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# ADVANCE UNEDITED VERSION

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## Committee against Torture

### Concluding observations on the sixth periodic report of Israel

1. The Committee considered the sixth periodic report of Israel<sup>1</sup> at its 2209th and 2212nd meetings,<sup>2</sup> held on 11 and 12 November 2025, and adopted the present concluding observations at its 2229th meeting, held on 25 November 2025.

#### A. Introduction

2. The Committee expresses its appreciation to the State Party for accepting the simplified reporting procedure and submitting its periodic report thereunder, as this improves the cooperation between the State Party and the Committee and focuses the examination of the report and the dialogue with the delegation.

3. The Committee appreciates having had the opportunity to engage in a constructive dialogue with the State Party's delegation, and the responses provided to the questions and concerns raised during the consideration of the sixth periodic report.

4. The Committee expresses its condolences to the State Party for the reprehensible loss of life and indelible physical and emotional scars left on victims and members of their families resulting from the attack committed by Hamas and other militant groups aligned with it on 7 October 2023, which it condemns unequivocally, and recognizes the security threat the State Party continues to be confronted with. The disproportionality of the State Party's response to these attacks is also of grave concern to the Committee, which has resulted in the massive loss of life and deep suffering of the Palestinian people, as expounded upon in its concluding observations below. The Committee underscores, as per the preamble of the Convention, that recognition of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

#### B. Positive aspects

5. The Committee welcomes the State Party's initiatives to revise and introduce legislation in areas of relevance to the Convention, including:

(a) Amendments to the Legal Aid Law, 5732–1972, in 2017, expanding the availability of legal aid for victims of sexual offences;

(b) The adoption of the Foster Care Regulations (Complaint Mechanism for Children in Out-of-home Placement Facilities), 5779–2019, in 2019, strengthening the accessibility of complaint mechanisms for children in foster care and out-of-home placement;

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<sup>1</sup> CAT/C/ISR/6.

<sup>2</sup> See CAT/C/SR.2209 and CAT/C/SR.2212.

(c) The adoption of the Social Services for Persons with Disabilities Law, 5783-2022, in 2022, formalizing the right of people with disabilities to live an independent and autonomous life in the community;

(d) Amendment No. 152 to the Penal Law, 5737-1977, in 2025, changing the definition of sexual offenses in the Penal Law to ensure gender-neutral formulation, widening the definition of rape, and abolishing the offence of sodomy.

6. The Committee commends the State Party's initiatives to modify its policies and procedures in order to afford greater protection of human rights and to apply the Convention, in particular:

(a) The adoption of Government Resolutions Nos. 1249 and 2820, in 2016 and 2017 respectively, aimed at formulating an inter-ministerial action plan for the prevention and treatment of domestic violence;

(b) The implementation of recommendation No. 15 of the Turkel Commission regarding the installation of cameras in all Israeli Security Agency (ISA) interrogation rooms, with closed circuit supervision by the Inspector for Complaints Against the Israel Security Agency Interrogators, in 2018;

(c) The establishment of the Sub-Committee on the Elimination of Trafficking of Women for Prostitution Purposes and the Sub-Committee on the Promotion of Interests of Young Women and Girls at Risk, in 2020;

(d) The establishment of an inter-ministerial team dedicated to drafting a National Action Plan pursuant to UNSC Resolution No. 1325 on Women, Peace and Security, in 2021;

(e) The adoption of Government Regulation No. 1862, in 2022, approving the National Anti-Trafficking Implementation Plan for 2022-2026;

(f) The adoption of Government Regulation No. 1652, in 2022, establishing the Director General's Committee on the rights of children and youth;

(g) The adoption of Government Regulation No. 1523, in 2024, establishing the Crime Victims' Rights Commission within the Ministry of Justice.

## **C. Principal subjects of concern and recommendations**

### **Pending follow-up issues from the previous reporting cycle**

7. In its previous concluding observations<sup>3</sup>, the Committee requested the State Party to provide information on its implementation of the Committee's recommendations on independent medical examinations of persons deprived of liberty, administrative detention, solitary confinement and other forms of isolation, and allegations of torture and ill-treatment.<sup>4</sup> In the light of the information included on these matters in the follow-up report submitted by the State Party on 19 September 2017, and with reference to the letter dated 20 August 2018 from the Committee's rapporteur for follow-up to concluding observations<sup>5</sup>, the Committee regrets that no action towards the implementation of these recommendations had been taken. The outstanding issues addressed in the previous concluding observations are covered in paragraphs 12, 14, 20 and 28 of the present concluding observations.

### **Scope of applicability of the Convention**

8. The Committee notes the willingness of the State Party's delegation to discuss questions relating to the Occupied Palestinian Territory and also notes its acknowledgement that the prohibition of torture and ill-treatment exists in legal frameworks that bind Israel and are applicable in the Occupied Palestinian Territory, regardless of the Convention.

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<sup>3</sup> CAT/C/ISR/CO/5.

<sup>4</sup> Ibid., para. 52.

<sup>5</sup> See

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FISR%2F32213&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FISR%2F32213&Lang=en)

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Nonetheless, in the light of the preparatory work to the Convention, the Committee's previous concluding observations<sup>6</sup>, the Committee's general comment No. 2 (2007) on the implementation of article 2 by States Parties, the views of various other treaty bodies<sup>7</sup>, and the jurisprudence of the International Court of Justice<sup>8</sup>, the Committee regrets that the State Party maintains its position that the Convention does not apply with respect to individuals under its jurisdiction, but outside of its territory. It is further concerned at the State Party's position that international human rights law does not apply in times of armed conflict when international humanitarian law is applicable. In this regard, the Committee reaffirms that the Convention applies to all territory under the jurisdiction of the State Party, including the Occupied Palestinian Territory, including in situations of armed conflict and occupation (arts. 1, 2 and 4).

9. **Recalling its previous concluding observations<sup>9</sup> the Committee calls on the State Party to interpret the Convention in good faith, in accordance with the preparatory work to the Convention, the ordinary meaning to be given to its terms in their context, and in the light of its object and purpose, and consider modifying its position to acknowledge that the Convention applies to all individuals who are subject to its jurisdiction, including in the Occupied Palestinian Territory, including in situations of armed conflict and occupation.**

#### **Definition and criminalization of torture**

10. The Committee takes note of information provided by the State Party indicating that torture is effectively criminalized through a combination of already existing offences in the State Party's criminal law. The Committee similarly takes note of a number of domestic legislative initiatives during the reporting period, including the establishment of an inter-governmental taskforce, to introduce torture as a distinct criminal offence. However, the Committee remains concerned that torture has not yet been integrated into domestic legislation as a specific crime with a generally applicable definition that corresponds to the definition of torture enshrined in article 1 of the Convention and with a penalty that is commensurate with the gravity of the crime. The Committee notes that existing offences used by the State Party to criminalize torture are subject to a statute of limitations (arts. 1, 2 and 4).

