

⁶ HCJ 7650/23, *The Association for Civil Rights vs. Minister of National Security*. [Detaining Prisoners in Overcrowded Conditions Without Beds During a State of Emergency in Detention Association for Civil Rights in Israel](#), October 2023. HCJ 1892/14 *The Association for Civil Rights vs. Minister of National Security* [Overcrowding in Prisons and Detention Centers in Israel](#). Indeed, as of February 4, 2024, in a letter from the National Security Minister, it was noted that 92% of prisoners classified as "security prisoners" were held in conditions that did not meet the criteria established by the Supreme Court's decision in HCJ 1892/14.

⁷ Available (in Hebrew) at: <https://www.gov.il/he/departments/news/conditions-of-incarceration>

violence occur within prison cells, in areas without cameras, and during the transfer of detainees to court hearings, resulting in serious and visible injuries such as bruises and fractures of ribs, nose, and teeth. Reports of severe physical abuse, which constitute breaches of the absolute prohibition of torture and other ill-treatment, have come to light from various prisons and detention facilities. The present submission and attached documents detail thirteen distinct cases of physical violence across various facilities.⁸ Some of the most egregious cases documented by the contributing organizations include:

1. Prisoner A. (Gilboa Prison) according to testimony received on November 1, 2023 by HaMoked: A, a prisoner released from Gilboa Prison, and other prisoners in the wing in which he was held were subjected to beatings in their cells. They were required to sit on their knees with their back toward the door and their hands above their heads in their cells and during roll call. In addition, *A and other prisoners in his cell were forced to curse themselves and to crawl while carrying an Israeli flag on their back and were threatened with beatings if they failed to do so.*
2. Administrative Detainee A (Ofer Prison) – In the protocol of a hearing held on November 15, 2023 at Ofer Military Court, A reported that he had been beaten in prison, resulting in a broken nose. Additionally, he participated in the hearing through video conferencing, and during the proceedings, sounds of beating could

⁸ Please refer to the attached annexes. The documents contain testimonies and reports detailing instances of physical violence against Palestinian detainees. These include: A protocol of a hearing held on 26 October 2023 in the Magistrate's Court in Jerusalem (page 1), where one detainee had clear bruising on his face; Protocol of a hearing held on 30 October 2023 in the Magistrate's Court in Jerusalem (page 3), where the lawyer representing a different detainee asserted before the court that this detainee stated he was attacked by wardens and suffers from broken ribs. The lawyer documented the bruises on this detainee's face, and a picture is available on page 5. Additionally, there is a protocol of a hearing held on 26 October 2023 of another detainee in the Magistrate's Court in Jerusalem where the lawyer testified that this detainee stated that after every hearing, he experiences severe violence from the wardens (page 6); a complaint filed to the IPS on behalf of a different detainee on 15 November 2023 which details that the detainee was subjected to violence on five separate instances during his detention; was beaten when transferred from the police station to the detention facility (the Russian Compound in Jerusalem), and within the facility, he reported being beaten using batons, being kicked and punched (page 8); a complaint from a detainee held in the Russian Compound in Jerusalem, who on several occasions was subject to violence between 29-30 October 2023 (page 11); a protocol from a hearing in the Magistrate's Court in Jerusalem on 26 November 2023, where the lawyer representing yet another detainee stated before the court that this detainee was beaten several times by wardens, as evident by the bruising on his face (page 12); a protocol of a hearing held in military court in the West Bank where a different detainee testified that he, upon transfer from prison, was beaten and presented the court with signs of bruising from the beatings sustained (page 25); a protocol of a hearing at the Military Court in Ofer on 20 November 2023 where another detainee testified that during his arrest he was beaten badly, and when transferred from facility to facility, he was beaten as well (page 36); a protocol of a hearing from 7 November 2023 in the Samaria Military Court. The lawyer noted that there are recurring reports from Megiddo of beatings, including the use of a stick (page 40).

be heard in the background, suggesting that he had been beaten by the guards present at his hearing while the camera was off. These sounds ceased after the Court intervened. In its decision, the Court noted that in light of the complaints of violence against the detainee, a copy of the protocol was to be forwarded to the Prisoners' Officer at the incarceration center where he was being held, the Legal Advisor of the IPS, the Supervisor of the Military Prosecution for Administrative Detentions, and the Judea and Samaria Area Attorney's Office.⁹

