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Torture and genocide

Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese*, **

Summary

In the present report, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 examines the systematic use by Israel of torture against Palestinians from the occupied Palestinian territory since 7 October 2023, encompassing custodial and non-custodial practices that meet the threshold for genocide under the Convention on the Prevention and Punishment of the Crime of Genocide. She 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 the 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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I. Introduction

1. In the present report, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 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 genocide and broader settler-colonial apartheid.

2. As her mission was obstructed by Israel, the Special Rapporteur gathered relevant information through written submissions,[1] including over 300 testimonies collected by numerous organizations; remote consultations with legal experts and torture survivors; and a review of primary and public sources, including accounts by Israeli whistle-blowers.

3. Torture has always been a central feature of the dispossession of Palestinians by Israel. Yet, since October 2023, Israel has employed torture on a scale that suggests collective vengeance and destructive intent. The targeting of Palestinians "as an entire nation out there that is responsible", in the words of the President of Israel, Isaac Herzog,[2] is apparent in the brutality of the detention system of Israel and in the broader carceral regime imposed on all Palestinians. Characterized as necessary for the "security" of Israel, 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. The country's National Security Minister, Itamar Ben-Gvir, who oversees the Israel Prison Service, has promoted his "prison revolution", which institutionalized a policy of degradation.[3] On 14 November 2023, the Minister ordered that Palestinian detainees labelled "terrorists" be kept handcuffed in dark cells with iron beds and pit toilets and subjected to the Israeli national anthem blaring continuously.[4] He has also called for the death penalty for Palestinian detainees – a cynical solution to the overcrowding created by the mass arrests carried out by Israel.[5]

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 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.[6]

6. Across the occupied Palestinian territory, Israeli authorities have engineered a "torturous environment",[7] designed to break resistance, dignity and *sumud* (steadfastness). As openly articulated by the minister responsible for finance, Bezalel Smotrich, and other officials whose statements are analysed in the present report and who have supported the

[1] The written submissions referred to in the present have been cited with numbers only, as they are confidential.

[2] See www.itv.com/news/2023-10-13/israeli-president-says-gazans-could-have-risen-up-to-fight-hamas.

[3] See www.timesofisrael.com/ben-gvir-urges-death-penalty-for-terrorists-in-video-filmed-next-to-bound-prisoners/.

[4] See https://x.com/itamarbengvir/status/1724522158683013549 (in Hebrew).

[5] See www.thenationalnews.com/news/mena/2024/07/02/israeli-minister-wants-death-penalty-for-terrorists-to-solve-prison-overcrowding/.

[6] Submission No. 14.

[7] A/HRC/43/49, paras. 34, 68, 70 and 86; and Pau Pérez-Sales, Andrea Galán-Santamarina and Julia Manek, "Torturing environments and migration", in *Migration and Torture in Today's World*, Fabio Perocco, ed. (Edizioni Ca' Foscari, 2023), pp. 73–74.

ongoing genocide and collective torture, the ultimate and avowed objective is the forcible removal of Palestinians to enable annexation and settler conquest.[8]

7. In the context of the envisaged "new Nakba" plan,[9] the combination of custodial and non-custodial torture practices documented in the present report shows the intimate relationship between torture and settler-colonial genocide. When torture is systematically used on a population "as such", it is both a means of domination and evidence of genocidal intent under article II (b) of the Convention on the Prevention and Punishment of the Crime of Genocide.

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.[10]

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),[11] meaning that no exceptional circumstances may be invoked to justify it.[12] No State can practise or tolerate torture under any circumstances, including during war or public emergencies,[13] or when preventing or responding to a security threat. 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.[14] This obligation is all the more imperative in the occupied Palestinian territory, given the call by the International Court of Justice for what amounts to the unconditional and total dismantlement of the Israeli occupation,[15] the pending international criminal proceedings against Israeli government officials, including the Prime Minister, Benjamin Netanyahu,[16] and the genocide proceedings directed at Israel, as well as at Germany, before the International Court of Justice.[17]

10. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a

[8] See www.timesofisrael.com/smotrich-proposes-annexing-82-of-west-bank-in-bid-to-prevent-palestinian-state/.

[9] See www.timesofisrael.com/pm-warns-ministers-to-pipe-down-after-comments-on-new-nakba-and-nuking-gaza/.

[10] International Criminal Tribunal for Rwanda, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Judgment, 2 September 1998, paras. 523 and 524; and International Tribunal for the Former Yugoslavia, *Prosecutor v. Karadžić and Mladić*, Cases No. IT-95-5-R61 and No. 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.

[11] *Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)*, *Judgment*, *I.C.J. Reports 2012*, p. 422, para. 99; and International Tribunal for the Former Yugoslavia, *Prosecutor v. Delalić et al.*, Case No. IT-96-21-T, Trial Chamber Judgment, 16 November 1998, para. 454.

[12] Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, arts. 1, 2, 4 and 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; and Committee against Torture, general comment No. 2 (2007), para. 5.

[13] Convention against Torture, art. 2 (2).

[14] Ibid., arts. 2 (1), 4 and 12–16.

[15] *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion,* 19 July 2024, General List No. 186, paras. 261–264 and 267.

[16] See www.icc-cpi.int/defendant/netanyahu; and www.icc-cpi.int/defendant/gallant.

[17] *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 and request for the indication of provisional measures, 29 December 2023; and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip* (*Nicaragua v. Germany*), application instituting proceedings and request for the indication of provisional measures, 1 March 2024.

third person information or a confession, punishing him or her for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or her or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.[18] The Convention also prohibits cruel, inhuman or degrading treatment or punishment.[19]

11. Torture is considered an international crime in its own right,[20] a grave breach under international humanitarian law,[21] a war crime when committed during armed conflict[22] and a crime against humanity when perpetrated as part of a widespread or systematic attack on civilians.[23] Torture may also form part of the crime of apartheid when serving as a tool of domination, repression and persecution.[24] Furthermore, inhuman treatment, cruel treatment and outrages upon personal dignity are prohibited under international humanitarian law.[25] Persecution, rape and other inhuman acts, including starvation, are also considered crimes against humanity.[26] Although international criminal law formally categorizes them as distinct offences, they often function as interdependent components of a single regime of domination and destruction.

12. While torture also occurs outside genocidal contexts, any genocide involves 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" (art. II).[27] International jurisprudence, including that of the International Criminal Court, recognizes 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.[28] This understanding has crystallized in the case law.[29]

[18] Art. 1.

[19] Art. 16.

[20] Convention against Torture, art. 5.

[21] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Geneva Convention), art. 50; Geneva Convention relative to the Treatment of Prisoners of War (Third Geneva Convention), art. 130; Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), art. 147; and Protocol Additional to the Geneva Conventions of 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), art. 85.

[22] Rome Statute of the International Criminal Court, art. 8 (2) (a) (ii) and art. 8 (2) (c) (i) and (ii). See also art. 8 (2) (b) (xxii) and art. 8 (2) (e) (vi).

