



**NGO report to the Committee Against Torture**  
**For the Committee's Review of the Sixth Periodic Report on Israel**

Submitted by

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## *Introduction*

Adalah is pleased to submit this report to the UN Committee Against Torture (CAT), in view of Israel's sixth periodic report on its implementation of the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT/C/ISR/QPR/6). The report responds to the List of Issues adopted by the Committee on 16 January 2019 (CAT/C/ISR/QPR/6) and subsequent developments, with a particular focus on the past two years. In this report, Adalah demonstrates Israel's violations of the Convention, both within Israel and in the Occupied Palestinian Territory (OPT). The submission is based on Adalah's legal work before Israeli courts and state authorities, as well as its legal research.

Adalah is an independent human rights organization and legal center, founded in November 1996. Its mission is to promote human rights in Israel broadly and the rights of the Palestinian minority, citizens of Israel, in particular. Adalah's work also includes promoting and defending the human rights of all individuals subject to the jurisdiction of the State of Israel (SoI), including Palestinian residents of the OPT.

This report is limited to examining issues of police violence, arrests, unlawful killings, and other forms of repression targeting Palestinian citizens of Israel (PCI) and Palestinian residents of occupied East Jerusalem. It does not cover the widespread torture and ill-treatment of Palestinians in prisons and military camps, which were addressed in a joint report submitted by Adalah, the Public Committee Against Torture in Israel, HaMoked – Center for the Defense of the Individual, Parents Against Child Detention, and Physicians for Human Rights, endorsed by the World Organization Against Torture (hereinafter: "joint report"). The present report likewise does not cover Israel's widespread torture and ill-treatment of Palestinians from Gaza amidst the ongoing genocide and campaign of deliberate starvation, nor torture committed in the context of Israel's military raids across the occupied West Bank, particularly in refugee camps.

## *Overview*

The trends and cases below illustrate a broader pattern of ongoing violations of the UN CAT by Israel against Palestinians, accompanied by near-total impunity for these violations. Violations documented by Adalah through its legal work include prolonged solitary confinement of individuals with mental illnesses; torture and cruel, inhuman, and degrading treatment or punishment (CIDTP) against Palestinians deprived of liberty, including minors; excessive use of force by Israeli armed forces, especially during demonstrations and arrests; unlawful killings by Israeli forces; the withholding of deceased Palestinians' bodies; and failure to prevent violence by armed Israeli Jewish nationals.

These findings, along with the joint report mentioned above, show the widespread infliction of torture and CIDTP on Palestinians. One of the root causes of continued violations is the deep-rooted impunity and lack of accountability for the harm caused, whether the abuses are carried out by state security forces or by armed Israeli civilians.

From the October 2000 killings of 13 PCI to the present, Israel's armed forces, including the Israeli police, have not been held accountable for unlawful killings and abuse.<sup>1</sup> Investigations by the Police Investigation Department ("PID") are plagued by delays, omissions, and reliance on police narratives that portray Palestinians as "enemies." As shown below, the PID consistently dismisses complaints, including those involving torture, severe injury to minors, and extrajudicial killings, clearly indicating that the PID and State Attorney's Office are part of a political system designed to shield Israel's armed forces from accountability, including for violations of the Convention. Israel's culture of impunity, combined with official endorsement of many of these practices by courts and political authorities, suggests that many of these actions reflect official state policy.

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<sup>1</sup> See, e.g., Adalah's Press Release: The October 2000 Killings (October Uprising), 30 September 2020, <https://www.adalah.org/en/content/view/10127>.

### *Prolonged solitary confinement (List of Issues 24)*

In its Concluding Observations (COs) from 2016, the Committee noted its concern that “persons can also be held in separation, allegedly in conditions of isolation that are similar to those prevailing in solitary confinement, during significantly longer periods for interrogation purposes or for other reasons such as State or prison security” (CAT/C/ISR/CO/5, para. 24). The Committee further expressed concern that it had received “reports that persons who suffer from mental health problems can also be held in separation if they are deemed to pose a threat to themselves or other inmates.” It urged SoI to “[p]ut an immediate end and prohibit the use of solitary confinement and equivalent measures for juveniles and persons with intellectual or psychosocial disabilities” to comply with the standards and procedures required in Article 11 of the Convention (CAT/C/ISR/CO/5, para. 25(b)).

Since the last review, the SoI has continued to use solitary confinement in a way that breaches the Convention, including against persons with intellectual or psychosocial disabilities. Judicial oversight remains mostly absent, and the practice is implemented in a way that violates the state's obligations under UN CAT, the International Covenant on Civil and Political Rights (Articles 7 and 10), and the UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules). Official data, as cited in the joint report mentioned above, show the widespread use of solitary confinement. According to information obtained by PHRI, solitary confinement was used 5,395 times between 2019 and August 2021, including against 229 minors (see page 31 of the joint report).

An egregious example of Israel's use of isolation, which Adalah challenged before Israeli authorities, involves Ahmad Manasra, a Palestinian resident of East Jerusalem who was convicted at the age of 14 and sentenced to nine-and-a-half years' imprisonment.<sup>2</sup> Over the course of his incarceration, his mental health deteriorated severely, and he was diagnosed with schizophrenia. Ahmad was held in solitary confinement for more than two and a half years (November 2021–April 2024).<sup>3</sup> Israeli courts repeatedly upheld his isolation, relying on secret material while

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<sup>2</sup> He was arrested by Israeli police in 2015, at the age of 13, allegedly for attempting to stab Israeli settlers. During the incident, Ahmad Manasra was physically assaulted by settlers and then shot in the legs by the police, after which he was left bleeding on the ground until an ambulance arrived. He was initially sentenced to 12 years in prison, but in 2017 his sentence was reduced to nine-and-a-half years.

<sup>3</sup> Ahmad Manasra was [released](#) on 10 April 2025, at the age of 23.

disregarding his deteriorating psychiatric condition and extensive medical assessments that solitary confinement was likely to increase and irreversibly worsen his illness.<sup>4</sup> Medical professionals recommended immediate specialist treatment outside the prison. UN experts also publicly urged his release in July 2022, citing the urgent need for medical care unavailable in prison facilities, calls that went unheeded by the Israel Prison Service (IPS).<sup>5</sup>

The IPS has repeatedly failed to offer alternatives to solitary confinement for Palestinian prisoners, continuing its use for extended periods, as evidenced by the data cited above. Israeli courts have routinely approved IPS requests to extend solitary confinement on the basis of secret evidence, undermining due process safeguards and precluding effective legal challenges.

Instead of providing proper medical or psychiatric treatment, the IPS systematically uses solitary confinement as a “solution” for incarcerated individuals with mental health issues. Rather than addressing underlying psychiatric vulnerabilities through professional care, the IPS relies on isolation, a practice that is not only medically inappropriate but also worsens existing conditions.