11. **Recalling its previous recommendations<sup>10</sup>, the Committee recommends that the State Party take the measures necessary to incorporate a specific offence of torture into domestic law, to ensure that the offence provides for a definition of torture that is in full conformity with the definition contained in article 1 of the Convention, with corresponding penalties that are commensurate with its grave nature, in accordance with article 4 (2), and to ensure that no statute of limitations applies to the crime of torture. The State Party should also publicly condemn the use of torture and ill-treatment with the clear message by the highest State authority that it will not be tolerated and that those responsible will be held to account, so as to ensure individual accountability and protection against acts of torture and ill-treatment.**

#### **Fundamental legal safeguards**

12. The Committee is concerned over information received indicating that persons suspected of a criminal offence and deprived of their liberty, in particular persons of

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<sup>6</sup> See CAT/C/ISR/CO/5, paras. 8-9 and CAT/C/ISR/CO/4, para. 11.

<sup>7</sup> See CRC/C/ISR/CO/5-6, para. 3; CCPR/C/ISR/CO/5, paras. 6-7; CEDAW/C/ISR/CO/6, paras. 14-15; CERD/C/ISR/CO/17-19, paras. 9-10; E/C.12/ISR/CO/4, paras. 8-9.

<sup>8</sup> See *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, I.C.J. Reports 2004 (I), p. 181, para. 113; *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, para. 99; and *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory*, Advisory Opinion, 22 October 2025, General List No. 196, para. 150.

<sup>9</sup> CAT/C/ISR/CO/4, para. 11, CAT/C/ISR/CO/5, para. 9.

<sup>10</sup> A/57/44, para. 53 (a), CAT/C/ISR/CO/5, para. 13, and CAT/C/ISR/CO/4, para. 13.

Palestinian origin, do not receive all fundamental legal safeguards, in law or in practice, from the outset of their deprivation of liberty. In particular, the Committee is concerned that access to legal counsel, communication with family members, and presentation before a judge may be denied for significant periods in excess of international standards. The Committee is also concerned that medical examinations upon deprivation of liberty are frequently cursory and that detainees have allegedly been requested to sign documents in Hebrew, despite not speaking the language (arts. 2, 4 and 16).

**13. Recalling its previous concluding observations<sup>11</sup>, the Committee recommends that the State Party ensure that all fundamental legal safeguards are guaranteed, both in law and in practice, for all detained persons suspected of a criminal offence from the outset of their deprivation of liberty, including:**

**(a) The right to be informed of their rights, how to exercise those rights, the reason for their arrest, and any charges against them, both orally and in writing in a language they understand and in an accessible manner, and to be fully informed of their rights and obligations, including avenues to lodge complaints, immediately upon deprivation of liberty;**

**(b) The right to promptly access and consult with a lawyer of their own choosing and to have the confidentiality of private meetings guaranteed, including prior to interrogation, and, if necessary and applicable, to access free, independent and effective legal aid;**

**(c) The right to request and receive, from the very outset of their deprivation of liberty, an examination by an independent medical doctor free of charge, or by a medical doctor of their own choice, in full confidentiality. In this regard, the State Party should ensure that all alleged cases of torture and ill-treatment are promptly medically documented in line with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol), as revised, and that registers containing information on injuries and other medical conditions of detainees are carefully maintained;**

**(d) The right to notify a relative or another person of their choice of their detention immediately upon apprehension;**

**(e) The right to be promptly presented before a judge, including by establishing in law an absolute maximum time limit of 48 hours for judicial review of the legality of arrest and detention, without exception.**

#### **Administrative detention**

14. The Committee is concerned that, according to Military Order No. 1651, individuals may be administratively detained for up to six months at a time without charge, renewable indefinitely, and that, subsequent to amendments to the Military Order in October 2023 and related practices, detainees may be held for up to 12 days before their presentation before a judicial authority and may be denied access to legal counsel for up to 15 days. While taking into account the complex security situation that the State Party has been confronted with since 7 October 2023, information before the Committee indicates an unprecedentedly widespread use of administrative detention since this date, including allegations of collective punishment through mass arbitrary detentions and the denial of legal safeguards. Moreover, the Committee is concerned by allegations regarding the discriminatory application of the Military Order, noting a decision of the Ministry of Defence, in November 2024, stating that Israeli settlers would be exempted from administrative detention, despite being present in the territory to which the Military Order applies. The Committee is also concerned that detention orders are allegedly frequently based on confidential information that is not accessible to detainees, hampering their ability to effectively challenge the orders against them, that military judges allegedly lack the necessary information to sufficiently verify the intelligence provided to them, and that administrative detainees are frequently transferred to the territory of the State Party, in contravention of international humanitarian law (arts. 2, 4 and 16).

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<sup>11</sup> CAT/C/ISR/CO/5, paras. 17 and 23, CAT/C/ISR/CO/4, paras. 15 and 17, A/57/44, para. 53 (c)

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15. **The State Party should ensure that administrative detention is only used in exceptional circumstances and that all detainees in the Occupied Palestinian Territory are afforded all legal safeguards, in line with international standards. The State Party should also take steps to ensure that military orders applicable to the West Bank are not applied in a discriminatory manner, cease all forcible transfers of residents in the Occupied Palestinian Territory to the territory of the State Party, and launch prompt, impartial and effective investigations by an independent body into all allegations of collective punishment and arbitrary detention, prosecuting violations and ensuring that those found to be guilty are punished appropriately, and providing victims and/or their family members appropriate redress and compensation in a timely manner.**

#### **Unlawful Combatants law**

16. The Committee is concerned over the large-scale detention of individuals under the Unlawful Combatants Law, 5762-2002. In the light of information received, the Committee is also concerned that members of the civilian population, particularly Palestinians, have allegedly been detained in groups including older persons, persons with disabilities, persons with chronic diseases, pregnant women, children, and other members of vulnerable populations, on the basis of real or perceived group characteristics, without a concrete and individualized assessment on their status as alleged unlawful combatants being carried out. Furthermore, the Committee is concerned that individuals, particularly Palestinians, detained under the Unlawful Combatants Law have been held incommunicado and that Israeli authorities have refused to acknowledge their deprivation of liberty or provide information regarding their fate or whereabouts, placing them effectively outside of the protection of the law – a practice amounting to enforced disappearance. While noting that, since May 2024, Israeli authorities have established a means by which individuals may verify the locations of detainees under the Unlawful Combatants Law, the Committee is concerned that, in practice, this is allegedly only possible after the individual has been detained for 45 days (arts. 2, 4 and 16).