[23] Rome Statute art. 7 (1) (f); and International Criminal Court, *Elements of Crimes* (2013), art. 7 (1) (f).

[24] International Convention on the Suppression and Punishment of the Crime of Apartheid, art. II (a) (ii).

[25] Geneva Conventions, common art. 3 (a) and (c); and Fourth Geneva Convention, art. 32.

[26] Rome Statute, art. 7 (1) (g), (h) and (k).

[27] See also Rome Statute, art. 6; International Criminal Court, *Elements of Crimes* (2011), art. 6 (b), footnote 3; International Tribunal for the Former Yugoslavia, *Prosecutor v. Blagojević and Jokić*, Case No. IT-02-60-T, Trial Chamber I Judgment, 17 January 2005, para. 646; and International Tribunal for the Former Yugoslavia, *Prosecutor v. Krstić*, Case No. IT-98-33-T, Trial Chamber Judgment, 2 August 2001, para. 513.

[28] International Tribunal for the Former Yugoslavia, *Prosecutor v. Stakić*, Case No. IT-97-24-T, Trial Chamber II Judgment, 31 July 2003, para. 516; International Criminal Tribunal for Rwanda, *Prosecutor v. Seromba*, Case No. ICTR-2001-66-A, Appeals Chamber Judgment, 12 March 2008, para. 46, and *Prosecutor v. Akayesu* , para. 504; International Tribunal for the Former Yugoslavia, *Prosecutor v. Brđanin*, Case No. IT-99-36-T, Trial Chamber Judgment, 1 September 2004, paras. 690 and 741; International Criminal Tribunal for Rwanda, *Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Trial Chamber Judgment, 21 May 1999, paras. 108 and 109; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide* (*Bosnia and Herzegovina v. Serbia and Montenegro*), *Judgment*, *I.C.J. Reports 2007*, p. 43, paras. 300 and 319; International Criminal Court, *Prosecutor v. Al-Bashir*, Case No. ICC-02/05-01/09, second decision on the prosecution's application for a warrant of arrest, 12 July 2010, para. 30.

[29] 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), p. 280.

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. 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.[30] 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,[31] but it must involve harm that goes beyond temporary unhappiness, embarrassment or humiliation, and cause "grave and long-term disadvantage".[32] The "serious bodily harm" threshold involves significant health impairment or disfigurement.[33] "Serious mental harm" must be assessed on a case-by-case basis,[34] and may constitute, inter alia, terror, fear or coercive measures that fundamentally impair the victim's ability to lead a normal life.[35]

15. International courts assess severity holistically, recognizing that severe suffering often results from prolonged mistreatment and not only single acts.[36] Consequently, as the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment has 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.[37] This can apply to both conventional situations of detention and to an entire territory, expanding the boundaries of what constitutes torture from merely an isolated incident of violation.

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[30] International Criminal Tribunal for Rwanda, *Prosecutor v. Akayesu*, paras. 523 and 524; and International Tribunal for the Former Yugoslavia, *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.

[31] International Criminal Tribunal for Rwanda, *Prosecutor v. Bagilishema*, Case No. ICTR-95-1A-T, Trial Chamber Judgment, 7 June 2001, para. 59, *Prosecutor v. Kayishema and Ruzindana*, para. 108, and *Prosecutor v. Akayesu*, para. 502; International Tribunal for the Former Yugoslavia, *Prosecutor v. Krstić*, paras. 510 and 513, *Prosecutor v. Tolimir*, Case No. IT-05-88/2-A, Appeals Chamber Judgment, 8 April 2015, para. 201, and *Prosecutor v. Karadžić*, Case No. IT-95-5/18-T, Trial Chamber Judgment, 24 March 2016, para. 543.

[32] International Tribunal for the Former Yugoslavia, *Prosecutor v. Krstić*, para. 513; International Criminal Tribunal for Rwanda, *Prosecutor v. Kayishema and Ruzindana*, para. 110; International Tribunal for the Former Yugoslavia, *Prosecutor v. Tolimir*, para. 201; and International Criminal Tribunal for Rwanda, *Prosecutor v. Akayesu* , para. 502.

[33] International Criminal Tribunal for Rwanda, *Prosecutor v. Kayishema and Ruzindana*, para. 109, *Prosecutor v. Seromba*, para. 46; and *Prosecutor v. Semanza*, Case No. ICTR-97-20-T, Trial Chamber Judgment, 15 May 2003, para. 320.

[34] International Criminal Tribunal for Rwanda, *Prosecutor v. Kayishema and Ruzindana*, paras. 110 and 113, and *Prosecutor v. Kamuhanda*, Case No. ICTR-99-54A-T, Trial Chamber Judgment, 22 January 2004, para. 634.

[35] International Criminal Tribunal for Rwanda, *Prosecutor v. Kayishema and Ruzindana*, para. 110, *Prosecutor v. Kajelijeli,* Case No. ICTR-98-44A-T, Trial Chamber Judgment, 1 December 2003, para. 815, *Prosecutor v. Semanza*, para. 321, and *Prosecutor v. Seromba*, para. 46; International Tribunal for the Former Yugoslavia, *Prosecutor v. Tolimir*, para. 203; and International Criminal Court, *Elements of Crimes*, art. 6 (b), footnote 3.

[36] International Criminal Court, *Prosecutor v. Ongwen,* Case No. ICC-02/04-01/15, Trial Chamber IX Judgment, 4 February 2021, para. 2701, and *Prosecutor v. Ongwen,* Case No. ICC-02/04-01/15, Pretrial Chamber II Decision on the Confirmation of Charges, 23 March 2016, para. 230; International Tribunal for the Former Yugoslavia, *Prosecutor v. Krnojelac,* Case No. IT-97-25-T, Trial Chamber Judgment, 15 March 2002, para. 182; and European Court of Human Rights, *Selmouni v. France*, Application No. 25803/94, Judgment, 28 July 1999, para. 105.

[37] A/HRC/43/49, paras. 34, 68, 70 and 86.

16. International regulation of detention is predicated on the principle that a detaining authority, in exercising an exceptionally coercive form of control, must always protect the physical and psychological integrity of all detainees[38] – captured combatants, security detainees and civilians alike – regardless of their characterization by authorities.[39] Humane treatment is a structural requirement of detention, necessitating the categorical prohibition of torture, other cruel, inhuman or degrading treatment or punishment.[40] 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 causing distress.[41] 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.[42] 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; this can potentially – depending on severity and purpose – fulfil the definition of torture or other cruel, inhuman or degrading treatment or punishment.[43]

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: intended suffering to establish "complete dominance".[44] 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 Committee against Torture 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 that had intensified since 7 October 2023.[45] The same year, the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel concluded that article II (b) grounds, as set out in paragraph 12 above, had been established.[46]

[38] Human Rights Committee, general comment No. 21 (1992), paras. 2–4, and general comment No. 36 (2018), para. 25; Convention against Torture, arts. 1 and 2; Fourth Geneva Convention, art. 32; International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law, Volume I: Rules*, rule 90; and Human Rights Committee, *Lantsova v. Russian Federation*, (CCPR/C/74/D/763/1997), para. 9.2.