*Adalah urges the Committee to reaffirm its call for the State of Israel to immediately end the use of prolonged solitary confinement, especially against Palestinian detainees, as it amounts to torture and ill-treatment, in violation of the Convention Against Torture, and to reiterate its call for a ban on solitary confinement and similar measures for juveniles and individuals with intellectual or psychosocial disabilities (CAT/C/ISR/CO/5). Additionally, Adalah urges the Committee to examine the key role of the Israeli judiciary in legitimizing these violations through its routine approval of solitary confinement orders, including against juveniles and individuals with intellectual or psychosocial disabilities, often based on secret evidence, which undermines effective legal challenges.*

### *Torture and other cruel, inhuman or degrading treatment or punishment of persons deprived of liberty, including minors (List of Issues 30)*

In its previous COs, the Committee expressed concern at allegations that violate Article 11 of the UN CAT. It referred to “allegations of torture and other cruel, inhuman or degrading treatment or punishment of persons deprived of liberty, including minors. According to these allegations,

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<sup>4</sup> See Adalah Press Release: [Israeli District Court extends solitary confinement of Palestinian youth prisoner Ahmad Manasra by additional four months based on secret evidence](#), 24 November 2022; and Adalah Press Release, [Israeli Court Extends Solitary Confinement of Palestinian Prisoner Ahmad Manasra for Six More Months](#), 13 March 2023.

<sup>5</sup> United Nations Human Rights Office of the High Commissioner, [UN Experts Urge Israel to Free Ahmad Manasra](#), 14 July 2022.

torture and ill-treatment are mostly perpetrated by law enforcement and security officials, mainly from the Israel Security Agency, the police and the Israeli Defense Forces, particularly during arrest, transfer and interrogation” (CAT/C/ISR/CO/5, para. 30).

Since the Committee’s 2016 observations, Israeli police have persistently engaged in widespread, systematic violence against PCI, including protesters, minors, innocent bystanders, and even attorneys, particularly during the May 2021 Events, also referred to as the Uprising of Dignity (see below), as well as during protests by PCI against Israel’s ongoing genocidal war against Palestinians in Gaza since October 2023. These acts form part of a long-standing and pervasive pattern of torture and CIDTP by Israeli authorities, including the police, IPS, and military, against PCI and Palestinians living under occupation, most evident in Israeli detention facilities where torture is widespread and systematic, as extensively documented in the joint report.

During the May 2021 Uprising of Dignity, referred to by Israel as “Operation Law and Order”, Israeli forces detained over 2,140 people, with 91 percent being PCIs. This mass arrest campaign followed Israel’s violent dispersal of protests against forced displacement in Sheikh Jarrah and raids on the Al-Aqsa Mosque Compound, which further heightened tensions across Israel and the OPT. In response, Palestinian citizens took to the streets in towns and so-called “mixed” cities in Israel to show support for Palestinians in Jerusalem and Gaza. They were met with widespread police brutality and mass arrests in a hostile crackdown on freedoms of protest and expression. Meanwhile, organized ultra-right Jewish groups, including settlers, attacked PCI and their property, often with police complicity. Senior Israeli officials made inflammatory statements that fueled further violence against Palestinians,<sup>6</sup> including Prime Minister Benjamin Netanyahu.<sup>7</sup>

Excessive use of force occurred during arrests, demonstrations, and, in at least one case, during detention at a police station. This occurred in the Palestinian city of Nazareth in northern Israel, where detainees reported the existence of a “torture room” inside the police station. Individuals, including minors and lawyers, were subjected to severe beatings, verbal abuse, and denial of

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<sup>6</sup> Adalah’s extensive report of May 2021 events is available [here](#).

<sup>7</sup> Following such incitement and widespread violence against PCI, The High Follow-up Committee for Arab Citizens of Israel issued a statement on 14 May 2021, calling for international intervention to protect the safety and human rights of PCI. The Statement of the High Follow-Up Committee is available [here](#).

medical care. Adalah collected testimonies from detainees held at the police station between 9 and 14 May 2021.<sup>8</sup>

One detainee testified:

“The police officers dragged and beat me all the way from Al-Ein square to the [...] police station. They ordered me to lower my head and look down, even though I was not resisting the arrest. On the way [to the station], we encountered a police officer, who appeared to be a [high-ranking] officer. When he saw me, he laughed loudly and said to the others, ‘you only arrested this one? That is not enough - I want more’.”

Another detainee, A.M., recounted:

“As I got to the door of the [entrance] room, police officers started insulting me, and one of them slapped me across the face. There were many detainees inside the room. I witnessed horrifying scenes, as if it were a room for prisoners of war. The detainees were forced to sit on the floor with their legs tucked under their bodies and their heads facing downward. A masked policeman kept walking around the room with a tool in his hand, and I could not understand what it was, but anyone who raised his head got a brutal beating. So, I kept my head down and curled myself into a ball, but the police still hit me hard on the head.”

Other testimonies described brutal assaults. For example, detainees were made to sit on their knees, handcuffed together, facing the walls, while officers kicked and beat them with batons. One detainee was seen bleeding heavily after being struck on the head. According to another account, police hit detainees with rifle butts and broomsticks, laughing as they caused injuries. One officer beat a detainee so badly with a broomstick that it broke during the attack. Additionally, a minor was detained overnight and released at 2:00 a.m. without any parental or legal notification. He showed visible signs of violence, and his repeated requests to see a lawyer or contact his family were denied.

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<sup>8</sup> See Adalah Press Release, [What happened in the ‘torture room’ at Israel’s police station in Nazareth?](#), 7 June 2021. For more legal and factual details on the events of May 2021, including additional testimonies, please see [Adalah’s extensive report](#) on May 2021.

The effects of the assaults and beatings on the detainees were clearly visible. Some arrived at court the next day with head contusions, swelling, facial scratches, and bruises all over their bodies. The physical and psychological abuse they endured was recorded in some of the court hearings. In one case, a judge asked for the case to be referred to the PID after noticing visible signs of violence on the detainees' bodies.