17. **The Committee urges the State Party to:**

(a) **Immediately ensure that the Unlawful Combatants Law is applied in conformity with international standards and that all individuals deprived of their liberty are provided all legal safeguards, both in law and in practice, in line with the State Party's international obligations;**

(b) **Ensure that administrative detention, whether under the Unlawful Combatants Law or otherwise, is only used in the Occupied Palestinian Territory for imperative reasons of security, in line with the Fourth Geneva Convention<sup>12</sup>, or, should the individual be detained in the territory of the State Party, if the security of the State Party makes it absolutely necessary<sup>13</sup>, subsequent to a concrete and individualized determination by a competent authority;**

(c) **Put an immediate end to the incommunicado detention of detainees and all practices which amount to enforced disappearance, clarify the fate and whereabouts of all detainees in its custody, and investigate, prosecute and punish all persons, including any members of the security or intelligence services or other agents of the State, who commit, order, authorise, or otherwise facilitate enforced disappearance, providing victims and/or their family members appropriate redress and compensation in a timely manner.**

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<sup>12</sup> Article 78, International Committee of the Red Cross (ICRC), *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)*, 75 UNTS 287, 12 August 1949.

<sup>13</sup> Article 42, International Committee of the Red Cross (ICRC), *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)*, 75 UNTS 287, 12 August 1949.

## Conditions of detention

18. While taking into account the declaration by the Minister of National Security of a prison emergency on 18 October 2023, and noting also the appointment of a special external advisory committee, in May 2024, to review the conditions of detention, the treatment of detainees and the compliance with Israeli and international law, the Committee is concerned, in the light of information before it, that:

(a) Despite information provided by the State Party regarding its efforts to expand prison infrastructure, following an exponential increase in the detainee population after 7 October 2023, places of deprivation of liberty operated by both the Israeli Prison Service and the Israeli military remain severely overcrowded;

(b) Despite information provided by the State Party concerning alternatives to detention, including information regarding the extension of quotas under electronic monitoring, the deployment of community courts, extensions to the time of community service in lieu of imprisonment, administrative release, and conditional early release, a concerning proportion, reportedly above 85 per cent, of detainees in the State Party are held on remand or without charges;

(c) Material conditions across all places of deprivation of liberty in the State Party have severely deteriorated as a result of what appears to be, in the light of high-level statements made by the Minister of National Security<sup>14</sup> and others, a deliberate State policy of collective punishment. In this regard, the Committee raises its particular concern over allegations indicating that so-called security prisoners are frequently kept in their cells for up to 23 hours per day, and on some occasions, for days on end, without access to adequate hygiene facilities, electricity, running water, that personal belongings have been confiscated from all security prisoners, that prisoners are kept in cells with poor sanitary conditions, with lack of ventilation and in some cases natural light, and that some detainees remain in restraints at all times;

(d) Security prisoners lack access to meaningful educational, vocational and recreational activities, and do not have access to books, television, or other media;

(e) Family contact has been severely restricted in Israeli Prison Service facilities, with all in-person visits prohibited and heavy restrictions on prisoner phone calls;

(f) As highlighted by the High Court of Justice<sup>15</sup>, the State Party has not taken sufficient measures to ensure that all detainees have access to adequate nutrition. In this regard, the Committee expresses its concern over reports that many prisoners have lost excessive amounts of weight, which, in some cases, has contributed to their deaths in custody, and that prisoners are forced to share meals or are provided with inedible food;

(g) Prisoners are denied access to basic medical care, including access to medication and medical procedures. The Committee is particularly concerned over allegations of medical negligence and medical practices violating ethical standards in Israeli military detention facilities, including Sde Teiman detention centre, as highlighted by medical workers in the facility, which detail that patient detainees are blindfolded at all times, shackled and handcuffed to beds, fed through a straw, and forced to wear incontinence garments due to their having been immobilized. The Committee is also concerned by allegations that a scabies epidemic has affected a large proportion of prisoners, due to inappropriate detention conditions and insufficient efforts to prevent and treat the disease;

(h) Women in detention are denied adequate access to feminine hygiene products and access to appropriate gynaecological care, mothers in detention have been separated from their babies, pregnant women have been denied access to maternal care and are not provided

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<sup>14</sup> See

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<sup>15</sup> HCJ 4268/24 *ACRI et al. v. Minister of Defence et al.* (5.8.24).

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with sufficient food to meet their nutritional needs, and breastfeeding mothers have not been permitted to feed their children and have been denied access to breast pumps;

(i) Persons with disabilities suffer from medical neglect, have been left without mobility aids, and have been denied medication, prosthetic limbs, hearing aids, and oxygen therapy equipment;

(j) The report of the special external advisory committee established in May 2024 remains confidential (arts. 2, 4, 11 and 16).

**19. The State Party should:**

**(a) Immediately adopt effective measures to address the critically poor conditions prevailing in all places of deprivation of liberty and alleviate the overcrowding of penitentiary institutions and other detention facilities, and assure similar conditions of detention to regular prisoners and security prisoners alike;**

**(b) Repeal all legislation permitting the derogation from appropriate conditions of detention which are in line with international standards;**

**(c) Ensure that all necessary measures are taken to ensure the right of persons deprived of their liberty to the highest attainable standard of health and equivalence of care, with particular reference to the specific individual needs of persons with disabilities and persons with chronic diseases, inter alia through the provision of timely medical care, non-urgent medical accompaniment, and access to all necessary medication, and the prevention, early detection and treatment of infectious diseases, including scabies, which pose particular risks in overcrowded detention settings;**

**(d) Ensure that any restrictions on visitation and family contact are in line with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), which require that restrictions on such contact are only applied for a limited time period and as strictly required for the maintenance of security and order, or international humanitarian law, as applicable;**

**(e) Take steps to strengthen access to rehabilitation and reintegration programmes, including by providing with meaningful activities, vocational training, and education, where appropriate in line with international standards, with a view to supporting their rehabilitation in the community;**

**(f) Ensure that the specific needs of women are met and that the conditions of detention of women are in conformity with international standards, including the Nelson Mandela Rules and the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules), or international humanitarian law, as applicable;**

**(g) Ensure that all allegations of ill-treatment are investigated promptly, thoroughly and impartially by an independent body, and the alleged perpetrators are prosecuted and, if found guilty, punished in manner commensurate to the gravity of the offence, and that the victims and/or their families obtain redress;**

**(h) Redouble its efforts to ensure that all public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment receive adequate training on non-discrimination and the prohibition against torture and ill-treatment. Persons involved in the medical treatment of detainees should receive mandatory and continuous training on medical ethics, the prohibition against torture and ill-treatment, the Istanbul Protocol, as revised, and on other relevant international human rights standards.**

**Solitary confinement**

20. While noting that, according to Section 58 of the Prisons Ordinance, a prisoner may be held in solitary confinement for no more than 14 days as a result of a disciplinary offence, the Committee remains concerned that solitary confinement for non-disciplinary reasons,

otherwise termed as “separation” or “isolation”, may be used in interrogation contexts, including, allegedly, as a means to extract confessions. The Committee is seriously concerned over allegations of the application of de facto solitary confinement for periods significantly longer than those permitted by international standards (arts. 2, 4, 11 and 16).