[39] Third Geneva Convention, arts. 13 and 14; Fourth Geneva Convention, arts. 5, 27 and 79; and common article 3 of the Geneva Conventions.

[40] Convention against Torture, arts. 2 (1) and (2) and 16; Third Geneva Convention, art. 13; Fourth Geneva Convention, art. 27; ICRC, *Customary International Humanitarian Law*, rules 87, 99 and 118; common article 3 of the Geneva Conventions; and Protocol I Additional to the Geneva Conventions of 1949, art. 75.

[41] See United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules); Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; Human Rights Committee, general comment No. 35 (2014); International Covenant on Civil and Political Rights, art. 7; Fourth Geneva Convention, arts. 27, 32 and 33; and ICRC, *Customary International Humanitarian Law*, rule 118.

[42] European Court of Human Rights, *Ananyev and others v. Russia*, Application Nos. 42525/07 and 60800/08, Judgment, 10 January 2012, para. 142, *Idalov v. Russia*, Application No. 5826/03, Judgment, 22 May 2012, para. 94, and *Muršić v. Croatia*, Application No. 7334/13, Judgment, 20 October 2016, para. 101.

[43] European Court of Human Rights, *Ilaşcu and others v. Moldova and Russia*, Application No. 48787/99, Judgment, 8 July 2004; International Tribunal for the Former Yugoslavia, *Prosecutor v. Delalić et al*., paras. 556 and 558; and *Prosecutor v. Krnojelac*, para. 183.

[44] A/HRC/43/49, paras. 35, 46, 49 and 69.

[45] CAT/C/ISR/CO/6, para. 28.

[46] See A/80/337.

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.[47] During the time of the Mandate for Palestine, the United Kingdom used torture as a counter-insurgency tactic, 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.[48]

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 of torture and ill-treatment emerged soon after the beginning of the occupation,[49] and were increasingly documented from the 1970s onwards by Palestinian,[50] Israeli[51] and international non-governmental organizations (NGO)[52] and the United Nations.[53] Israeli torture practices, such as "Palestinian hanging"[54] and "Palestinian chair",[55] have become infamous due to their widespread use by Israeli interrogators against Palestinian detainees.

21. Public scandals[56] involving the torture of Palestinians and systematic cover-ups led the Government of Israel to establish the Landau Commission, tasked with investigating the interrogation methods of the General Security Service.[57] In its 1987 report, the Commission concluded that in addition to psychological pressure, "a moderate measure" of physical pressure could be used on a person suspected of involvement in terrorist activities, on the grounds of public interest and "necessity".[58] The Commission's findings were a cause of grave concern for the Committee against Torture [59] and for many human rights organizations.[60] In 1999, the High Court of Justice of Israel recognized this doctrine of "necessity", permitting special means of pressure in interrogations,[61] which was further

[47] Marnia Lazreg, *Torture and the Twilight of Empire: From Algiers to Baghdad* (Princeton, United States of America, Princeton University Press, 2007); and Caroline Elkins, *Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya* (New York, Henry Holt and Company, 2005).

[48] Matthew Hughes, "Terror in Galilee: British-Jewish collaboration and the special night squads in Palestine during the Arab Revolt, 1938–39", *The Journal of Imperial and Commonwealth History*, vol. 43, No. 4 (2015); and 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 (2014).

[49] A/32/132-S/12356, p. 3; and https://www.jstor.org/stable/2535792, p. 208.

[50] See, for example, https://yplus.ps/wp-content/uploads/2021/01/Al-Haq-A-Nation-under-Siege.pdf.

[51] See, for example, Stanley Cohen and Daphna Golan, *The Interrogation of Palestinians during the Intifada: Ill-treatment, "Moderate Physical Pressure" or Torture?* (Jerusalem, B'Tselem, 1991).

[52] See, for example, www.amnesty.org/en/documents/pol10/001/1979/en/, pp. 163 and 164; and www.amnesty.org/en/documents/pol10/0001/1983/en/, pp. 311–316.

[53] A/8389, A/8389/Corr.1 and A/8389/Corr.2, paras. 64–67.

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

[55] See www.democracynow.org/2016/4/7/ex_abu_ghraib_interrogator_israelis_trained; and Eric Fair, *Consequence: A Memoir* (Henry Holt and Company, 2016).

[56] Supreme Court of Israel, *Nafsu v. Chief Military Advocate*, Case No. 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; https://addameer.ps/media/4821, pp. 50–53; and https:/stoptorture.org.il/wp-content/uploads/2024/02/Accountability-Denied.pdf, pp. 6–7.

[57] See https://hamoked.org/files/2012/115020_eng.pdf.

[58] Ibid.

[59] A/49/44, paras. 159–171.

[60] See, for example, www.amnesty.org/en/documents/MDE15/037/1996/en/.

[61] *The Public Committee against Torture in Israel v. The State of Israel*, HCJ 5100/94, Judgment.

expanded in 2018.[62] The result has been near-blanket impunity: over 1,300 torture complaints between 2001–2020 produced two investigations and no indictments.[63]

22. An ecosystem of discriminatory legal frameworks and abusive operational practices has metastasized, encompassing Israeli military detention sites and prisons,[64] some of them secret.[65] Existing laws already violating due process – for example, the 2002 law on the incarceration of unlawful combatants, applicable to Palestinians from Gaza only[66] – have been repeatedly amended to allow even harsher treatment.[67] Embedded impunity has fuelled normalized abuse by Israel of Palestinian detainees.[68]

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".[69]

24. Since then, Israeli authorities have arrested more than 18,500 Palestinians, including at least 1,500 children[70] and, as of February 2026, Israel still held 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".[71] In addition, more than 4,000 individuals have been subjected to enforced disappearance, and it is likely that many are no longer alive.[72] Israeli authorities initially refused to acknowledge these detentions and withheld details of the location of detainees for several months. In May 2024, under legal pressure, they introduced a detainee tracing mechanism, but the mechanism can be invoked only after 45 days of captivity.[73] Families and lawyers are still unable to obtain accurate information[74] and the International Committee of the Red Cross (ICRC) has been denied access to detention facilities.[75]

25. Israeli soldiers have swept up entire communities, forcibly seizing even older persons, persons with disabilities, pregnant women, and children.[76] Arrests occurred everywhere, from inside Israel to all over the occupied Palestinian territory: during raids on houses, shelters and hospitals, at checkpoints and in the street,[77] and even in corridors designated as "safe" by the Israeli occupying forces and aid distribution sites, including those operated by the Gaza Humanitarian Foundation.[78]