Another example of an arbitrary arrest occurred in the Palestinian village of Tuba Zangariya in Israel. On May 13, 2021, M.A. went outside to check the gate of his house after hearing loud explosions nearby. As soon as he reached the gate, police officers chased him back inside and violently beat him in front of his family, including children. The police then dragged him outside to the yard of the local council, where he was held shackled with handcuffs on his hands and feet for several hours before being taken to the police station. Only after hours did the police inform him that he was being detained and questioned. Eventually, he was released without any conditions. As in previous cases, the complaint filed by Adalah with PID was closed on the grounds of the incident's purported "incompatibility with criminal procedures."<sup>9</sup>

Similar conditions of mass arrests and abuse reappeared after October 7, 2023, with Palestinian citizens again facing widespread police violence and mistreatment. Adalah has received reports of cases involving humiliating strip searches, disproportionately targeting children and women, performed without any real security reason. In one instance, a 16-year-old girl, S.M., was violently arrested during a demonstration and taken to a bathroom, where she was ordered to undress completely, including her undergarments, without access to a lawyer or being told she had the right to refuse. A female police officer further humiliated her by ordering her to jump while naked and urinate in front of officers. Such actions constitute inhuman and degrading treatment, intentionally meant to intimidate and instill fear.

Police routinely conducted night raids on Palestinian homes, dragging them into police cars, blindfolding and handcuffing them, in connection with alleged speech-related offenses, often over social media posts. In one case, Israeli authorities detained a Palestinian teacher over a video showing her recreating a popular TikTok dance trend, posted to her account on 7 October 2023. Officers raided her home in the middle of the night and later released a photo of her blindfolded

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<sup>9</sup> See pages 13 – 14 of Adalah's [May 2021 Report](#).



and seated in the back of a police vehicle, accompanied by a caption stating that police would “continue to act, locate, and deal with inciters to violence and acts of terrorism.”<sup>10</sup>

In another case, Fayed, an activist against anti-Arab discrimination in Israeli society, posted a video on Facebook criticizing restrictions on freedom of expression faced by PCI. The next day, dozens of armed police officers, including masked counter-terrorism units, raided his home and arrested him, deploying stun grenades throughout the neighborhood. Fayed was blindfolded, handcuffed, and struck on the head while being taken to the police vehicle. At the police station, he was subjected to further beatings and threatened with sexual violence.<sup>11</sup>

On multiple occasions, Minister Ben-Gvir also posted the names and photos of Palestinian detainees from police stations on social media, often showing them against the background of the Israeli flag.<sup>12</sup> Such practices have no legitimate purpose other than to punish Palestinians for their political expression and identity, to humiliate them and to instill fear and deterrence.

*Adalah urges the Committee to call on Israel to end its widespread use of torture and other CIDTP against persons deprived of liberty; to investigate all allegations of torture and other CIDTP of persons deprived of liberty; and to eliminate and prohibit the use of strip searches in cases where there are no genuine security concerns, especially against children and women.*

### *Excessive Use of Force (List of Issues 32)*

Previously, the Committee has expressed concerns over “allegations of excessive use of force, including lethal force, by security forces, mostly against Palestinians in the West Bank, including East Jerusalem, and the access-restricted areas of the Gaza Strip, particularly in the context of demonstrations” (CAT/C/ISR/CO/5 para. 32). The Committee recommended that, “[t]he rules of

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<sup>10</sup> Jeremy Sharon and Toi Staff, *Arrest of Arab Israeli Woman Over Tiktok Clip Raises Questions About Police Conduct*, The Times of Israel, 8 Oct. 2024, [here](#).

<sup>11</sup> See, e.g., Daniel Dolev, “[I No Longer Believe We’re Living in a Democracy. We’re Being Muzzled](#),” Shomrim, 25 June 2024.

<sup>12</sup> See, for example, Itamar Ben Gvir, Twitter Post from 24 October 2024 (2024) (featuring a picture of actress Maisa Abd Elhadi, who was arrested based on posts from 10 July 2023). Available at <https://twitter.com/itamarbengvir/status/1716768738546983082>.

engagement or regulations on opening fire are fully consistent with the Convention and other relevant international standards” (CAT/C/ISR/CO/5, para. 33(b)).

To build on the Committee’s previous observations, Adalah would like to draw the Committee’s attention to the widespread and systematic campaign of repression carried out by Israeli authorities against PCI and residents of occupied East Jerusalem, particularly during the events of May 2021.

## 1. Excessive Use of Force, including during demonstrations and arrests

During the events of the Uprising of Dignity in May 2021, police and security forces used mass arrests, intimidation, and excessive violence, mainly targeting Palestinians while Jewish Israelis largely remained unaffected, despite well-documented cases of attacks and lynch-style assaults against Palestinians. The goal was not legitimate law enforcement but rather suppressing freedoms of assembly, expression, and protest, and spreading fear and intimidation within Palestinian communities—violations of fundamental rights under international human rights law—using tools and tactics that breach the UN CAT.<sup>13</sup>

Police operations often involved large numbers of heavily armed officers arriving at homes during the night or early morning, using intimidating and degrading language. Large forces also responded to demonstrations to halt anti-war protests. Detainees frequently reported physical, verbal, and psychological abuse after their arrest.

In several Palestinian towns and villages in Israel, Israeli forces extensively used rubber-coated bullets. During the uprising, these bullets became a common sight during and after protests. The way rubber-coated bullets were fired was arbitrary, excessive, and at very close range, leading to severe injuries. In many cases, their use caused permanent disfigurement of the victims’ bodies.<sup>14</sup>

An example of such a case happened in Yaffa (Jaffa). On May 10, 2021, police, including special units, suppressed a protest by PCI in Yaffa by shooting rubber-coated bullets at protesters and passersby. Police internal reports show that the crackdown was based on decisions made in advance by police leadership across all precincts. One police officer’s report confirms that there

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<sup>13</sup> See also Adalah’s [May 2021 Report](#).

<sup>14</sup> See pages 10 – 12 of Adalah’s [May 2021 Report](#).

were clear directives given to officers, which contained false and inflammatory claims about the protesters and organizers, including the statement: “The locals and protesters went to garages and other places, collected screws, ‘azqat’ [improvised explosive devices], nails, and other items, and they had the intention to throw explosive devices at police officers, to get revenge, to strike them, and cause them harm.”<sup>15</sup> Police officers deliberately used these inflammatory claims as a pretext to carry out violence against these individuals.

According to reports obtained by Adalah, 16 police officers in Yaffa on May 10–11, 2021, fired over 115 rubber- and sponge-coated bullets at protesters and pedestrians, with six officers alone firing 57 bullets on May 11. These figures likely understate the scope of the violence, as many officers were unreported and some did not record the number of shots fired. This indiscriminate use of force caused numerous injuries.

One of the injured was a Palestinian minor, T.A., 17 years old. T.A. was hit directly in the face by a rubber-coated bullet while on one of the main streets in Yaffa. After being seriously injured, he was taken to a hospital for emergency medical treatment and underwent multiple surgeries to repair fractures and swelling on his face.