21. **Recalling the Committee’s previous recommendations<sup>16</sup>, the State Party should ensure that solitary confinement, whether de jure or de facto, is used only in exceptional circumstances, as a measure of last resort and for the shortest time possible. In particular, the State Party should take the steps necessary to establish an absolute maximum duration of solitary confinement not exceeding 15 consecutive days, in law and in practice, in line with international standards, including rules 43 (1) (b), 44 and 45 of the Nelson Mandela Rules. It should further guarantee that all decisions on solitary confinement are subject to procedural safeguards, regular and independent oversight, including medical monitoring, that they are fully recorded in official registers, and that detainees have the right to challenge such measures. The State Party should also prevent the use of prolonged or indefinite solitary confinement and ensure accountability for any misuse of this measure.**

### **Children in detention**

22. The Committee is concerned over allegations that children in the Occupied Palestinian Territory are frequently arrested during raids on their homes at night, are blindfolded during their arrest, and are subjected to torture and ill-treatment prior to, during, and subsequent to their interrogation. In this regard, the Committee expresses its concern over children subject to administrative detention and children who are detained under the Unlawful Combatants Law, noting the high proportion of children who are currently detained without charge or on remand. According to information before the Committee, children who are classified as security prisoners have severe restrictions on family contact, may be held in solitary confinement, and do not have access to education, in violation of international standards. The Committee also expresses its concern over the low age of criminal responsibility under criminal and military law, which is set at 12 years of age, and allegations that children younger than 12 are also detained on occasion. The Committee similarly expresses its concern over the passing, in 2024, of the Youth Law (Trial, Punishment and Treatment Methods) (Amendment No. 25 - Temporary Provisions), 5774–2024, which lowers the age for imprisonment under Israeli domestic law from 14 to 12 years old if a child is convicted of murder or attempted murder classified as a “terror act” or linked to a “terrorist organization”. In this regard, the Committee is concerned that such legislation may be used to disproportionately target Palestinian children, and that, according to the law, a child of 12 years old may be subject to life imprisonment. The Committee is further concerned that children suspected of criminal offences may be interrogated without the presence of a family member or legal counsel (arts. 2, 4, 11-13 and 16).

23. **Recalling the Committee’s previous recommendations<sup>17</sup>, the State Party should:**

**(a) Strengthen its efforts to bring its juvenile justice system, under both domestic and military law, fully into line with the relevant international standards. In particular, the State Party should ensure that the detention of children is applied only as a last resort, when determined to be strictly necessary and proportionate in the light of the individual’s circumstances, and for the shortest possible period of time, in accordance with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the Havana Rules), or international humanitarian law, as applicable;**

**(b) Guarantee children’s right to have their legal representative or guardian present throughout criminal proceedings, including during interrogations, ensure their effective access to legal assistance in both the criminal and military justice systems, including after sentencing, and ensure children’s right to maintain family ties by**

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<sup>16</sup> CAT/C/ISR/CO/5, para. 25, CAT/C/ISR/CO/4, paras. 17 and 18.

<sup>17</sup> CAT/C/ISR/CO/5, para.9, CAT/C/ISR/CO/4, para. 28.



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ensuring adequate contact with their family members, including through the facilitation of regular in-person family visits, in accordance with international standards;

(c) Amend its legislation to ensure that solitary confinement is not used against children, including as a disciplinary sanction, in accordance with international standards, including rule 45 (2) of the Nelson Mandela Rules, rule 67 of the Havana Rules and international humanitarian law;

(d) Repeal the Youth Law (Trial, Punishment and Treatment Methods) (Amendment No. 25 - Temporary Provisions), 5774–2024, and establish a maximum minimum age of criminal responsibility of at least 14 years of age in both domestic and military jurisdictions, as indicated by the Committee on the Rights of the Child in its general comment No. 24 (2019);

(e) Abide by its obligations under the Convention on the Rights of the Child<sup>18</sup> by prohibiting the imposition of sentences of life imprisonment without possibility of release for offences committed by persons below eighteen years of age;

(f) Ensure that all children in detention suspected or found guilty of criminal offences have access to educational, vocational, recreational, rehabilitative, and reintegration programmes, in line with the Nelson Mandela Rules, the Beijing Rules and the Havana Rules;

(g) Ensure that all allegations of torture and ill-treatment are investigated promptly, thoroughly and impartially by an independent body, and the alleged perpetrators are prosecuted and, if found guilty, punished and that the victims and/or their families obtain redress.

#### **Deaths in custody**

24. The Committee regrets having received no information from the State Party regarding the total number of deaths in custody which occurred during the reporting period. Nevertheless, the Committee is concerned that, according to information received, at least 75 Palestinians have died in custody since 7 October 2023<sup>19</sup>, a period which has coincided with a marked deterioration in detention conditions in Israeli Prisons. The Committee expresses its particular concern that the number of deaths in custody appears to be abnormally high and appears to have exclusively affected the Palestinian detainee population. While noting information provided by the State Party that all deaths in custody are investigated, and that investigations comply with international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death, the Committee is concerned over allegations that, in some cases, families' requests for the presence of an independent physician during autopsies have not been facilitated, despite the existence of court orders to this effect, as families were not informed of the date of the autopsy until after it had taken place, that autopsies of some of the bodies of detainees who had died indicated signs of torture and ill-treatment, including denial of medical care and extreme malnutrition, and that, to date, no State officials have been held responsible or accountable for such deaths (arts. 2, 11 and 16).

25. The State Party should adopt all possible measures to prevent deaths in custody and ensure all deaths in custody are documented and investigated in a prompt and impartial manner by an independent body, taking into account, where relevant, the Minnesota Protocol, and, where appropriate, prosecute those responsible, apply sanctions commensurate with the seriousness of the offence, and provide fair and adequate compensation to the families. The State Party should also maintain and publish up-to-date data on all deaths in custody in the State Party, disaggregated by place of detention, the age and sex of the victim, and cause of death, and on the outcomes of the investigations and prosecutions of those responsible, and indicate the measures taken to ensure that family members are promptly notified. Reiterating its previous recommendations<sup>20</sup>, and recalling the recommendations of the Human Rights

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<sup>18</sup> Article 37 (a).

<sup>19</sup> See <https://www.un.org/unispal/document/ohchr-press-release-17sep25/>.