3. Detainee E. (Megiddo Prison)– During a hearing held on October 31, 2023 at Samaria [West Bank] Military Court, E's attorney reported that he had been beaten by IPS personnel before entering the prison wing and in various wings in which he was held. The detainee showed the Court the injury that he sustained on his head. The Court ordered the commander of the incarceration facility to examine the suspect's claims and to provide a medical examination.¹⁰
4. Detainee H. – (Russian Compound Detention Center - Jerusalem) During the detainee's detention from October 29, 2023, through November 12, 2023, he was beaten on four occasions by wardens, including kicking, punching, and the use of batons. These acts of violence caused extensive bruising on his body, as documented during a hearing in a Be'er Sheva court on November 9, 2023.¹¹
5. Detainee G. (Gilboa Prison) – According to testimony taken on November 27, 2023 by HaMoked, a prisoner who was released from Gilboa Prison and other prisoners were subjected to violence while shackled as special forces searched the cells. This occurred from the outbreak of the war on 7 October and continued for a period of two weeks. According to G., the prison commander also participated, threatening G and others: *"Give us a reason to burn you alive."* G. also stated that the nature of the violence changed after two weeks, and he and other prisoners began to be beaten during roll call and sometimes during night searches. G. further stated that he was also subjected to violence on the day of his release. He was taken from his wing to a waiting room, and while still shackled with his head covered by his shirt, he was beaten by Arabic-speaking wardens and by a "Nachshon" officer (special response team of the IPS, a unit tasked with escorting prisoners and detainees between prisons and courts, which also functions as a

⁹ Please refer to the attached annexes. The protocol of the hearing held on 15 November 2023 can be found on page 29, and the corresponding decision is located on page 32 in the attached document.

¹⁰ Please refer to the attached annexes. The protocol of the hearing of 31 October 2023 at the Samaria Military Court can be found on page 37.

¹¹ The complaint filed with the Israel Prison Service can be found on page 8 of the attached annexes.

security force to maintain order within the facilities). The beatings were directed at his head and legs and were accompanied by cursing.

6. A., a prisoner who was recently released (Ketziot Prison) – According to testimony received on November 1, 2023 by HaMoked, A. and others were beaten with metal batons on the day of their release by the Keter unit. Some of the prisoners were naked. They were also held for hours with their hands behind their backs, sitting on their knees; they were prohibited from moving their heads, and anyone who moved was beaten with gloves made from a stiff material.

B. Sexual Assault, Harassment, and Intimidation

Testimonies taken and received by the organizations provide detailed accounts of sexual assault, harassment, and intimidation against both male and female detainees. Multiple prisoners and detainees reported incidents in which IPS officers beat detainees while naked, including on their genitalia, and threatened sexual violence and rape. Additionally, there are accounts of sexual slurs and derogatory terms directed at detainees by IPS personnel. One prisoner provided a testimony about witnessing incidents of forcible anal penetration with a foreign object, forcing naked detainees to huddle close together, and urinating on a detainee, as detailed in the testimonies below:

1. Prisoner R. (Ketziot Prison) – According to testimony received on December 4, 2023 by PCATI from R., a prisoner who was released recently, he and others were subjected to daily violence at Ketziot Prison, beginning on October 14. Wardens would enter the cell and beat everyone using sticks and any other objects in their hands. According to R.'s testimony, on October 15 there was a particularly serious incident. Wardens from special units entered the cells, destroyed and tore everything, and subjected all the prisoners to curses of a sexual nature: "you are whores," "we'll fuck you all," "we'll fuck your sister and your wife," and "we'll piss on your mattresses." On the same day, he was placed on the toilet and urinated on. The wardens would also undertake searches while the prisoners were naked, using violence; around 12 prisoners were placed in a small toilet stall, creating severe congestion. The wardens would threaten to kill the prisoners as they entered the cells. In addition, R. witnessed several instances of sexual assault and harassment. Wardens would conduct searches while the prisoners were naked, place naked prisoners against each other, and place the aluminum device used in the searches in their buttocks. In another instance, the wardens passed a card in

a prisoner's buttocks. All of this took place in sight of other prisoners and wardens, while the wardens took pleasure in beating the prisoner's genitals.

2. Detainee A. (Hasharon Prison) – In the protocol of a hearing held on November 13, 2023, at Judea Military Court, female detainee A's attorney reported that A had sustained repeated abuse; among other incidents, wardens had beaten A in her cell, without cameras, while she was naked.¹²
3. Detainee A. (Hasharon Prison)– In the protocol of a hearing held on November 15, 2023 at Haifa District Court, it was reported that another female detainee (also referred to as Detainee A) had been threatened with rape and bodily assault. The Court ordered the IPS to investigate A's claims.¹³

C. Tactics and Threats to Silence Detainees Reporting Abuse

IPS personnel threatened detainees and prisoners to deter them from reporting abuse, employing clear threats of violence. These threats were often followed by reprisals, including physical violence by prison guards after court hearings, especially targeting detainees who dared to complain about abuses.