Another minor who was seriously injured was Y.M., 12 years old. Y.M. had gone out into his neighborhood with friends to buy sweets after breaking the Ramadan fast that evening. On the way, he encountered a large group of police officers firing stun grenades and rubber-coated bullets indiscriminately in the street. To avoid injury, he ran into a side street looking for shelter. However, a police officer shot him in the back with a rubber-coated bullet at close range, just a few meters away, then left him lying on the ground, bleeding. After a few minutes, a friend found him and asked passersby for help. He was immediately taken to a hospital for medical treatment. Y.M. spent over a week in the hospital’s intensive care unit, where doctors found that he had sustained multiple internal injuries, including to the lung, kidney, and liver.

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<sup>15</sup> Adalah filed complaints to PID on behalf of several injured individuals. However, the complaints were rejected in full and no charges were filed against any of the police officers involved. As part of these complaints, Adalah requested access to the investigatory materials in order to assess the possibility of challenging these decisions. Thus, some of the information referenced in this report was obtained by examining internal police reports and the partial investigatory materials that Adalah was able to obtain through the filing of these complaints.

Another minor, A.A., 12 years old, was on his way to a friend's house when he was hit in the foot by a rubber-coated bullet, causing him to fall to the ground. An ambulance was blocked from reaching him, and he was transported by private car to a hospital. He was found to have suffered deep wounds to his leg and fractures to his hand, requiring intensive medical treatments, including multiple surgeries, which left him with permanent scarring. These three youths were injured on the first day of protests alone, while police continued to indiscriminately fire at protesters and bystanders in densely populated residential areas over the following days, often at close range.

On May 11, 2021, M.Kh. was injured when he was hit by a rubber-coated bullet while leaving his apartment building with his 10-year-old son. On May 13, 2021, in another incident, rubber-coated bullets were fired at A.M. as he was standing on his house balcony documenting police assaults and aggressive tactics against protesters and other citizens. He sustained a direct head injury from a bullet and, due to a stun grenade thrown toward him, experienced extensive fractures to his face, especially his nose. He was later taken to the hospital for medical treatment.

These brutal attacks have been the subject of multiple complaints filed with PID by Adalah and others. These complaints include testimonies from numerous injured individuals, including those mentioned above. PID closed all these complaints in April 2022, citing the purported "incompatibility of criminal procedures with the circumstances of the event, " which effectively absolved the police of all responsibility for targeting and injuring the victims. After reviewing the partial investigation materials available to it, Adalah filed an appeal against the case closures with the State Attorney's Office on 29 September 2022. Still, as of this writing, there has been no response.

In Haifa, PCIs were similarly subjected to police brutality and excessive use of force. On May 10, 2021, Palestinian actress Maisa Abd Elhadi was seriously injured in the hip by a stun grenade during a peaceful protest. Police blocked ambulance access. Seventeen people were arrested, and six were injured. Adalah filed a general complaint with PID and a specific complaint on behalf of Ms. Abd Elhadi, both of which were rejected without indictment or disciplinary action against those responsible.

A similar incident involving the arbitrary use of force against PCI took place in Haifa on May 13, 2021. According to media reports, a large police force raided Sheikh Awad Mahamid's house and violently assaulted him and his sons with fists and batons. They also sprayed tear gas inside the home, showing total disregard for the young children present and the health risks posed by the toxic substance. As a result of this violence, multiple family members sustained serious injuries to their heads and bodies. Despite this, they were detained and later released.<sup>16</sup> These incidents reveal a pattern of disproportionate and unlawful use of force used against Palestinian citizens. The Committee has previously condemned the indiscriminate use of rubber bullets and other so-called “less-lethal” weapons, noting that such use may violate the Convention.<sup>17</sup>

These abusive practices provoked strong international concern. For example:

- On May 15, 2021, the UN High Commissioner for Human Rights condemned the use of excessive force by Israeli police, their failure to intervene when PCI were attacked by ultra-right-wing Jewish groups, and inflammatory remarks that could amount to incitement to racial and religious hatred and violence.<sup>18</sup> The High Commissioner expressed concern “at reports that Israeli police failed to intervene where Palestinian citizens of Israel were being violently attacked, and that social media is being used by ultra-right wing groups to rally people to bring ‘weapons, knives, clubs, knuckleduster’s to use against Palestinian citizens of Israel.”
- The UN Special Rapporteur on Minority Issues issued a statement strongly condemning violent attacks on Palestinian citizens of Israel on 1 June 2021.<sup>19</sup>
- In response to the May 2021 events, the UN Human Rights Council established the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (COI) to investigate not only violations during the events, but also their root causes, including systemic repression of Palestinians. In its 2023

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<sup>16</sup> See Al Jazeera, Brutal assault and screaming, the moment the Israeli Police arrested Palestinians from their home in Haifa (video), 13 May 2021 (Arabic): <https://tinyurl.com/5ah9ntbz>.

<sup>17</sup> See for instance, statement by UN anti-torture mechanisms, [Protecting protests: UN anti-torture mechanisms call for responsible and accountable policing of assemblies - International Day in Support of Victims of Torture, 26 June 2025](#).

<sup>18</sup> The statement of the High Commissioner is available [here](#).

<sup>19</sup> The Statement of the Special Rapporteur on Minority Issues is available [here](#).

September report to the UN General Assembly, the COI noted the discriminatory nature of state violence: “in May 2021, Israeli security officers dispersed demonstrations in mixed Jewish-Palestinian cities with the use of lethal force. The Commission viewed ample evidence indicating that groups of armed settlers and other armed civilians were also directly involved in attacking Palestinians and suppressing demonstrations and that Israeli police failed to protect Palestinians from such attacks. Hundreds of Palestinians with Israeli citizenship were arrested during and following the May 2021 escalation, while a significantly smaller number of Jewish Israelis were arrested for taking part in attacks against Palestinians. No fewer than 616 persons were indicted; of these 545 were Palestinians with Israeli citizenship and 71 were Jewish Israelis” (A/78/198, para. 22).

#### Post Autumn 2023:

The widespread and systematic use of force by police and security agencies reemerged after 7 October 2023. PCI and Palestinian residents of occupied East Jerusalem face political persecution and severe restrictions on free expression and assembly, with police using various tactics that violate the Convention.

Following October 7, Israeli police, directed by the far-right Minister of National Security Itamar Ben-Gvir, effectively imposed a total ban on Palestinian-led protests and any expression of solidarity with their fellow Palestinians in Gaza, responding to peaceful demonstrations with brutality. In Palestinian towns and mixed Palestinian-Jewish Israeli cities across Israel, police forces violently dispersed gatherings, assaulted participants, carried out mass arrests, and used various forms of physical and verbal abuse.