<sup>20</sup> CAT/C/ISR/CO/5, para. 43.

**Committee<sup>21</sup>, the Committee calls on the State Party to take the measures necessary to return the bodies of the Palestinians that have not yet been returned to their relatives as soon as possible so they can be buried in accordance with their traditions and religious customs.**

#### **Monitoring of places of detention**

26. The Committee is concerned that the State Party has suspended, since October 2023, access by the International Committee of the Red Cross to Palestinians in the custody of the State Party, in violation of international humanitarian law<sup>22</sup>. While noting that the High Court of Justice has repeatedly requested the State Party to substantiate this suspension, the Committee regrets that legal proceedings in this regard have experienced significant delays. The Committee notes the information shared by the State Party regarding the work of the Deputy Attorney General, the official visitor procedure of judges and lawyers of the Ministry of Justice to prisons, and the temporary official visitor mechanism in detention facilities of the Israeli military. However, it notes that no information has been provided regarding their reports, the implementation of their recommendations, or on improvement of conditions of detention or mechanisms which have been put in place for the prevention of torture or ill-treatment stemming from these monitoring procedures. The Committee further regrets the lack of participation of non-governmental organizations in monitoring places of deprivation of liberty in the State Party (arts. 2, 11 and 16).

27. **The State party should:**

**(a) Immediately permit the access of the International Committee of the Red Cross to all places where protected persons are present, in line with its obligations under international humanitarian law<sup>23</sup>;**

**(b) Ensure that all places of deprivation of liberty in the territory of the State Party and under its jurisdiction may be visited by an independent monitoring body which is able to carry out unhindered and unannounced inspections and monitoring visits and speak confidentially to all detained persons, without the presence of prison or other officials, and that persons providing information are protected from any risk of reprisal or intimidation. The State Party should also make the outcomes of such visits public, and allow other international independent monitoring bodies, including UN human-rights mechanisms, similar access;**

**(c) Enhance the role played by non-governmental organizations with a mandate to visit places of deprivation of liberty in monitoring places of detention, including by ensuring their representation in monitoring bodies and considering favourably their requests to conduct visits to places of deprivation of liberty, including psychiatric and social care institutions, and interview the persons held therein;**

**(d) Consider acceding to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

#### **Allegations of torture and ill-treatment**

28. While taking into account the information provided by the State Party during the dialogue regarding its views on the veracity of information before the Committee, the Committee is nonetheless deeply troubled at reports<sup>24</sup> indicating a de facto State policy of

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<sup>21</sup> CCPR/ISR/CO/5, para. 33.

<sup>22</sup> Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287 (GC IV), art. 143.

<sup>23</sup> See Articles 76 and 143, International Committee of the Red Cross (ICRC), *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)*, 75 UNTS 287, 12 August 1949. See also *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory*, Advisory Opinion, 22 October 2025, General List No. 196, para. 142.

<sup>24</sup> As documented by, inter alia the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, the Special Committee to Investigate

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organized and widespread torture and ill-treatment during the reporting period that has gravely intensified since 7 October 2023, and which, according to the findings of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, amounts to war crimes and crimes against humanity, and forms part of the *actus reus* of genocide.<sup>25</sup> In this regard, the Committee expresses its deep concern over allegations of repeated severe beatings, dog attacks, electrocution, waterboarding, use of prolonged stress positions, sexual violence, threats against detainees and their family members, insults to personal dignity and humiliation such as being made to act like animals or being urinated on, systematic denial of medical care, excessive use of restraints, in some cases resulting in amputation, the performance of surgeries without anaesthetic, exposure to extreme cold or heat, including boiling water, denial of adequate nutrition and water, deprivation of clothing, sleep and access to hygiene facilities and products, including feminine hygiene products, deprivation of light or darkness, use of loud music and noises, denial of the right to freely practice ones religion, and the forcible use of hallucinogenic medication, in a discriminatory manner, against Palestinians, and for purposes including the extraction of information or confessions and as a means of exacting punishment, including collective punishment (arts. 2, 4, 11-13, 15 and 16).

**29. The State Party should:**

**(a) Consider the establishment of an independent, impartial and effective ad hoc investigatory commission to review and investigate all allegations of torture and ill-treatment committed during the course of the current armed conflict both within Israel and the Occupied Palestinian Territory and to ensure that such allegations, including any related injuries and trauma, are properly documented and recorded;**

**(b) Carry out prompt, impartial, thorough, and effective investigations by an independent body into all allegations of torture and ill-treatment and ensure that those suspected of having committed such acts are immediately suspended from their duties throughout the period of investigation, without prejudice to the principle of presumption of innocence;**

**(c) Prosecute all persons suspected of having committed torture or ill-treatment, and, if they are found guilty, ensure that they receive sentences that are commensurate with the gravity of their acts and that the victims and/or their family members are afforded appropriate redress and compensation in a timely manner;**

**(d) Immediately facilitate the access of international human rights monitoring and accountability bodies to Israel and the Occupied Palestinian Territory and consider withdrawing its declaration under article 28 of the Convention to recognize the competence of the Committee provided for in article 20, in order to permit the independent documentation and investigation of all allegations of torture and ill-treatment.**

**Sexual and gender-based violence**

30. The Committee expresses its serious concern over widespread allegations of sexual abuse of Palestinian detainees, both men and women, amounting to torture and ill-treatment, including allegations of rape, attempted rape, molestation, sexualized forms of torture, beatings administered while detainees were naked specifically targeting their genitals, electrocution of the genitals and anus, the use of repeated, unnecessary, degrading strip searches, prolonged forced nudity, including in front of members of the opposite sex, with the aim of degrading and humiliating victims in front of both soldiers and other detainees, the forcible removal of women's veils, sexual harassment, the use of sexual slurs, threats of rape, production of sexually humiliating videos, and various other forms of physical and

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Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, the Office of the High Commissioner for Human Rights, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and international, Palestinian and Israeli non-governmental organizations.

<sup>25</sup> A/HRC/60/CRP.3, para. 82.

sexual violence. In this regard, the Committee notes that, according to information available, no charges have been lodged against Israeli security officials to date for such acts (arts. 2, 4, 11-13 and 16).