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

[62] See https://versa.cardozo.yu.edu/opinions/tbeish-v-attorney-general.
[63] See https://www.fidh.org/IMG/pdf/fidh-pcati_art__15_communication_palestine_crimes_isa.pdf.
[64] CAT/C/ISR/CO/6, paras. 12–14.
[65] See, for example, https://www.theguardian.com/world/2003/nov/14/israel2.
[66] See https://stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law_July-2024.pdf.
[67] See www.alhaq.org/advocacy/27172.html, pp. 6–7.
[68] Submission No. 11.
[69] See www.btselem.org/sites/default/files/publications/202507_our_genocide_eng.pdf, pp. 66–70.
[70] Submission No. 1.
[71] See https://hamoked.org/prisoners-charts.php.
[72] See www.un.org/unispal/document/un-experts-press-release-18jul25/.
[73] CAT/C/ISR/CO/6, para. 16.
[74] See https://btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf, pp. 14 and 36.
[75] See 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.
[76] See https://ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, para. 12.
[77] Ibid.; and https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, p. 19.
[78] See https://ohchr.org/en/press-releases/2025/08/un-experts-alarmed-reports-enforced-disappearances-gaza-humanitarian.

notorious – and Israel Prison Service facilities.[79] The Rakefet facility at Ayalon Prison – closed in 1985 because of its inhumane underground conditions – was reopened on the orders of National Security Minister Ben-Gvir.[80] Treatment is especially inhumane in military-run camps,[81] but torture is systematic across the entire detention network.[82]

27. By November 2023, human rights organizations had denounced widespread torture as arbitrary arrests of Palestinians increased sharply.[83] In 2024, as documentation accumulated,[84] an Israeli organization warned that "any semblance of restraint had been cast aside".[85]

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.[86] Hundreds of health and rescue workers have been arbitrarily arrested, often in a degrading manner, while performing their medical duties.[87] Among the medical workers killed in custody are three doctors – Adnan al-Bursh, Iyad al-Rantisi and Ziad al-Dalou – and paramedic Hamdan Abu Anaba.[88] 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 the work of UNRWA – and tortured.[89]

29. This regime of cruelty has been operationalized and tightly coordinated through the Israeli occupying forces, the Israel Security Agency (Shin Bet), the Israel Police and the Israel Prison Service.[90]

C. Methods of torture

30. National Security Minister Ben-Gvir publicly described the degradation of prisoner conditions as one of his highest goals,[91] ordering drastic reductions in caloric intake, defending this starvation policy before the Supreme Court of Israel, and vowing to provide detainees only the "minimum of the minimum".[92]

31. Palestinians are subjected to abuse from the moment of detention; detainees are routinely blindfolded, violently restrained, stripped naked and paraded by Israeli soldiers.[93]

32. Transfers deliberately foster stress, disorientation and fear: detainees are painfully handcuffed, urinated on, verbally abused with degrading insults targeting identity and faith

[79] See https://ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, para. 16.
[80] See http://www.theguardian.com/world/2025/nov/08/israel-underground-jail-rakefet-palestinians-gaza-detainees.
[81] See http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, para. 38.
[82] See www.btselem.org/publications/202601_living_hell.
[83] See 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/.
[84] See, for instance, 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-hamas-war; www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf; and www.hrw.org/news/2024/07/23/israel-detainees-face-inhumane-treatment.
[85] See www.phr.org.il/en/prisoners-violations-report-2024/.
[86] See, for example, CAT/C/ISR/CO/6, para. 46.
[87] See www.phr.org.il/wp-content/uploads/2025/02/6265_DetentionReport_Eng.pdf.
[88] Ibid.
[89] See https://x.com/unlazzarini/status/1917129897010516243?s=46&t=ccWRJzS530FIzJwwxUAeMg.
[90] Submission No. 11.
[91] See 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. See also www.middleeasteye.net/live-blog/live-blog-update/ben-gvir-worsening-prisoners-conditions-one-my-highest-goals.
[92] See https://nif.org/stories/human-rights-democracy/insisting-on-prisoners-right-to-food.
[93] See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-4.pdf, paras. 386–390.

and threatened with death, including against family members.[94] Repeated transfers – on average 4.5 times – are often made without notice and between unknown locations.[95]

33. In custody, Palestinians are held outdoors, in the open air without shelter or in cages – often referred to as "monkey cages"[96] – or packed into cramped spaces, sometimes underground.[97] Detainees are kept blindfolded and fully shackled for prolonged periods, even during medical care, sometimes causing injuries leading to amputations.[98] Personal belongings, including wheelchairs,[99] blankets and clothing are confiscated and detainees are deliberately exposed to the cold.[100] Through prolonged isolation, sleep deprivation, starvation and dehydration,[101] detainees have become "walking skeletons".[102] Access to toilets and showers is routinely restricted[103] and some detainees are forced to use diapers,[104] often for prolonged periods. They are kept in long-term isolation, deprived of sleep and often prohibited prayer.[105]

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

35. Following the plan of the National Security Minister, the starving of detainees mirrors the engineered famine in Gaza,[111] 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.[112]

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

[94] Submission No. 11.
[95] See https://pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf, pp. 7 and 24.
[96] See https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, p. 41.
[97] See www.theguardian.com/world/2025/nov/08/israel-underground-jail-rakefet-palestinians-gaza-detainees.
[98] CAT/C/ISR/CO/6, para. 28; and https://www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf, p. 14.
[99] See www.972mag.com/israeli-prisons-lawyers-palestinian-detainees.
[100] See https://www.palestine-studies.org/en/node/1654683#:~:text=Collective%20punishment%20has%20also%20included,shaving%20tools%20have%20been%20confiscated.
[101] See www.btselem.org/publications/202601_living_hell.
[102] See www.972mag.com/israeli-prisons-lawyers-palestinian-detainee.
[103] See www.phr.org.il/wp-content/uploads/2024/02/5845_Imprisoned_Paper_Eng.pdf, pp. 14–15.
[104] See www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf, p. 14.
[105] See www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, para. 34; and www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf, pp. 39–41.
[106] CAT/C/ISR/CO/6, para. 28.
[107] Ibid.
[108] Ibid.
[109] See www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, paras. 38, 40 and 41.
[110] See https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, pp. 15–18.
[111] 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).
[112] See www.youtube.com/shorts/3i9X1axaDIk.

continuously to induce sensory overload, sleep deprivation and psychological collapse.[113] Explicit threats to injure, rape or kill detainees and their families are routine.[114] Israeli officials urinate on detainees,[115] 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.[116] One Israeli whistle-blower commented: "They stripped them down of anything that resembles human beings."[117]

37. Sexual violence against children, women and men is also rife.[118] Israeli personnel have committed rape, including gang rape, often involving objects such as iron bars, batons and metal detectors.[119] 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.[120] Sexual assaults frequently occur when detainees are blindfolded.[121] Detainees are photographed naked, and women and girls are forced to remove veils in front of men.[122]

38. Denial of medical care is systematic. As torture and starvation generate acute medical needs, hospitalization and treatment is systematically withheld or delayed.[123] Essential medication is denied, and medical procedures are sometimes performed by underqualified medics,[124] and surgery without anaesthesia.[125] Skin diseases – most notably scabies – are widespread,[126] exacerbated by crowded, damp conditions, lack of showers and clean clothing, and denial of treatment.[127]

39. Israeli detention authorities have openly boasted about the conditions inflicted.[128] Journalists[129] and, reportedly, civilians have been allowed access to witness, and even use phones to record, the abuse of Palestinians.[130]

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[113] See https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, pp. 21, 30 and 31; and www.phr.org.il/wp-content/uploads/2025/02/6265_DetentionReport_Eng.pdf, p. 8.