For instance, on October 19, 2023, police in Umm al-Fahem used rubber bullets and stun grenades to break up a peaceful protest, arresting 11 demonstrators, including four minors and a journalist.<sup>20</sup> Although most of the detainees were released within three days without charges, two—Attorney Ahmad Khalifa and social worker Mohammad Abu El Taher Jabareen—were prosecuted under Israel’s 2016 Counter-Terrorism Law for “incitement to terrorism,” based solely on the fact that they called out slogans that are commonly chanted during Palestinian anti-war protests. During

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<sup>20</sup> See, for instance, reports on how the court [extended](#) the detention of 11 anti-war protesters, including minors, without hearing their arguments.

arrest and detention, both men were subjected to degrading conditions and ill-treatment, prolonged detention, and verbal abuse by guards.

In Haifa, which has been a focal point of anti-war, Palestinian-led protests over the past two years, the Israeli police, often working with municipal armed forces, have repeatedly used violence and made arbitrary arrests. Adalah represented over 100 protesters in the past three months alone and was privy to testimonies and videos showing protesters being forced to the ground, handcuffed, and dragged into police vehicles, where many reportedly faced further physical and verbal abuse. For instance, on September 11, 2025, seven demonstrators were arrested; according to their testimonies, officers stated their goal was to prevent Palestinians from protesting, detaining them for over 20 hours. One officer reportedly insulted a female protester, calling her a “Jew's whore” telling her to “go to Gaza and get arrested by Hamas,” and threatening to punch her in the face.<sup>21</sup> In another protest, an activist sustained an injured arm due to police brutality when dispersing the protest. Although the court instructed the police to file a complaint with PID, Adalah later discovered that no action had been taken, and the case had not progressed.

Large-scale arrests and detentions of PCI similarly demonstrate a recurring pattern of excessive force. According to information obtained by Adalah through freedom of information requests, between 7 October 2023 and 27 March 2024, Israeli police arrested 401 individuals for speech-related offenses under incitement charges, the vast majority of whom were Palestinians.<sup>22</sup> Between April 2024 and 26 April 2025, 244 additional individuals were arrested, including 237 Palestinians and 7 Jewish Israelis.<sup>23</sup>

The state's campaign of political persecution has led to the significant imprisonment of Palestinians. Of the 645 individuals arrested during the same period, 626 were detained for more than 24 hours. In separate FOIA responses, the State Attorney's Office clarified that Israeli authorities filed 205 indictments for speech-related offenses under the Counter-Terrorism Law.

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<sup>21</sup> Adi Hashmonai, [‘Go to Gaza’: Anti-war Protesters Detained Overnight, Say Police Berated Them](#), Haaretz, 13 September 2025.

<sup>22</sup> Response of the Israel Police to Freedom of Information Act request of Adalah, received on 30 April 2024, on file with Adalah.

<sup>23</sup> Response of the Israel Police to Freedom of Information Act request of Adalah, received on 16 July 2025, on file with Adalah.

These indictments almost exclusively target Palestinian citizens and Palestinian residents of East Jerusalem; only one indictment was filed against a Jewish-Israeli.<sup>24</sup>

According to an official from the State Attorney's Office, as of May 2024, approximately 80% of detainees were being detained without bond until the conclusion of proceedings, which can last for months and may be extended by the Supreme Court.<sup>25</sup> Most of these indictments were triggered by just one or two social media posts. Given that these individuals are charged under the Counter-Terrorism Law, the IPS detains them in the "security wings" of Israeli prisons where they endure deplorable living conditions and systemic torture, including verbal abuse, physical aggression, and threats of sexual violence.<sup>26</sup>

Under allegations of speech offenses, police conducted night raids on private homes, often using excessive force, clearly intended to intimidate. In one instance, police officers raided M.A.'s home five times, often late at night, claiming to summon his daughter for questioning over social media posts, even though she lives abroad. M.A., who has a physical disability and uses a wheelchair, reported that officers employed overwhelming force during the raids. One time, they allegedly threw stun grenades at pedestrians nearby, stormed the home violently, used physical force against residents, and pointed their weapons at them. The officers repeatedly threatened to harm and continue harassing the family until the daughter appeared for questioning.

These instances of excessive force for control and deterrence reflect a broader pattern of torture and CIDTP by Israeli authorities, including police, IPS, and military. The normalization of such force and systematic denial of redress demonstrate Israel's ongoing violations of its obligations under the Convention, contributing to a marked suppression of protest and organized dissent among PCI.

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<sup>24</sup> Information from responses received from the State Attorney's Office on 19 August 2024 and 21 May 2025; on file with Adalah.

<sup>25</sup> See the article in *Calculist*, a Hebrew newspaper, available [here](#).

<sup>26</sup> Adalah's Press Release, [Human Rights Organizations appeal to the Special Rapporteur on Torture, urging the immediate halt of systematic abuse, torture, and ill-treatment of Palestinians detained in Israeli facilities](#), 21 February 2024; see also joint report.



*Adalah calls on the Committee to urge Israel to immediately cease the use of excessive force, including during protests and arrests, and to ensure accountability for violations. This includes conducting prompt, impartial, and independent investigations into all allegations of physical, verbal, and psychological abuse; holding responsible officers criminally and disciplinarily accountable; and providing effective remedies and redress to victims.*

## 2. Extrajudicial executions of Palestinian residents of occupied East Jerusalem

In 2016, the Committee expressed concerns about allegations of excessive use of force, including lethal force, by Israel’s security forces. It also referenced with concern the UN High Commissioner for Human Rights’ finding that “some of these responses strongly suggest unlawful killings, including possible extrajudicial executions” (A/HRC/31/40, para. 10; CAT/C/ISR/CO/5 para. 32). The Committee recommended that “[t]he rules of engagement or regulations on opening fire are fully consistent with the Convention and other relevant international standards” and that “[a]ll instances and allegations of excessive use of force are investigated promptly, effectively, and impartially by an independent body, that alleged perpetrators are duly prosecuted and, if found guilty, adequately sanctioned” (CAT/C/ISR/CO/5 para. 33(b), (c)).

In Adalah’s view, Israel is executing a de facto and illegal “shoot to kill” policy against Palestinians, leading to many cases of extra-judicial killings (EJEs). This claim is supported, among other evidence, by six EJE cases from East Jerusalem that Adalah has worked on, where Israeli forces shot at alleged Palestinian assailants at a time when they appear to have posed no imminent danger to officers or other people. Five of these cases were documented with video footage showing the victims indeed did not threaten any police or civilians when they were shot. In all six cases, Adalah submitted complaints to the PID, demanding criminal investigations into the killings.