31. **In addition to its above recommendations<sup>26</sup>, the Committee calls on the State Party to prevent, investigate, prosecute and punish all instances of sexual and gender-based abuse and harassment by Israeli security forces and ensure that victims and/or their family members are afforded appropriate redress and compensation in a timely manner. In this regard, the Committee also recommends that the State Party reinforce the training provided to all public officials and persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment on the prevention of sexual abuse and harassment.**

#### **Infliction of circumstances of life amounting to torture or ill-treatment**

32. The Committee is gravely concerned by reports of severe restrictions imposed by the State Party on the entry of humanitarian aid into Gaza, resulting in emergency and catastrophic food insecurity, the indiscriminate targeting and destruction of civilians and civilian infrastructure in both the West Bank and Gaza resulting in forced displacement, the use of collective punishment against the civilian population in the Occupied Palestinian Territory, and the implementation of a comprehensive system of movement restrictions on civilians, including flying security checks and checkpoints, at which civilians are allegedly frequently subjected to degrading treatment and physical violence. Noting the findings of the International Court of Justice that the régime of comprehensive restrictions imposed by Israel on Palestinians in the Occupied Palestinian Territory constitutes systemic discrimination based on, *inter alia*, race, religion or ethnic origin<sup>27</sup>, and that Israel's legislation and measures impose and serve to maintain a near-complete separation in the West Bank and East Jerusalem between the settler and Palestinian communities, violating the prohibition of racial segregation and apartheid as established in article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination<sup>28</sup>, the Committee is concerned that the sum of the State Party's policies as they relate to the Occupied Palestinian Territory, if implemented as allegations suggest, amounts to the ill-treatment of the Palestinian population in the Occupied Palestinian Territory en masse, and may amount to torture (arts. 2, 4, 11-13 and 16).

33. **The Committee recalls the findings of the International Court of Justice<sup>29</sup>, which has found the State Party's continued presence in the Occupied Palestinian Territory to be unlawful, and underscores that the effects engendered by the State Party's prolonged occupation contribute to cruel, inhuman or degrading circumstances of life for the Palestinian population. In this light, the State Party, while taking into account Security Council resolution 2803, should facilitate the immediate entry of all necessary humanitarian aid and aid workers, including through the restoration of access to the Occupied Palestinian Territory of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and ensure that all human rights or other violations committed in the context of the occupation and in the context of the armed conflict in Gaza, which cumulatively may amount to torture or other cruel, inhuman or degrading treatment or punishment, are investigated promptly, thoroughly and impartially by an independent body, and the alleged perpetrators, including any person in a position of command or superior responsibility who knew or should have known that his or her subordinates had committed, or were likely to commit, such crimes and failed to take reasonable and necessary preventive measures, or to refer the case to the competent**

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<sup>26</sup> *Supra* para. 29.

<sup>27</sup> In violation of Articles 2, paragraph 1, and 26 of the ICCPR, Article 2, paragraph 2, of the ICESCR, and article 2 of CERD, see *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, para. 223.

<sup>28</sup> *Ibid.*, para. 229.

<sup>29</sup> *Ibid.*, para. 267.

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**authorities for investigation and prosecution, are prosecuted and, if found guilty, punished.**

#### **Statements obtained through the use of torture**

34. The Committee takes note of information provided by the State Party indicating that evidence obtained illegally, including through the use of torture, may be declared inadmissible in accordance with Section 12 of the Evidence Ordinance and the jurisprudence of the Supreme Court<sup>30</sup>. However, the Committee is concerned that, according to the information available, there are no instances during the period under review in which evidence has been declared inadmissible by military courts as a result of a determination that such evidence had been obtained through the use of torture or ill-treatment. The Committee also expresses its concern over cases in which evidence has been declared admissible, despite its having been extracted through the use of so-called “special means”<sup>31</sup>, the ambit of which remains confidential. In this regard, the Committee is concerned over an alleged practice in the State Party according to which special means are used against detainees by members of the ISA as a means of coercion, subsequent to which they are placed into police custody for their confession to be collected, serving as a means to legitimize collection of the confession (art. 15).

**35. Recalling the Committee’s previous recommendations<sup>32</sup>, the State Party should ensure that confessions and other statements obtained through torture or ill-treatment are not admitted as evidence in law or in practice – except against persons accused of committing torture, as evidence that the statement was made.**

#### **Necessity defence**

36. While taking into account the information provided by the State Party that the number of ISA interrogations with respect to which the “necessity” defence has been raised is minimal, and noting the jurisprudence of the High Court of Justice that the necessity defence cannot be applied in cases where interrogation methods may constitute torture<sup>33</sup>, the Committee expresses its concern that, in line with Section 34(11) of the Penal Law, 5737-1977, and as clarified by the jurisprudence of the High Court of Justice<sup>34</sup>, public officials and other persons acting in an official capacity may be exempted from criminal culpability in cases where unlawful physical pressure has been applied during an interrogation in order to protect life, freedom, bodily welfare or property. The Committee further expresses its concern that so-called “special means” are allegedly frequently used in counter-terrorism contexts, and that, despite its request, no information regarding the methods employed by the ISA during interrogations was provided to the Committee, precluding it from determining whether they may constitute torture, as defined in article 1 of the Convention (arts. 1, 2, 4, 11-13 and 16).

**37. Recalling its previous recommendations<sup>35</sup>, the Committee recommends that the State Party incorporate into domestic law the principle of the absolute prohibition of torture and ill-treatment<sup>36</sup>, and ensure that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture or ill-treatment. The Committee further requests the State Party to ensure that all individuals targeted under the auspices of counterterrorism receive all human rights safeguards in law and in practice and to provide it with information regarding methods of interrogation employed by the ISA, in order to permit the Committee to reach adequate conclusions**

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<sup>30</sup> See C.A. 5121/98 *Prv. Yisascharov v. The Head Military Prosecutor et. al.* (4.5.06).

<sup>31</sup> H.C.J. 5722/12 *As'ad Abu-Gosh v. The Attorney General* (12.12.2017).

<sup>32</sup> CAT/C/ISR/CO/5, para. 35.

<sup>33</sup> H.C.J. 5722/12 *As'ad Abu-Gosh v. The Attorney General* (12.12.2017).

<sup>34</sup> H.C.J. 5100/94 *The Public Committee Against Torture in Israel et. al. v. The State of Israel et. al.* (6.9.99); H.C.J. 9105/18 *Fares Tbeish et. al. v. The Attorney General et. al.* (25.2.19).

<sup>35</sup> CAT/C/ISR/CO/4, para. 14, CAT/C/ISR/CO.5, para. 15.

<sup>36</sup> CAT/C/GC/2, paras. 3 and 6.