1. Detainee H. (Megiddo Prison): During a hearing held on November 24, 2023, the detainee's attorney reported violence by wardens, followed by threats to the prisoner not to complain since "*they have eyes in the courts.*" The detainee was also warned to be careful since "another prisoner had died a week before and no one had asked about him".¹⁴
2. Ahmad Khalifa, a 41-year-old Palestinian citizen of Israel and a lawyer currently held at Megiddo Prison for protest-related offenses (Khalifa was indicted for "incitement to terrorism" and "identifying with a terrorist organization" under Israel's Counter-Terrorism Law, solely based on his participation in a protest and slogans he chanted during the protest. Slogans that are commonly repeated during demonstrations by Palestinian citizens of Israel against Israeli offensives on Gaza over the last years) testified during a court hearing held on December 28,

¹² The protocol of the hearing held on 13 November 2023 can be found on page 17, with the section containing the complaints of the detainee available on page 19 in the attached annexes.

¹³ The protocol of the hearing held on 15 November 2023 can be found on page 21 in the attached annexes.

¹⁴ Please refer to the attached annexes. The protocol of the hearing of 24 November 2023, can be found on page 41, see the testimony by detainee H. on page 44 .

2023 that an individual, most likely referring to an IPS guard, seated next to him during a previous hearing held via video conferencing, muted the audio, and repeatedly threatened him.

D. Unprecedented Deaths of Palestinian Prisoners and Detainees

Since October 7, at least seven Palestinians have died in Israeli custody—six in IPS facilities and one in an ad-hoc military camp turned into a detention facility for Palestinian workers from Gaza whose stay permits were revoked at the start of the war.¹⁵ Seven deaths in under two months is an alarming and unprecedented figure, and against the backdrop of the numerous reports of physical abuse, is highly concerning.

1. On October 23, 2023, 58-year-old administrative detainee Omar Daraghmeh died at Megiddo Prison.
2. On October 24, 2023, 25-year-old detainee Arafat Hamdan, classified as a ‘security detainee’ by the IPS, died at Ofer Prison.
3. On November 6, 2023, 32-year old detainee from Gaza, Majed Ahmed Zaqoul, died at Ofer Prison.
4. On November 13, 2023, 33-year-old detainee Abed al-Rahman Mara'i, classified as a ‘security detainee’ by the IPS, died at Megiddo Prison.
5. On November 18, 2023, 38-year-old prisoner Thaer Abu Assab, classified as a ‘security detainee’ by the IPS, died at Ketziot Prison.
6. On January 1, 2024, 23-year-old Abdul Rahman Bassem Al-Bahsh died at Megiddo Prison.
7. On an unknown date, 46-year-old Rajaa Ismail Hassan Samur from Gaza died at the Anatot military camp.

While the IPS asserts that investigations into the circumstances leading to these deaths are ongoing, preliminary evidence indicates that abuse by IPS personnel could have been

¹⁵ Overview of the issue: [Following High Court petition: Israel returned to Gaza thousands of laborers it held incommunicado: the HCJ did not address legality of their detention nor their coerced return to a warzone](#), HaMoked, 22 November 2023.

the cause of death in several incidents.¹⁶ A physician from Physicians for Human Rights Israel, representing Abdul Rahman Mar'i's family during the autopsy, identified clear signs of extreme violence on his body. The doctor reported injuries on Mar'i's chest and observed broken ribs and sternum.¹⁷

Testimonies from other prisoners currently detained in an Israeli prison also suggest a connection between some of the deaths and severe instances of violence. For instance, Ahmad Khalifa (noted above), who is being held at Megiddo Prison where three Palestinians in custody have died, recounted during a court hearing:

“He was in a cell next to mine. I don't know if I should say that he died or was killed, but [his death] was caused by physical blows. They took him and said that he had quarreled with a warden and was beaten. Next to me is a punishment cell. They put him there. He was shouting from Thursday to Saturday that his stomach was hurting, and they would hush him. The prisoners also hushed him; they didn't want to receive collective punishment because of one person's shouting. On Friday,” Khalifa continued, “the prisoner held it in, but on Saturday, he continued crying out that his stomach and intestines were hurting. I can still hear his voice. Then they took him. I thought, I had some faith, that they were taking him to be treated. But the guards put him in a separate cell, and he died that night.”¹⁸