Case/complaint	State’s response	Status
1. <b>Fadi Alloun</b> , 19 years old, East Jerusalem (EJ);	May 2021: <b>Appeal rejected</b> – “No	September 2016: Preliminary appeal to the Attorney General (AG).

complaint filed October 2015.	<b>crime has been committed.”</b>	January 2017: PID finally provided Adalah with the investigation materials after legal action threatened. March 2017: Submitted additional arguments to appeal based on new materials obtained. 27 May 2021: State Attorney (Appeals Unit) rejected an appeal over the AG’s decision.
2. <b>Mustafa Khatib</b> , 17 years old, EJ; complaint filed December 2015.	February 2017: <b>Appeal rejected – “No crime has been committed.”</b>	August 2016: PID closed the case claiming, “No crime has been committed” February 2017: State Attorney (Appeals Unit) rejected an appeal.
3. <b>Mu’taz Ewisat</b> , 16 years old, EJ; complaint filed January 2016.	August 2018: <b>Appeal rejected – “No crime has been committed.”</b>	2016: Petitioned SCT for an autopsy and for the state to release the body. December 2016: Received autopsy report from Palestinian doctor who participated in autopsy. March 2017: Received autopsy report from the Abu Kabir Israeli autopsy institute. August 2017: Appeal filed. August 2018: State Attorney (Appeals Unit) rejected the appeal.
4. <b>Muhammad Abu Khalaf</b> , 19 years old, Kufr ‘Aqab, EJ; complaint filed April 2016.	August 2017: <b>Appeal rejected – “No crime has been committed.”</b>	December 2016: Received autopsy report from Palestinian doctor who observed the autopsy. March 2017: Received autopsy report from Abu Kabir. August 2017: Appeal filed. August 2018: State Attorney (Appeals Unit) rejected the appeal.
5. <b>Ahmad Abu Shaaban</b> , 22 years old, EJ; complaint filed January 2016.	August 2019: <b>Appeal rejected – “No crime has been committed.”</b>	July 2016: PID claims there is no investigation material. Appeal filed. August 2019: State Attorney (Appeals Unit) rejected the appeal.
6. <b>Mohammad Salima</b>	December 2021: <b>Waiting for a response.</b>	January 2022: Complaint filed by Adalah and Jerusalem Legal Aid and Human Rights Center (JLAC),

		<p>requesting to open an investigation or to be provided access to the investigatory materials.</p> <p>March–July 2022: The PID closed the investigation. Adalah requested access to the case materials, including forensic reports and visual recordings.</p> <p>September 2022: The State Attorney’s Office announced the closure of the investigation on the grounds of self-defense.</p> <p>December 2022: Adalah submitted an appeal to the Appeals Department of the State Attorney’s Office.</p> <p>March</p> <p>January 2025: the State Attorney requested another extension, citing workload pressures.</p>
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*Adalah requests that the Committee demand an immediate end to Israel’s “shoot to kill” policy against Palestinians, especially Palestinian residents of occupied East Jerusalem. It also calls for thorough, effective, independent, and impartial investigations into the extrajudicial executions of Palestinians in East Jerusalem; prosecutions and accountability for perpetrators, particularly those in command positions, in proportion to the severity of their acts; and the provision of effective remedies to the families of victims.*

### *Lack of prompt and impartial investigations and accountability (List of Issues 32).*

On this issue, in its previous COs, the Committee emphasized the importance of accountability. It advised that “[a]ll instances and allegations of excessive use of force are investigated promptly, effectively, and impartially by an independent body, that alleged perpetrators are duly prosecuted and, if found guilty, adequately sanctioned” (CAT/C/ISR/CO/5, para. 33(c)). It also urged Israel to ensure the “[p]reventing, investigating, and adequately sanctioning [of] practices involving torture or ill-treatment,” and to guarantee that minors who are victims “are afforded appropriate redress” under articles 12 and 13 of the Convention (para. 29(c)).

In all cases documented by Adalah, Israeli investigatory authorities have failed to meet basic international standards. A consistent lack of promptness, transparency, and independence marks

PID investigations. As seen in the cases mentioned above, files are delayed for years. Meanwhile, the PID relies solely on police-provided evidence, neglects to gather independent witness testimonies, and makes no effort to cross-verify police accounts. This approach has led to near-total impunity for police violence and a systemic lack of accountability, a pattern repeatedly upheld by Israeli courts and the State Attorney's office. The PID has effectively adopted a policy of non-accountability, closing the vast majority of complaints against police officers involved in crimes against Palestinians, including cases of lethal violence.

Despite the seriousness of the police brutality during the events of May 2021 and the compelling testimonies provided by detainees and their lawyers, the PID closed the investigations without conducting a thorough inquiry or summoning those responsible for questioning. Furthermore, the PID exploited procedural and technical loopholes to withhold most internal investigation materials from Adalah, despite its repeated requests to access the case files. Adalah submitted detailed complaints about the "torture room" in Nazareth, yet the PID rejected the complaint and refused to open a criminal investigation. The police station commander remains in his position despite repeated calls for suspension. Similarly, in the case of children injured by rubber bullets in Yaffa, the PID rejected Adalah's complaint. Adalah appealed to the State Attorney's Office, arguing that the PID had conducted an inadequate investigation, failed to summon witnesses, and made no effort to establish the facts. As noted above, three years later, no decision has been issued.

Another case that highlights the systemic impunity maintained by the PID, the State Attorney's Office, and the Israeli courts is that of Eyad al-Hallaq, a 32-year-old autistic Palestinian man shot dead by Israeli Border Police in Jerusalem's Old City in May 2020. In October 2020, following a PID investigation, it was announced that the police officer who shot Eyad would face reckless manslaughter charges, while also closing the file against the responsible commander. This is a rare occurrence, as PID investigations almost never result in criminal charges against Israeli forces. However, in July 2023, the Jerusalem District Court acquitted the officer, accepting his *subjective belief* that al-Hallaq posed a threat, despite the absence of any weapon.<sup>27</sup> The State Attorney's

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<sup>27</sup> Criminal Case 40172-06-21 *State of Israel vs. John Doe* (delivered on 6 July 2023), decision available [in Hebrew] at [https://www.adalah.org/uploads/uploads/Eyad\\_al\\_hallaq\\_DC\\_ruling.pdf](https://www.adalah.org/uploads/uploads/Eyad_al_hallaq_DC_ruling.pdf).

Office decided not to appeal the decision. In April 2024, the Supreme Court dismissed a petition by Adalah and Meezan, upholding the State Attorney's decision not to appeal.<sup>28</sup>

This ruling dangerously expands the doctrine of self-defense, placing decisive weight on the officer's perceptions rather than objective facts. It legitimizes extrajudicial executions of Palestinians, effectively treating areas such as Jerusalem's Old City as "free-fire zones" where police are shielded from accountability.

- Adalah's press release: [Israeli Supreme Court upholds State Attorney's decision not to appeal acquittal of Police Officer who killed Eyad al-Hallaq](#), 11 April 2024.