**regarding their qualification within the definition of article 1 and permissibility under article 11 of the Convention.**

#### **Investigation and prosecution of acts of torture and ill-treatment**

38. While noting the information provided by the State Party concerning multiple and diverse oversight and accountability bodies, the Committee is concerned over allegations indicating that the fragmentation of the detention oversight framework results in inefficiencies, confusion over jurisdictions and competence, and significant delays in investigating reports of torture and ill-treatment. The Committee notes the information provided by the State Party regarding cases investigated by the Inspector for Complaints Against the Israel Security Agency Interrogators, cases investigated by the Department for Investigating Police Officers, and the complaints mechanisms available to IPS detainees. However, the Committee is concerned that investigations by the Inspector have led to no criminal prosecutions for acts of torture and ill-treatment, despite widespread allegations of such acts since 7 October 2023. While taking into account information provided by the State Party indicating that the Military Police Criminal Investigation Division is independent of the chain of command of the Israeli military, the Committee remains concerned that it continues to be under the authority of the Military Advocate General, which has a dual advisory and accountability role, rather than a civilian authority, and lacks the necessary independence in investigating and prosecuting acts of torture and ill-treatment committed by military personnel against detained Palestinians. In this connection, the Committee notes that the State Party provided information concerning only a single conviction related to torture or ill-treatment since October 2023, where the sentence of seven months by the court martial appears not to reflect the severity of the offence. The Committee is further concerned by allegations that many detainees refrain from lodging complaints due to the threat of reprisal (arts. 2, 4, 11-13 and 16).

#### **39. The State Party should:**

**(a) Ensure that all complaints of torture or ill-treatment are investigated promptly and impartially by an independent body, that suspected officials are suspended from duty immediately for the duration of the investigation, particularly where there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim, interfere in the collection of evidence or otherwise obstruct the investigation, subject to the principle of the presumption of innocence, and ensure that the alleged perpetrators are duly prosecuted and, if found guilty, given a sentence commensurate with the gravity of their acts;**

**(b) Take measures to ensure that investigations into allegations of torture and ill-treatment are carried out in an efficient, coordinated and timely manner;**

**(c) Ensure that inquiries into serious human rights violations, such as extrajudicial executions and torture, are conducted under the jurisdiction of ordinary civilian courts, in line with the Minnesota Protocol.**

#### **National human rights institution**

40. In the light of its previous recommendation<sup>37</sup>, the Committee regrets that the State Party has not established a national human rights institution in line with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and, noting the outcomes of its fourth universal periodic review by the Human Rights Council, that it no longer supports recommendations to this effect (arts. 2, 11 and 16).<sup>38</sup>

**41. The Committee reiterates its previous recommendation that the State Party should establish an independent national institution for the promotion and protection of human rights in full compliance with the Paris Principles.**

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<sup>37</sup> CAT/C/ISR/CO/5, para. 11.

<sup>38</sup> See A/HRC/54/16, para. 39.37 and 39.38 and A/HRC/54/16/Add.1.

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## Redress

42. The Committee takes note of information provided by the State Party that compensation for criminal offences may be pursued in the context of a criminal trial, rather than necessitating a separate civil action. However, the Committee regrets that no information was provided by the State Party regarding instances of compensation and redress, including the means for as full a rehabilitation as possible, provided to victims of torture and ill-treatment. The Committee is also concerned that, while having a specific designation for victims of trafficking which allows access to a range of social supports and rehabilitation, the State Party lacks a similar designation for victims of torture (art. 14).

**43. The State Party should ensure that all victims of torture and ill-treatment obtain redress, including by ensuring an enforceable right to fair and adequate compensation and the means for as full a rehabilitation as possible, regardless of whether the identity of the perpetrator may be ascertained, or a criminal conviction has been handed down. The State Party may further consider contributing to the United Nations Voluntary Fund for Victims of Torture.**

## Non-refoulement

44. The Committee is concerned by the passage of the Entry into Israel Bill (Amendment No. 41) (Expulsion from Israel of Infiltrators Who Support their Country's Regime), 2025, which risks undermining the principle of non-refoulement by bypassing the asylum system and allowing for the deportation of persons at substantial risk of torture or ill-treatment or their indefinite administrative detention in practice. In this regard, the Committee expresses particular concern for nationals from Eritrea, some of whom have allegedly already been subject to detention and deportation under this law. More generally, the Committee reiterates<sup>39</sup> its concerns regarding the extremely low recognition rate of refugees by the State Party, which is less than one per cent, despite its offering collective protection from deportation in the form of temporary permits for persons who are citizens of certain countries. While welcoming the closure of the Holot detention facility by the State Party in 2018, the Committee is also concerned over the use of immigration detention of persons, including children, at the Giv'on Detention Centre and at the Yahalom Detention Centre, in some cases for extended periods of time. The Committee is concerned by information received indicating that in some immigration detention facilities conditions do not meet international standards, including in relation to minimum floor space, ventilation, and personal hygiene. The Committee notes with concern the proposed legislation "Basic Law: Entry, Immigration, and Status in Israel" that would allegedly allow for the indefinite administrative detention of non-citizens, without the possibility to seek judicial remedy (arts. 2, 3, 11 and 16).

**45. The State Party should ensure that no person is expelled, returned or extradited to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture. In particular, the State Party should:**

**(a) Revise its legislation to ensure that all asylum-seekers and other persons in need of international protection, including unaccompanied children, who arrive or attempt to arrive in the State Party have access, regardless of their legal status and mode of arrival, to fair, effective and individualized refugee status determination procedures and are not forcibly returned to a country where they could face torture or ill-treatment;**

**(b) Ensure adequate detention conditions and decent treatment in all places of detention or internment of asylum-seekers and immigrants, in line with international standards;**

**(c) Ensure that detention for the purposes of deportation is applied only as a last resort, when assessed to be strictly necessary and proportionate in the light of an individual's circumstances, and for the shortest possible period. Children and families with children should not be detained solely for their immigration status.**

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<sup>39</sup> CAT/C/ISR/CO/5, para. 46.

## **Human rights defenders, journalists and whistleblowers**

46. The Committee expresses its concern over:

(a) Allegations of the arbitrary detention of human rights defenders and journalists in the Occupied Palestinian Territory, along with allegations of the deliberate targeting of journalists in the context of the conflict in Gaza, in violation of international humanitarian law;

(b) Proposed amendments to the Law of Associations, 5740-1980, which would impose severe constraints on freedom of expression and financial and operational restrictions on non-governmental organizations receiving funding from foreign governmental entities;

(c) The designation by the Ministry of Defence of several human rights organizations in the West Bank providing direct assistance to victims of torture as “terror organizations”, on 19 October 2021, including grantee organizations of the United Nations Voluntary Fund for Victims of Torture;

(d) The use of vague and overbroad provisions in the Counter Terrorism Law, 5776-2016, including its amendment in 2023 prohibiting “consumption of terrorist materials”, to criminalize freedom of expression, access to information, and the work of human rights defenders, including those advocating for respect for the prohibition against torture and ill-treatment;

(e) The arrest of Major General Yifat Tomer-Yerushalmi, in November 2025, for having allegedly authorized the provision of video footage to media organizations purporting to show the assault of a Palestinian detainee by Israeli military personnel in Sde Teiman detention centre (arts. 2, 4, 11-13 and 16).