[114] CAT/C/ISR/CO/6, para. 28.

[115] Ibid.

[116] Ibid.; and https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, pp. 33.

[117] See https://edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd.

[118] Consultation with civil society organizations.

[119] Maha Aon and others, "'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); https://pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf, pp. 59–63; www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf, pp. 58 and 59; and https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, pp. 44–47.

[120] See www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, para. 41.

[121] Ibid.; https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf, p. 44; and submission No. 8.

[122] See http://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf, para. 41; and https://www.alhaq.org/cached_uploads/download/2025/12/16/ah-am-a-submission-i-sr-opt-torture-10-december-1765892761.pdf.

[123] CAT/C/ISR/CO/6, paras. 18 and 28; and www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf.

[124] See https://edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd.

[125] CAT/C/ISR/CO/6, para. 28.

[126] Ibid., para. 18.

[127] Consultations with civil society organizations; and submission No. 19.

[128] See www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf, p. 3.

[129] See www.instagram.com/reels/DUv2NOglLh-/.

[130] See 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.

40. Obstructing legal assistance also enables torture. Testimonies indicate systemic intimidation of detainees and their lawyers,[131] including violent "dissuasion" tactics, comprising beatings or sexual violence, immediately before lawyers' visits to deter them from speaking freely or even attending. Access bans, security interrogations and last-minute cancellations also hamper visits.[132] Since October 2023, detainees, including children, have attended military court hearings remotely, and their access to timely legal advice has been severely undermined.[133]

Extreme "unchilding"[134]

41. Palestinian children are increasingly detained – nearly half administratively, without charge or trial –[135] and are denied family contact and meaningful access to lawyers, including during interrogations.[136]

42. In Israel Prison Service prisons – particularly Megiddo and Ofer – Israeli forces hold children under the same punitive regime imposed on adults.[137] Testimonies describe shackling until bleeding, beatings, dragging, starvation, exposure to cold, denial of medical care, attacks by dogs, solitary confinement, sexual abuse, forced stripping,[138] and threats to rape and kill family members.[139] 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.[140]

Deaths in custody

43. The Committee against Torture has expressed concern about the abnormally high number of deaths exclusively affecting Palestinians.[141] Since October 2023, between 84[142] and 94[143] Palestinians have died in Israeli detention; some remain unidentified.[144] Israeli authorities withhold information regarding many detainees' status, their whereabouts and even identities, rendering the true death toll unverifiable.[145]

44. Israel also withholds the bodies of deceased detainees, weaponizing death to prolong families' suffering.[146] Even when bodies are returned to families, delays and improper handling compromise autopsies, and decomposition prevents identification.[147] These practices constitute ill-treatment, denying families the most basic dignity of mourning and grieving.

[131] See 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.
[132] Consultations with civil society organizations and lawyers.
[133] See www.timesofisrael.com/knesset-approves-wartime-prison-crowding-among-other-emergency-measures; and www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge.
[134] See A/78/545.
[135] See www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge.
[136] CAT/C/ISR/CO/6, para. 12; and consultations with civil society organizations.
[137] See www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge; and www.dci-palestine.org/_the_prison_is_inside_me_three_released_palestinian_boys_abducted_tortured_by_israeli_forces_while_seeking_aid.
[138] A/79/232, paras. 60–69; CAT/C/ISR/CO/6, paras. 20 and 28; submission No. 5; and www.dci-palestine.org/_the_prison_is_inside_me_three_released_palestinian_boys_abducted_tortured_by_israeli_forces_while_seeking_aid.
[139] Consultations with civil society organizations.
[140] See https://edition.cnn.com/2025/04/06/middleeast/palestinian-teen-malnutrition-death-intl.
[141] CAT/C/ISR/CO/6, para. 24.
[142] See www.btselem.org/sites/default/files/publications/202601_living_hell_eng.pdf.
[143] See www.phr.org.il/wp-content/uploads/2025/11/6538_Death_custody_Paper_Eng.pdf.
[144] Ibid.
[145] Ibid.
[146] Muna Haddad, "For Palestinians, even death is no escape from Israel's violence," *Journal of Palestine Studies*, vol. 54, No. 3 (2025).
[147] See www.phr.org.il/wp-content/uploads/2025/11/6538_Death_custody_Paper_Eng.pdf.

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.[148] Reports of released detainees, injured and abandoned in the streets in the middle of the night, sometimes wearing diapers[149] or only their underwear, or collapsing into the arms of their loved ones, are appalling.[150] This is all the more cruel when detainees have lost limbs, their sight, their ability to speak or their mental capacities.[151]

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.[152] The torturous conditions in detention have led to an unprecedented number of deaths in custody. The systematic targeting of specific professional categories – for example doctors, scholars and 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.

IV. Genocide as torture

47. After October 2023, conditions in the "open air" carceral regime, enforced for decades in the entirety of the occupied Palestinian territory,[153] were intensified, creating a torturous environment. Mass displacement, siege and starvation, unchecked settler violence and constant humiliation, together with 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 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, annihilating the subject.[154]

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

148 See https://pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf, p. 33.

149 See www.reuters.com/world/middle-east/un-rights-official-says-gaza-detainees-humiliated-dressed-diapers-2024-01-19/.

150 See www.youtube.com/shorts/icOS2W_D5As.

151 See www.aljazeera.com/news/2025/10/18/palestinian-detainee-relays-how-torture-in-israeli-prison-made-him-blind; and https://www.aljazeera.com/video/newsfeed/2024/6/23/traumatised-palestinian-detainee-describes-torture-in-israeli-custody.

152 See www.nybooks.com/articles/2024/10/17/torture-in-israels-prisons-aryeh-neier.

153 See A/HRC/53/59.

154 Lisa Guenther, *Solitary Confinement: Social Death and Its Afterlives* (Minneapolis, University of Minnesota Press, 2013).

flooded tents. Israel can strike anywhere, at any time, including during so-called "ceasefires", which have already cost more than 680 lives.[155] Danger and fear are perpetual.

51. By depicting the entire population as "human animals" and "terrorists", and invoking the notion of "human shields"[156] 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,[157] describe an overwhelming fear of imminent death.[158]

52. The Israeli military has used mass displacement to create pervasive mental and physical pain under the threat of extermination. "Cartographic terror"[159] has forced nearly 2 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,[160] and directed to constantly bombarded "safe zones"[161] and areas unfit for human life.[162]

53. The homes of over 1 million people – by conservative estimates – have been obliterated,[163] with families forced to watch helplessly as belongings, heirlooms and intimate connections with their past are lost.[164] Prime Minister Netanyahu declared that the long-term objective of the operation was to turn Gaza into cities of "ruins" with effects that will "reverberate with them for generations".[165]

54. Witnessing schools, mosques, libraries, museums and cultural sites being reduced to rubble creates an acute sense of dislocation from individual and collective histories.[166] When educational infrastructure and places of collective memory are systematically erased, the material foundations of a culture are deliberately dismantled.[167] This targets the social fabric itself, attacking a people's sense of identity, continuity and belonging.