In the abovementioned case of the strip search of 16-year-old girl, S.M., Adalah submitted a complaint to the PID on 26 May 2025. On 28 May 2025, PID informed that a date had been set for taking the S.M.'s testimony on 8 June 2025. S.M. appeared and provided her testimony as scheduled on 8 June 2025. Since that date, however, no update has been received regarding the progress or outcome of the complaint. Adalah sent a follow-up letter on 7 August 2025, to which the PID responded that, given the limited time since the complaint was submitted, no decision had yet been issued. As of writing these lines, no response has been received. This prolonged inaction, extending for months despite the seriousness of the alleged violation and the victim's young age, reflects a troubling lack of urgency and accountability in handling such a grave complaint.

*Adalah requests that the Committee call upon Israel to investigate all reported incidents of excessive use of force by Israel's armed forces, including police,, unlawful killings, torture and other cruel, inhuman or degrading treatment or punishment of Palestinians. The Committee should further call on Israel to address the judiciary's role in enabling extrajudicial executions, including the misuse of self-defense doctrines to shield perpetrators from responsibility.*

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<sup>28</sup> HCJ 6630/23 *Rana Hallaq v. the Police Investigation Department et al.* (delivered on 11 April 2024), decision available [in Hebrew] at [https://www.adalah.org/uploads/uploads/H CJ\\_6630\\_23\\_ruling.pdf](https://www.adalah.org/uploads/uploads/H CJ_6630_23_ruling.pdf).

*Allegations of acts of violence by state party's settlers (List of Issues 38).*

Previously, the Committee has expressed concern over the “allegations that acts of violence by settlers of the State party against Palestinians continue to be committed in the West Bank, including East Jerusalem” (CAT/C/ISR/CO/5, para. 38). The Committee recommended for the SoI to, “take more effective measures to prevent acts of violence by settlers” (CAT/C/ISR/CO/5, para. 39). It also reaffirmed its previous recommendation to “redouble its efforts with a view to ensuring that all allegations of acts of violence perpetrated by settlers are promptly and impartially investigated; that the alleged perpetrators are brought to justice and, if found responsible, appropriately punished; and that victims are afforded appropriate redress” (CAT/C/ISR/CO/4, para. 32; CAT/C/ISR/CO/5, para. 39).

Yet, instead of taking steps to curb violence against Palestinians by armed settlers, authorities have allowed it to escalate, granting near-total impunity to the perpetrators. Adalah emphasizes that settler violence, particularly in the occupied West Bank, has effectively become an extension of state violence, enabled by the military, political leadership, and judicial system, which routinely fail to hold Jewish-Israeli perpetrators accountable for attacks against Palestinians. Similar attacks by armed Jewish-Israelis have also occurred inside Israel, with authorities likewise shielding the perpetrators from accountability.

A particularly egregious case, which went completely unpunished, occurred on the night of 10 May 2021. Armed Jewish Israelis from Lydd (Lod) in central Israel opened fire on a group of Palestinian men, killing one named Moussa Hassouna and wounding two others. Within minutes of the shooting, police arrived and detained several suspects, all Jewish-Israelis from the city. Yet, less than 24 hours later, the police, under political pressure from the Minister of Public Security and other public officials, released the suspects. Months later, the State Attorney’s Office formally closed the investigation on the pretext of “self-defense.” When the Hassouna family filed an appeal exposing serious investigative failures, such as refusing to interview Palestinian witnesses, incomplete forensic testing, and documented police bias, the Attorney General’s office delayed its

response for over a year. It only replied following a Supreme Court petition demanding a decision, ultimately rejecting the appeal on July 22, 2024.<sup>29</sup>

The Supreme Court, in response to Adalah's petition against the State Attorney's Office's decision, declined to intervene. In a brief decision issued on September 30, 2025, it stated that there was "no basis for intervention," while ignoring the detailed evidence of bias and obstruction presented in the petition.<sup>30</sup>

The case of Moussa Hassouna exemplifies a broader pattern of state-enabled settler violence, long prevalent in the OPT and now also occurring inside Israel. Settlers act as extensions of state authority, emboldened by political support, protected by police complicity, and shielded by prosecutorial and judicial indifference. The consistent failure to investigate or prosecute such crimes amounts to de facto state endorsement of violence against Palestinians.

- Adalah Press Release: [Supreme Court Rejects Petition Challenging Closure of Investigation into Mousa Hassouna's Killing in May 2021, Upholding Impunity for the Killing of Palestinians](#), 1 October 2025.
- Adalah Press Release: [Adalah takes urgent action against organized far-right Jewish mob violence targeting Palestinian citizens, and Israeli police brutality & inaction](#), 15 May 2021 (includes videos and audio recordings).
- Adalah Press Release: [Israeli State Attorney cleared all suspects in the killing of Musa Hassouna during May 2021 violent events; Adalah seeks review of the investigatory materials](#), 30 November 2021.

*Adalah requests that the Committee urge Israel to take urgent and effective measures to prevent and address violence by armed Jewish Israelis against Palestinians, both in the OPT and inside Israel. This should include promptly and impartially investigating all allegations, ensuring perpetrators are held accountable, and addressing systemic failures that enable impunity. Adalah further requests that the Committee demand Israel end the use of "self-defense" as a blanket justification for lethal violence by both its armed forces and armed Jewish-Israeli civilians.*

<sup>29</sup> HCJ 258/24 Malik Hassouna et al. v. Appeals Unit at the State Attorney's Office, see [Israel's Attorney General rejects appeal against closure of investigation into killing of Mussa Hassouna in Lod during May 2021 events](#)

<sup>30</sup> HCJ 18672-09-24 Malik Hassouna vs. Department of Appeals of the State Attorney's Office et. al. (delivered on 30 September 2025), available at [https://www.adalah.org/uploads/uploads/Hassouna\\_SCT\\_decision.pdf](https://www.adalah.org/uploads/uploads/Hassouna_SCT_decision.pdf).

*Israel's illegal policy of withholding Palestinian bodies as bargaining chips (List of Issues 40).*

The UN Committee Against Torture recommended in 2016 that Israel “should 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” (CAT/C/ISR/CO/5, para. 43).

According to the Jerusalem Legal Aid and Human Rights Center, as of mid- 2025, Israel is holding **668 Palestinian bodies**, mostly of those killed by Israeli forces while allegedly carrying out attacks against Israeli soldiers or civilians. Of these, 256 were withheld prior to 2016, while 432 began being withheld at various points from 2016 onward and continue to be held. [According to Defense for Children International – Palestine](#), as of July 2025, Israel is withholding the bodies of more than 53 Palestinian children. These figures do not include potentially hundreds of other deceased Palestinians who have been withheld during the past two years. Below is a timeline of relevant laws, key case law and decisions by the Israeli Government and the Military Commander concerning this policy.