47. **The State Party should ensure that all human rights defenders and journalists are able to carry out their legitimate work in an enabling environment, free from threats, reprisals, violence, or other forms of intimidation and harassment, and, mindful that a free and vibrant civil society is a key element in the prevention of torture and ill-treatment, the State Party should amend its legislation in line with international standards regarding the regulation of civil society and media organizations, respecting their rights to freedom of expression, association and peaceful assembly. The Committee also urges the State Party to release all human rights defenders, journalists and others who are arbitrarily detained as a result of exercising their rights to defend rights and freely expressing themselves, and investigate promptly, thoroughly, and impartially all allegations of arbitrary arrest, extrajudicial killing and other torture or ill-treatment of human rights defenders and journalists, prosecute and punish appropriately those found guilty, and provide victims with redress. Lastly, the Committee requests the State Party to provide detailed information on the situation of and any prosecution or disciplinary proceedings concerning Major General Yifat Tomer-Yerushalmi and recommends that it establish a whistleblower mechanism to ensure that reliable information about torture and ill-treatment can be provided without risk of reprisals or prosecutions.**

## **Settler violence**

48. The Committee takes note of the recent condemnation by President Isaac Herzog of attacks on Palestinians by Israeli settlers. The Committee also takes note of information provided by the State Party regarding the investigation and prosecution of acts of violence allegedly committed by Israeli settlers prior to 2020, the operational procedures of the Israeli military, and the issuance of restriction orders against some settlers. However, the Committee is concerned over information received indicating that in recent years, particularly after 7 October 2023, there has been an increase in acts of violence against Palestinians by settlers of the State Party, noting, in particular, that, according to the United Nations Office for the Coordination of Humanitarian Affairs, acts of settler violence have reached unprecedented levels since the United Nations’ record-keeping began in 2006. The Committee also expresses its concern over allegations that settlers are at times accompanied by members of the Israeli military when attacks are carried out, and that, on some occasions, Israeli military members are co-perpetrators. The Committee is further concerned over the distribution of



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military-grade equipment to Kitat Konanut civilian volunteer defence squads, members of which have allegedly been involved in settler violence against Palestinians (2, 12, 13, 16).

49. **Recalling the Committee's previous recommendations<sup>40</sup>, the State party should ensure that all acts of settler violence, including those involving actions and omissions by State authorities or other entities that engage the international responsibility of the State party under the Convention, are thoroughly investigated, including through the initiation of ex officio investigations, that the alleged perpetrators are prosecuted and, if convicted, punished appropriately, and that the victims or their families receive redress, including adequate compensation and rehabilitation. Furthermore, the State Party should immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, in compliance with international law and relevant United Nations resolutions, such as Security Council resolution 2334 (2016) and the findings of the International Court of Justice<sup>41</sup>.**

### **Death penalty**

50. While noting that the death penalty has only been handed down twice and carried out once in the State Party's history, and acknowledging the de facto moratorium on the use of the death penalty under both domestic criminal and military jurisdictions, the Committee expresses its concern regarding a bill before the Knesset<sup>42</sup> which seeks to amend section 301A of the Penal Law, 5737-1977, to impose a mandatory death penalty on persons who intentionally, or through indifference, cause the death of an Israeli citizen, when the act is committed out of a motive of racism or hostility toward a public and with the intent to "harm the State of Israel and the resurrection of the Jewish people in their land"<sup>43</sup>. The Committee is also concerned that the bill seeks to lower the threshold according to which the death penalty may be handed down in military courts and prohibit its commutation (arts. 2 and 16).

51. **The State Party should consider declaring a moratorium on the death penalty and consider reviewing its legislation and policy to abolish it. If the death penalty is imposed, the State Party should ensure that it is only for the most serious crimes and in compliance with international norms, including those regarding non-discrimination. Furthermore, the Committee recalls that mandatory imposition of the death penalty, without consideration of the defendant's personal circumstances or the particular circumstances of the offense, constitutes an arbitrary deprivation of life. The State Party should also consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.**

### **Training**

52. While noting the information provided by the State Party as regards the training of public officials and other persons who may be involved in the custody, interrogation or treatment of individuals subject to arrest, detention or imprisonment, the Committee regrets that no information was provided by the State Party regarding specific trainings provided to judges on the prevention, prohibition and identification of torture and ill-treatment. While taking into account information submitted by the State Party indicating that relevant provisions of the Istanbul Protocol, as revised, are incorporated into the training programmes of all relevant bodies, the Committee regrets that, according to available information, only one training specifically focused on the Istanbul Protocol has taken place during the reporting period (art. 10).

53. **The Committee recommends that the State Party intensify its efforts to provide mandatory training on the provisions of the Convention for all law enforcement**

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<sup>40</sup> CAT/C/ISR/CO/5, para. 39, CAT/C/ISR/CO/4, para. 32.

<sup>41</sup> See *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, I.C.J. Reports 2004 (I), p. 184, para. 120; *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, para. 155.

<sup>42</sup> Penal Law (Amendment No. 159) (Death Penalty for Terrorists), 5786-2025.

<sup>43</sup> <https://main.knesset.gov.il/en/news/pressreleases/pages/press111125q.aspx>.

personnel, civil or military, medical personnel, judges, prosecutors, and other public officials and persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment. In this regard, the State Party should develop methodologies to assess the impact of these training programmes. The State Party should also consider incorporating specific training on the Istanbul Protocol, as revised, into the mandatory training of relevant personnel involved in arrest, detention or imprisonment, in particular medical personnel and the judiciary, and consider incorporating the Principles on Effective Interviewing for Investigations and Information-Gathering, known as the Méndez Principles, into future initiatives to review and revise interrogation techniques.

#### **Follow-up procedure**

54. The Committee requests the State Party to provide, by 28 November 2026, information on follow-up to the Committee's recommendations on criminalizing torture as a distinct offence and issuing a statement at the highest level reiterating its prohibition, incommunicado detention and enforced disappearance, access to healthcare in detention, and the cessation of all policies in the Occupied Palestinian Territory which amount to torture or ill-treatment (see paras. 11, 17 (c), 19 (c), and 33). In that context, the State Party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the present concluding observations.

#### **Other issues**

55. The Committee encourages the State Party to consider making declarations under articles 21 and 22 of the Convention recognizing the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention and to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the State Party of the provisions of the Convention.

56. The State Party is requested to widely disseminate the report submitted to the Committee and the present concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations and to inform the Committee about its dissemination activities.

57. **The Committee requests the State Party to submit its next periodic report, which will be its seventh, by 28 November 2029. For that purpose, and in view of the fact that the State Party has agreed to report to the Committee under the simplified reporting procedure, the Committee will, in due course, transmit to the State Party a list of issues prior to reporting. The State Party's replies to that list of issues will constitute its seventh periodic report under article 19 of the Convention.**

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