[155] During the January–March 2025 ceasefire, 106 people were killed; as of early February 2026, at least 574 had been killed during the current ceasefire. See https://www.ungeneva.org/en/news-media/press-briefing/2025/03/un-geneva-press-briefing-3; and www.ochaopt.org/content/gaza-humanitarian-response-situation-report-no-66.

[156] Neve Gordon and Nicola Perugini, *Human Shields: A History of People in the Line of Fire* (Oakland, California, University of California Press, 2020), pp. 218–230.

[157] See www.euronews.com/my-europe/2024/12/03/36-meps-want-to-prevent-knesset-member-from-entering-european-parliament; and www.ndtv.com/world-news/moshe-feiglin-every-baby-in-gaza-is-an-enemy-ex-israeli-lawmakers-shocking-remarks-8477020.

[158] See www.warchild.org.uk/sites/default/files/2024-12/CTCCM_Gaza_Needs_Assessment_Report_2024_WCUK.pdf, p. 20; and www.theguardian.com/world/2024/dec/11/death-feels-imminent-for-96-of-children-in-gaza-study-finds.

[159] See https://content.forensic-architecture.org/wp-content/uploads/2024/03/Humanitarian-Violence_Report_FA.pdf.

[160] Ibid., p. 2.

[161] See www.alhaq.org/cached_uploads/download/2025/01/02/evacuation-orders-two-pages-view-1735842246.pdf, p. 69.

[162] See www.unocha.org/news/conditions-gaza-unfit-human-survival-acting-un-relief-chief-tells-security-council.

[163] See https://palestine.un.org/sites/default/files/2025-02/IRDNA%20-%20Gaza%20and%20West%20Bank%20-%20February%202025_1.pdf, p. 26.

[164] 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); and www.msf.ie/article/rafah-city-gaza-destruction-life-and-homes-leaves-people-unable-return-safely.

[165] See https://x.com/netanyahu/status/1710744539403571430 (in Hebrew); and www.youtube.com/watch?v=Tr7CxQZZHFA.

[166] See www.timesofisrael.com/after-two-year-of-war-palestinians-scramble-to-salvage-gazas-history/.

[167] See A/HRC/59/26.

55. The systematic destruction of rescue equipment, including bulldozers,[168] left thousands of people – more than 10,000 as of May 2024 – trapped under rubble,[169] 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,[170] while cemeteries have been repeatedly desecrated.[171]

56. The healthcare system itself has become a target. Deliberate attacks on doctors, nurses, ambulances, clinics and hospitals constitute medicide.[172] The continuous obstruction of medical supplies and the expulsion of Médecins sans frontières (international) in February 2026 are part of this pattern.[173] With nearly all hospitals damaged or destroyed,[174] more than 2 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,[175] patients die owing to preventable causes,[176] and newborn babies in incubators have been left to die in forcibly evacuated hospitals.[177] Medical workers continue treating patients as best as they can while their own homes are destroyed and their families injured or killed.[178] 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 –[179] including approximately 10,000 children.[180] 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 then-Minister of Defense Yoav 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. This is what will be done to a people of murderers and child butchers. What was shall be no more."[181]

59. With starvation threatening over half a million people as of August 2025,[182] at least 461 people, including 157 children, had died from malnutrition since October 2023.[183]

[168] See https://pchrgaza.org/israel-persists-in-genocide-by-deliberately-destroying-bulldozers-and-rescue-equipment/.

[169] See www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-160.

[170] See www.theguardian.com/world/2025/oct/12/my-heart-is-broken-palestinians-begin-searching-the-gaza-rubble-for-their-dead; and www.youtube.com/shorts/_rdHLTsqBw0.

[171] See www.atlanticcouncil.org/blogs/menasource/gaza-idf-cemetery-desecration-israel/.

[172] See 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", Institute for Palestine Studies, Policy Paper, No. 94, September 2024; and 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).

[173] See https://msf.org.au/article/project-news/devastating-consequences-msfs-deregistration-palestine.

[174] See www.who.int/news/item/22-05-2025-health-system-at-breaking-point-as-hostilities-further-intensify--who-warns.

[175] See https://news.un.org/en/story/2025/08/1165713.

[176] See www.msf.org/sites/default/files/2024-04/MSF-GazaSilentKillings-Full%20Report_ENG_April%202023.pdf, p. 11.

[177] See www.washingtonpost.com/world/2023/12/03/gaza-premature-babies-dead-nasr/.

[178] See https://msf.org.uk/sites/default/files/2024-12/20241229_REPORT_Gaza%20Life%20in%20a%20death%20trap%20Report_FINAL.pdf, pp. 11 and 12.

[179] See www.humanity-inclusion.org.uk/en/more-than-6-thousand-prosthetic-limbs-needed-in-gaza; and https://cdn.who.int/media/docs/default-source/hq-whe/estimating-trauma-rehabilitation-needs-in-gaza-september-2025.pdf, pp. 21–22.

[180] See https://cdn.who.int/media/docs/default-source/hq-whe/estimating-trauma-rehabilitation-needs-in-gaza-september-2025.pdf, p. 6.

[181] See https://x.com/Israel_katz/status/1711659347590156417 (in Hebrew).

[182] See www.ipcinfo.org/ipcinfo-website/countries-in-focus-archive/issue-134/en/.

[183] As at 7 October 2025. See www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip.

Survivors describe how hunger strains social bonds, with mutual support yielding to the individual instinct to survive.[184] 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, [185] devastating a people's present and future.[186]

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 gravity drop bombs or advanced explosive weaponry with massive impacts, reportedly even thermobaric weapons, which pulverize human flesh, [187] white phosphorous and advanced artificial intelligence-based targeting systems – are deployed "to cause superfluous injury or unnecessary suffering",[188] 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 occupied Palestinian territory, prior to October 2023,[189] creating a "carceral continuum". [190] 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"[191] 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.[192]

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.[193]

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.

[184] See https://www.amnesty.org/en/latest/news/2025/08/israel-opt-new-testimonies-provide-compelling-evidence-that-israels-starvation-of-palestinians-in-gaza-is-a-deliberate-policy/.

[185] Browne, "The coloniality of enforced starvation"; and Bridget Conley and Alex de Waal, "The purposes of starvation: historical and contemporary uses", *Journal of International Criminal Justice,* vol. 17, No. 4 (2019).

[186] Tom Dannenbaum, "Siege starvation: a war crime of societal torture", *Chicago Journal of International Law*, vol. 22, No. 2 (2022); Miranda Cleland and others, "Starving a generation: Israel's famine campaign targeting Palestinian children in Gaza" (Defence for Children International, Palestine, and Doctors Against Genocide, 2025), p. 19; and A/79/171, para. 20.