E. Torture and ill-treatment against Palestinians held in military camps

As stated above, alongside these reported cases of torture and deaths, it is presumed that hundreds of Palestinians from the Gaza Strip are held in Sede Teiman military camp in the south of Israel and possibly other locations. Notably, all Palestinian residents of Gaza captured on 7 October or afterwards in Israel and in the Gaza Strip are held under the legal framework of Amendment Number 4 to the Illegal Combatants Act - 2023¹⁹, enacted by the Israeli Parliament (Knesset) on December 18, 2023. The amendment, passed as a temporary order effective for four months, permits the military to detain individuals without an official arrest warrant for up to 45 days from their arrest, to defer judicial scrutiny of such warrants for up to 75 days, and to deny them access to legal

¹⁶ See additionally article by +972 Magazine

[Palestinians recount abuse inside Israeli prisons](#) which includes testimony from a released prisoner regarding the death of Thaer Abu Assab.

¹⁷ Haaretz [Six Palestinians Have Died in Israeli Prisons During the War, Two Found Bruised](#)

¹⁸ See the protocol of the hearing (in Hebrew) available [here](#).

¹⁹ Available [here](#) (in Hebrew).

counsel for up to 180 days. This effectively places these individuals in incommunicado detention, as the military deliberately withholds information regarding the identity of the detainees and denies access to external visitors, including the ICRC.

Multiple media reports²⁰ have underscored the harrowing and potentially life-threatening living conditions in the ad-hoc military camps; according to the reports, detainees are being held for weeks in open-air cages during the harsh winter conditions of the desert, blindfolded and handcuffed 24 hours a day, being forced to kneel for the majority of the day and sleep on a thin mattress at night, denied access to proper medical care, abused and severely punished for any disobedience. While the reports so far could not be corroborated by the undersigned organizations, due to complete denial of access to the detainees in this facility controlled by the military, the Israeli military did confirm when replying to journalists, that multiple detainees have died while held in Sede Teman camp,²¹ they refused to give any more information.

The combination of lacking procedural safeguards in law, the refusal to give out any information on the identity or even numbers of detainees, the reported extreme living conditions, and the admitted deaths in military camps, may amount to war crimes and crimes against humanity, and must therefore be addressed immediately.

F. Denial of Communication and Visitation Rights: Lawyers, ICRC, and Families

Since the beginning of the war, Israeli prison authorities have imposed stringent restrictions on lawyers' access and communication with Palestinians classified by the IPS as 'security prisoners.' In a petition filed on October 25, 2023 by the contributing organizations, the Israeli Supreme Court upheld this policy, citing the IPS's response, which stated that there is no declared policy denying lawyers' visitation.²² Further,

²⁰ See +972 Magazine, [Inside Israel's torture camp for Gaza detainees](#), 5 January 2024; The Washington Post, [Gazan prisoners describe abuse at secretive Israeli detention sites](#), 11 January 2024; The Guardian, [Gaza activist tells of beating and abuse in Israeli detention](#), 21 January 2024; NCB news, [Torture allegations spiked in Israeli jails after Oct. 7, as one group warns jailers seek 'revenge'](#), January 23, 2024.

²¹ Haaretz, [Number of Gazans Detained in Israel Jumps by 150% in a Month; Witness: Soldiers Abuse Detainees in Military Facility](#), 3 January, 2024

²² HCJ case no. 7753/23 ACRI et al. vs. Minister of National Security, decided 23.11.2023. Full details (in Hebrew) available [here](#), decision (in Hebrew) available [here](#). On October 25, 2023 ACRI, HaMoked, Adalah, PHRI, and PCATI petitioned the Israeli Supreme Court, challenging the Israeli Prison Service's denial of prisoners' rights to communicate with lawyers, prolonged disruptions of electricity and water, prevention of access to medical treatment, and other forms of harsh treatment directed at so-called

prisoners and detainees lack direct interaction with their legal counsel during court hearings, as since October 7, these proceedings typically occur via video conference. Additionally, the prisoners and detainees are unable to receive family visits or make telephone calls (a restriction that also applies in pre-war settings to prisoners classified as 'security prisoners'), severely limiting their communication with the outside world, often rendering it nearly non-existent. Notably, at Ketziot and Megiddo Prisons, the contributing organizations have faced substantial impediments in conducting attorneys' visits. To the extent of our knowledge, and as most recently confirmed by the ICRC on December 20, 2023, ICRC visits to all detention facilities - which have been a standard procedure - have been totally denied since the outbreak of the war, by order of the IPS commissioner.²³