[187] See http://www.aljazeera.com/features/2026/2/10/israel-used-weapons-in-gaza-that-made-thousands-of-palestinians-evaporate.

[188] Protocol I Additional to the Geneva Conventions of 1949, art. 35 (2).

[189] See 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; submission No. 20; and 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.

[190] See A/HRC/53/59.

[191] Hawkins, "The necropolitics of Gaza", p. 125.

[192] Submission No. 20.

[193] See www.timesofisrael.com/this-is-a-war-fm-calls-for-gaza-style-evacuation-of-palestinians-in-west-bank/; and https://x.com/Israel_katz/status/1828854473206444351?s=20.

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 1,000 Palestinians were killed in the West Bank, including East Jerusalem.[194] Documented settler attacks rose from about 1,860 in 2021–2023 to at least 3,088 in 2023–2025.[195]

65. Often armed by the Government,[196] groups of Israeli citizens residing in the colonies in the West Bank, including East Jerusalem, operate as paramilitary gangs,[197] enjoy legal impunity, institutional protection [198] and widespread praise for attacking or killing Palestinians.[199]

66. Critical infrastructure and thousands of houses have been obliterated.[200] Livelihoods have been destroyed, including traditional agricultural resources, and livestock stolen or killed,[201] precipitating the largest forced displacement since 1967.[202] More than 40,000 people have been displaced by military assaults that have destroyed three refugee camps amid State-sanctioned settler terror.[203] Every dimension of daily life for the Palestinian residents of the West Bank is disrupted – including travelling to school or work and harvesting olives[204] – escalating prolonged physical, mental and social torment. Minister of Defense Katz made explicit the long-term objective, through instructions to the military 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".[205] They erected billboards bearing the slogan "No future in Palestine"[206] 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 collective suffering intended to terrorize, demoralize and shred social and psychological cohesion and threaten Indigenous presence on the land.

194 See https://www.un.org/unispal/document/ohchr-press-release-17oct25/.

195 See www.ohchr.org/sites/default/files/documents/countries/israel/20260105-thematic-report-israel-discrimin.pdf, para. 64; and submission No. 2.

196 CAT/C/ISR/CO/6, para. 48; and https://visualizingpalestine.org/visual/how-israel-is-arming-israeli-settlers/.

197 Submission No. 2.

198 Mais Qandeel, "Violence and State attribution: the case of occupied Palestine", *Journal of Palestine Studies*, vol. 52, No. 2 (2023).

199 See https://opiniojuris.org/2025/08/15/settler-violence-as-state-wrongful-act-and-third-state-obligations/.

200 Submission No. 2; and www.alhaq.org/advocacy/26732.html.

201 See 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/; and www.aljazeera.com/video/newsfeed/2025/12/23/israeli-settlers-injure-palestinians-kill-livestock-in-owb.

202 See https://apnews.com/article/israel-palestinians-west-bank-gaza-militants-displaced-2fb430ce6eeeff40b416df566712eb99.

203 See www.ohchr.org/sites/default/files/documents/countries/israel/20260105-thematic-report-israel-discrimin.pdf, para. 21; and www.ochaopt.org/content/west-bank-monthly-snapshot-casualties-property-damage-and-displacement-november-2025.

204 See https://news.un.org/en/story/2025/12/1166522; and https://www.ungeneva.org/en/news-media/news/2025/10/111992/un-rights-office-sounds-alarm-over-skyrocketing-israeli-settler.

205 See https://x.com/bezalelsm/status/1796124951088337026 (in Hebrew).

206 See www.instagram.com/p/DDusi3UupKN/.

C. Torture as aggregate effect of genocidal violence

69. Bezalel Smotrich clearly exposes the relationship between the 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."[207]

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 occupied Palestinian territory, torture and the genocidal intent driving it are articulated by the executive branch of Israel and enabled, justified and normalized by the legislature and judiciary. Beyond the State apparatus, medical professionals, religious authorities, media workers, academics, 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. The legislative body of Israel, the Knesset, has repeatedly amended detention laws to expand executive and military powers, erode safeguards and normalize degraded conditions.[208] It has approved "incarceration emergency" measures to suspend statutory detention conditions,[209] and enacted a new law permitting the deportation of family members of individuals designated "terrorist operatives" (without the "operatives" being charged or convicted).[210] In November 2025, it endorsed the "death penalty for terrorists" initiative.[211] 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.[212] Although 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,[213] to grant access for independent observers to detention facilities,[214] and to require disclosure of the whereabouts of thousands of disappeared Palestinians.[215]

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[207] See www.timesofisrael.com/smotrich-says-gaza-to-be-totally-destroyed-population-concentrated-in-small-area/.

[208] See https://stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law_July-2024.pdf.

[209] See https://hamoked.org/files/2025/1666960_eng.pdf.

[210] See https://hamoked.org/files/2025/annual_report_2024_v1.pdf?utm, p. 14.

[211] See https://www.ohchr.org/en/press-releases/2026/02/israel-un-experts-urge-withdrawal-death-penalty-bill.

[212] See www.timesofisrael.com/high-court-rules-state-failed-its-duty-to-feed-palestinian-prisoners-in-slap-to-ben-gvir; and https://arabcenterdc.org/resource/israels-justice-system-and-the-genocidal-war-on-gaza/.

[213] See www.justsecurity.org/109731/israel-court-rejects-gaza-aid-petition/.

[214] See www.thenationalnews.com/news/mena/2026/02/06/israel-keeps-prisons-holding-palestinians-off-limits-to-red-cross/.

[215] High Court of Justice of Israel, *Qashta et al. v. Israel Defense Forces et al.*, Case No. 7637/23, Judgment, 6 November 2023. Available at https://hamoked.org/files/2023/1666346_eng.pdf.

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 had no legal obligation to provide information about Gaza residents because Gaza was classified as a "hostile territory".[216] In September 2024, it declined to address detention conditions, post October 2023, at Sde Teiman.[217] Military courts in the West Bank have continued to authorize detention on the basis of confessions obtained under coercion, effectively sanctioning torture.[218]

76. This pattern has allowed the executive and military to continue to benefit from total impunity. The Committee against Torture has 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.[219] 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.[220]

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[221] was vilified and prosecuted[222] while the perpetrators were celebrated and shielded. Senior ministers described torture as a "holy job",[223] investigations as national betrayal[224] and abusers as "heroic warriors".[225] A rabbi offered blessings[226] and the public largely opposed any investigation.[227] Even the most disturbing revelations failed to provoke moral outrage within the Israeli society at large.

[216] High Court of Justice of Israel, *Alwahidi et al. v. Israel Defense Forces et al.*, Case 7439/23, Judgment, 30 October 2023. Available at https://hamoked.org/files/2023/1666391_eng.pdf.

[217] See www.timesofisrael.com/high-court-declines-to-shutter-sde-teiman-orders-state-to-abide-by-law-for-detainees/.

[218] See www.merip.org/2024/10/israel-is-waging-war-on-palestinian-prisoners-2/.

[219] CAT/C/ISR/CO/6, para. 24.

[220] See https://freedomflotilla.org/2026/01/02/ffc-condemns-sexual-assaults.

[221] See www.bbc.com/news/articles/c8dy8r7lq0go.

[222] See www.aljazeera.com/news/2025/11/3/israel-arrests-ex-army-lawyer-over-leaked-video-showing-palestinians-abuse.

[223] See https://edition.cnn.com/2024/07/29/middleeast/sde-teiman-protests-idf-investigation-intl/index.html.

[224] See https://apnews.com/article/military-prosecutor-resignation-leak-sde-teiman-abuse-tomer-304deb724067c3644a02dcc0590e703a.

[225] See www.aljazeera.com/news/2024/7/29/israeli-far-right-politicians-protest-arrest-of-soldiers-suspected-of-abuse.

[226] See www.newarab.com/news/rabbi-blesses-soldier-accused-raping-palestinian-prisoner.

[227] See https://en.idi.org.il/articles/62309; and x.com/Elizrael/status/1992617255721423138.

78. The Israeli medical profession has been complicit in torture.[228] Prison doctors and forensic personnel have performed amputations without anaesthetic,[229] repeatedly failed to document or report clear signs of torture[230] – often providing only minimal treatment to injured detainees[231] – falsified records, participated in force-feeding hunger strikers[232] and in some cases actively participated in the beating of detained Palestinians seeking medical attention.[233]

79. Religious leaders have legitimized cruelty, providing a moral narrative that reframes abuse as duty and narrows the space for restraint.[234] Invoking biblical motifs in wartime discourse,[235] prominent religious figures have publicly encouraged collective punishment and revenge against Palestinians,[236] helping to normalize inhumane treatment.

80. Media, academia and popular culture have propagated dehumanizing language on mainstream platforms, with little domestic censure.[237] Calls for "the annihilation" of Gaza have been aired publicly;[238] videos feature National Security Minister Ben-Gvir or prison guards celebrating the infliction of torture, and debates on the legitimacy of raping prisoners are televised.[239] The destruction of Gaza is characterized as an "opportunity" for population removal.[240] Soldiers have repeatedly trivialized and gamified terror: choosing a different part of Palestinian bodies to shoot at each day[241] 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.[242] Popular and digital culture echoes these themes, mocking Palestinian suffering.[243]

[228] See www.nybooks.com/online/2025/05/31/the-shame-of-israeli-medicine/; and Sara el-Solh and others, "Torture and health worker complicity in Israeli detention sites", *British Medical Journal*, vol. 391 (2025).

[229] CAT/C/ISR/CO/6, para. 28; www.phr.org.il/wp-content/uploads/2024/04/5954_medical_ethics_Report_Eng.pdf; and www.democracynow.org/2025/6/5/physicians_for_human_rights_israel.

[230] See https://mondoweiss.net/2024/05/how-israeli-prison-doctors-assist-in-the-torture-of-palestinian-detainees/; and www.aljazeera.com/opinions/2024/6/18/action-must-be-taken-on-alleged-complicity-of-israeli-doctors-in-torture.

[231] See www.phr.org.il/wp-content/uploads/2024/04/5954_medical_ethics_Report_Eng.pdf, p. 9; and https://btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf, pp. 65–70.

[232] See https://al-shabaka.org/briefs/the-systematic-torture-of-palestinians-in-israeli-detention/.

[233] See https://pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf, p. 41.

[234] 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 older persons in Gaza. See www.middleeastmonitor.com/20240309-yaffa-rabbi-according-to-jewish-law-all-gaza-residents-must-be-killed/.

[235] A/HRC/55/73, para. 50.

[236] Rabbi Shmuel Eliyahu, on Channel 14, backed the conquest of Gaza, saying "finish this cancerous growth" (www.youtube.com/shorts/vFZEjcOy_FY), and issued a call to, among other things, "finish the job" (www.c14.co.il/article/1301009) (in Hebrew).

[237] A/79/319, para. 64.

[238] See www.972mag.com/israeli-tv-hasbara-media-gaza/; and www.theguardian.com/commentisfree/article/2024/sep/06/israeli-podcasters-laughing-gaza-genocide-two-nice-jewish-boys.

[239] See www.middleeasteye.net/live-blog/live-blog-update/israeli-journalist-calls-rape-against-palestinian-be-institutionalised.

[240] See https://theintercept.com/2023/10/25/israel-hamas-opportunity/.

[241] See https://news.sky.com/story/almost-like-a-game-of-target-practice-british-surgeon-says-idf-shooting-gazans-at-aid-points-13401434.

[242] See www.youtube.com/watch?v=1D3uQbiE8No; and https://genocide.live/24375.

[243] See 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-a67fbb890000?; and www.instagram.com/reels/DP4B_e8Dpaa/.

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 the settler-colonial genocide perpetrated by Israel, 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. **The present 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 the detention system of Israel has descended into a regime of systemic and widespread humiliation, coercion, and terror, aimed 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 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 conduct,**[244] **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 the appointments of Itamar Ben-Gvir, Bezalel Smotrich and Israel Katz in the Government, these politicians now preside over, and give political direction to, the policies behind the present report's**

[244] A/79/384, paras. 54–74.

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,[245] the Special Rapporteur further makes the recommendations below.**

89. **Israel should:**

(a) **Immediately cease all acts of torture and ill-treatment of the Palestinian people, whether custodial or non-custodial; this requires, as a fundamental precondition, the dismantling of the apartheid regime maintained in the occupied Palestinian territory, which the International Court of Justice 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 the unlawful presence of Israel in the territory, alongside accountability, full reparation, guarantees of non-repetition and measures to preserve memory through institutional and educational reform;**

(b) **Give to ICRC, the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, the Office of the United Nations High Commissioner for Human Rights, United Nations experts, and lawyers the access needed to monitor violations and investigate all crimes committed, including torture and other ill-treatment.**

90. **States should:**

(a) **Comply with their obligation not to participate in or be complicit in Israeli crimes, and instead prevent and address serious breaches of international law, particularly as set out in the Charter of the United Nations and the Genocide Convention, and their obligation 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 that Israel provides adequate reparations to Palestinian victims;**

(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, which should be internationally funded, for example through allocations by the United Nations Voluntary Fund for Victims of Torture to Palestinian NGOs; and facilitate the transfer of survivors to third States;**

(e) **Ensure that 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.**

91. **The Office of the Prosecutor of the International Criminal Court should investigate and prosecute acts of genocide, torture and ill-treatment and, in this context, immediately request arrest warrants for Israeli officials, in particular Itamar Ben-Gvir, Israel Katz and Bezalel Smotrich, suspected of perpetrating and/or ordering atrocity crimes outlined in the present report, as well as the Chief of the General Staff of the Israeli military and high-ranking officials within the Israel Prison Service in charge of detention centres.**

[245] See A/77/356, A/78/545, A/79/384, A/80/492, A/HRC/53/59, A/HRC/55/73 and A/HRC/59/23.

92. **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.**