The right to counsel and visits by the ICRC and other external oversight mechanisms are especially crucial in light of widespread complaints of torture and ill-treatment. Access to legal counsel, the ICRC, and other external professionals provides detainees with a means to challenge their detention and report any ill-treatment or torture. These rights are protected in various human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), which, under Article 14(3)(b), recognizes the right of a person deprived of liberty to be visited by and consult with legal counsel.

The limited access for attorneys, families, and the ICRC to the prisoners and detainees, combined with the IPS intimidation tactics to suppress and dissuade prisoners from reporting their abuse, strongly suggests that the instances of abuse documented or reported, including those outlined in the present submission, only scratch the surface. The widespread nature of complaints and their geographic distribution in seven different IPS facilities and by different IPS units, indicates a systemic pattern of abuse and torture against Palestinian prisoners, rather than isolated incidents.

"security prisoners." The organizations emphasize that this policy constitutes cruel punishment, implemented with an absolute lack of transparency. The court dismissed the petition primarily on the grounds that it encompassed various disparate elements and that the petitioners failed to consider the nuanced conditions applicable to detainees in individual facilities, as well as the distinctions between each unit and cell within those facilities.

²³ In a [statement dated 31 October 2023](#), the ICRC noted it is "deeply concerned about not being able to assess the treatment and conditions of people detained. Regular contact between detainees and their families needs to be reestablished after weeks of the suspension of family visits." Most recently, [on 20 December](#), the ICRC confirmed that it has yet to be able to visit any Palestinian detainees held in Israeli places of detention since 7 October.

Lack of Accountability for Incidents of Torture and Ill-Treatment

As noted above, some courts have ordered the IPS to investigate allegations of torture and ill-treatment, but this falls short of constituting an independent and impartial investigation, in accordance with international standards, including articles 12 and 13 of the UN Convention against Torture. Relying on the perpetrating body to investigate itself is inherently flawed.

Furthermore, the National Unit for Prisons Guards' Investigations, responsible for probing complaints against IPS officers, has shown deficiencies in ensuring accountability. Official statistics glaringly indicate extremely low rates of indictments filed against IPS officers. According to a November 2023 report by the Knesset's Research and Information Center, the National Unit opened 1,830 criminal cases between 2019 and 2022.²⁴ Of those opened in 2019-2021, 96% were closed with no measures taken against anyone, and for those opened in 2022, 91% were closed (as of July 2023). In nearly all closed cases (93%), the stated reason for closure was 'no criminal offense has been identified.' Of the 255 cases opened between 2019-2021 that the Unit transferred to the State Attorney's Office, as of July 2023, the vast majority (223 cases or 87%) were closed, with only 30 indictments filed.²⁵

These reported cases represent only a fraction of the total cases of abuse, as many prisoners, especially Palestinian prisoners, refrain from filing complaints, due to, among other things, fear of reprisals.

One particular case submitted by PCATI and which was closed by the police earlier this year raises serious concerns about the National Unit for the interrogation of IPS personnel (YAHAS) 's ability and willingness to hold IPS officers accountable in instances of abuse. This case resembles many instances of abuse documented in the present submission, involving prisoners taken to "blind spots" without camera coverage and subjected to beatings, resulting in severe injuries. The police closed the case, dismissing PCATI's complaint, citing the inability to identify a specific individual perpetrator. Reportedly, the National Unit did not interrogate the guards present, noting a lack of concrete suspicions against any particular guard.²⁶

²⁴ See the November 2023 Knesset report, available in Hebrew, [here](#).

²⁵ The report does not contain information regarding convictions in the cases where indictments were filed.

²⁶ [Unable to Identify Masked Prison Guards Who Beat Five Israeli-Arabs. Israel Closed the Case](#). Haaretz, 25 May 2023

This lack of accountability has garnered attention from various UN human rights bodies, notably by the Human Rights Committee in its 2022 concluding observations. The committee expressed deep concern about "reports of the widespread and systematic practice of torture and ill-treatment by Israel Prison Service guards and the Israeli security forces against Palestinians, including children, at the time of arrest and in detention." Furthermore, the committee noted with alarm the "very low rate of criminal investigations, prosecutions, and convictions concerning allegations of torture and ill-treatment."²⁷

Israeli authorities' responses to allegation by the submitting organizations

The majority of the information provided in this submission was communicated to the Israeli Attorney General's office and the IPS commissioner on 5 December, 2023, demanding their urgent intervention to halt what appears to be systemic abuse of prisoners.

On 3 January, 2024, the IPS' deputy legal counsel replied to the letter, stating that "The position of the IPS commissioner is that behavior that is not in accordance the provisions of the law will not be left untreated, and that any prison guard who is found to have violated these provisions will be dealt with in all seriousness. This position was made clear to the entire organization - from the highest command to the last of the guards". However, the IPS deputy legal counsel also argued that given the organizations' decision to maintain the anonymity of the victims who testified of abuse, the events described in the letter cannot be thoroughly examined, and alleged that some media reports regarding violence towards detainees were later found to be false, hence the need to scrutinize each complaint.

On 24 January 2024, a lawyer at the Criminal Affairs department at the Attorney General's office replied to the letter, informing that a discussion was held at the Attorney General's office with representatives of the IPS, who maintained the IPS' commitment to upholding professional conduct and regulation relating to the use of force by prison guards, and the investigation of any misconduct. He followed by stating that visits by "legal stakeholders" to some prison sites, including those where violent incidents allegedly occurred, and received reassurances that every discrepancy is dealt with by the commanding echelon of the prisons. Lastly, he repeated the claim that in the absence of identifying information, the incidents described in the organizations' complaint cannot be fully investigated.

²⁷ See 2022 Concluding Observations on Israel, available at [Human Rights Committee's Concluding Observations on Fifth Periodic Report of Israel \(CCPR/C/ISR/CO/5\)](#), paragraphs 30-31.

Despite the responses received, when considering the figures and analysis detailed in this report, showcasing an inherent flaw in the IPS's accountability for the criminal actions of its personnel, the state authorities' response provides little redress to the victims. It is particularly noteworthy that prison monitoring visits conducted after the receipt of the responses, and up to these very days, indicate the violence in the prisons has not stopped, that prisoners are still being abused routinely, and are constantly intimidated from speaking up and reporting their abuse. Thus, these replies cannot be seen as a meaningful rebuttal to the organizations' fear of systemic abuse not currently addressed by the IPS and Israel's justice system.

Conclusion and call to action

In light of the urgency of the situation described above, the contributing organizations urge the UN Special Rapporteur on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment to immediately intervene to ensure the protection of Palestinians in prison and detention facilities. In particular, to:

- I. Call on Israel to immediately halt the systematic abuse, torture and ill-treatment inflicted upon Palestinian prisoners and detainees in Israeli facilities by IPS officers that constitutes a form of collective punishment, which is contrary to its obligations under international human rights and humanitarian law;
- II. Call on Israel to establish safeguards to ensure that IPS personnel and other State institutions, security and law enforcement officials do not engage in acts of torture and abuse towards prisoners and detainees;
- III. Call on Israel to ensure that all persons deprived of liberty irrespective of their legal status and facility they may be located are afforded all legal safeguards from the very outset of the deprivation of liberty, including the right to be brought before a judge without delay, to communicate with the outside world, including calls and family visits, and to guarantee access to independent medical examinations;
- IV. Call on Israel to grant unrestricted access for lawyers and ICRC visitation to Israeli prisons and detention facilities and guarantee external oversight by independent bodies, including civil society organizations;

- V. Call on Israel to stop, prevent and punish government officials that issue derogatory statements against Palestinian detainees that lead to an environment conducive to torture and dehumanization;
- VI. Call on Israel to ensure access to adequate medical care for Palestinians held in Israeli detention facilities in general, and specifically for victims of abuse, torture, and ill-treatment, with the view of bringing it into compliance with its obligation to provide health care to those deprived of liberty equal to that provided to the general population;
- VII. Urge the international community to take immediate and concrete measures to put an end to the torture and abuse of Palestinian prisoners and detainees;
- VIII. Call on Israel to uphold the absolute prohibition of torture and other ill-treatment and incorporate it into domestic law in conformity with article 2(2) of the Convention against Torture.
- IX. Call on Israel to reveal the whereabouts of Palestinian detainees, men, women and children that have been arrested following operations in Gaza and cooperate with other international mechanisms, including Working Group on Arbitrary Detention and Working Group on Enforced Disappearances, to prompt the release of all arbitrarily detained Palestinians.

Tel Aviv/Haifa/Jerusalem,

16 February 2024