In Adalah’s view, as it argued repeatedly before Israel’s Supreme Court, Israel may not withhold Palestinian deceased bodies as bargaining chips, as hostages, or for any other reason. There is no authority in Israeli law or international law for a state to do so. Every person has the right to be buried with dignity and within a short period of time following his or her death, and the right of a family to bury its child is established in law. The withholding of bodies violates the ICCPR, the Torture Convention (CAT), and the Rome Statute of the International Criminal Court, which prohibits the “taking of hostages.”

However, the Israeli authorities have expanded and normalized the practice, and the Supreme Court has repeatedly justified it by citing “security needs” and “negotiation leverage”. Following October 7, 2023, this policy has been further entrenched and extended to include PCI (see case law below). In a series of rulings, including Abbas (1994), Alayan (2019), Erekat (2021), Daqqa (2024), and Abu Ghanimeh (2025), the Court confirmed the government’s authority to hold bodies



for bargaining purposes, relying on secret evidence, closed-door hearings, and broad interpretations of emergency powers.

In the *Daqqa* ruling of September 2024, which extended the practice to PCI for the first time, the Court based its reasoning on the prevailing “security circumstances” and the state’s obligation to secure the release of Israeli hostages, an obligation grounded, *inter alia*, in the Basic Law: Israel – The Nation-State of the Jewish People. The Court further expanded this policy in its 2025 decision on Abu Ghanimeh and others (see below), allowing the state to withhold the bodies of deceased PCI as bargaining chips, even without conducting an individual assessment of whether such withholding would be beneficial to negotiations.

In Adalah’s view, this policy is illegal, overly broad, indefinite, and indiscriminate, amounting to a form of state-sanctioned cruelty and collective punishment. In its most recent decision, dated 4 August 2025, the Supreme Court went as far as to permit the holding of the body of a 14-year-old boy as a bargaining chip.<sup>31</sup>

Timeline of relevant legal developments	
1967	The Israeli Military Commander (MC) issued a military order applying the 1945 British Emergency (Defence) Regulations in the OPT, including Regulation 133(3), which provides that the MC may “order that the dead body of any person shall be buried in such place” as he may direct. <sup>32</sup>
1994	Israeli Supreme Court (SCT) decides that withholding bodies as bargaining chips is reasonable and proportionate based on Regulation 133(3) (HCJ 6807/94, <i>Abbas v. State of Israel</i> ).

<sup>31</sup> Adalah’s Press Release, [Israel’s Supreme Court allows continued withholding of 14-year-old Palestinian child Wadia Elyan’s body, to use as bargaining chips in future negotiations with Hamas](#), 4 August 2025. HCJ 5934/24 *Shadi Elyan v. Police Commissioner*.

<sup>32</sup> See the Emergency Defense Regulations – 1945: [https://www.imolin.org/doc/amlid/Israel/The\\_Defence\\_Emergency\\_Regulations\\_1945.pdf](https://www.imolin.org/doc/amlid/Israel/The_Defence_Emergency_Regulations_1945.pdf).

2004	Israel's AG recommends halting the practice of withholding the bodies of Palestinians, which reached its peak during the beginning of the second Intifada, unless there is a concrete prisoner swap deal in which the bodies can be used in exchange for captured or missing Israeli soldiers.
2015	Israel adopts measures to punish, repress, and “deter” Palestinians, which include the withholding of assailants’ bodies on public order and security grounds.
January 2017	The Israeli Cabinet issues a uniform policy requiring, in principle, the return of alleged Palestinian attackers’ bodies pending security assurances. The Cabinet laid out <b><u>two exceptions</u></b> to this rule: the alleged attacker is affiliated with Hamas and thus his body can be used in potential negotiations for prisoner exchange; or the attack allegedly carried out is exceptionally severe.
September 2020	Cabinet issues a new decision, according to which bodies can be held “unrelated to organizational affiliation.” In other words, the decision permits all Palestinian bodies allegedly engaged in any terror act, killed by Israeli forces, to be held.

### **Timelines of key caselaw and decisions taken by the Israeli Government and the Military Commander**

<b>The Jabareen case: (Palestinian citizens of Israel)</b>	
July 2017	Following a petition by Adalah on behalf of three families of PCI accused of killing two Israeli soldiers at the Al Aqsa Mosque complex, the SCT decides that the police are not authorized to withhold their bodies under the Police Ordinance. (HCJ 5887/17, <i>Jabareen v. The Israel Police</i> ).
March 2018	In response to the SCT’s decision, the Knesset adopts Amendment 3 to the 2016 Counter-Terror Law authorizing the police to impose conditions and restrictions on the funerals of alleged “terrorists” and the extraction of bail from PCI families.  See more: <a href="#">Counter-Terrorism Law (Amendment No. 3) - 2018</a>

<b>The Alayan (also written Alian) case</b>	
December 2017	Israeli SCT decides in a 2-to-1 decision in the <b>Alayan case</b> that Regulation 133(3) does not provide a sufficient basis to allow the military to withhold bodies as bargaining chips; explicit legislation is required. <sup>33</sup>
February 2018	The SCT grants the state's motion to hold a further hearing on the case, before an expanded 7-justice panel. A hearing is held in July 2018. <sup>34</sup>
September 2019	The SCT decides in a 4-3 decision that Regulation 133(3) authorizes the Israeli military to withhold bodies as bargaining chips, allowing the continued implementation of the 2017 Cabinet decision. <sup>35</sup>
<b>The Erekat case</b>	
23 June 2020	Ahmed Erekat, 27-years old, was shot dead by Border Police (BP) at a checkpoint east of Abu Dis. The BP alleged that he attempted to "car ram" them at the checkpoint. The Israeli military holds Erekat's body. Adalah subsequently petitions the SCT on behalf of the Erekat family.
22 July 2020	The SCT held its first hearing on the case, and the state acknowledged that holding the body does not comply with the criteria set out in the 2017 Cabinet decision, but stated its intention to amend that decision.
2 September 2020	Israel's security Cabinet announced that it would not allow the return of the bodies of Palestinians killed by Israeli security forces to their families for burial. <sup>36</sup> The state updated the SCT it adopted a new expanded cabinet decision (see in table above).
22 October 2020	Adalah files a new, amended petition to SCT, addressing the amended Cabinet decision, arguing that the decision is illegal and contradicts previous SCT rulings.

<sup>33</sup> See [HCJ 4466/16, Muhammad Alian et al. v. Military Commander](#) (decision delivered 14 December 2017) (English translation)

<sup>34</sup> See Adalah Press Releases: [Israeli Supreme Court decision to allow additional hearing on Israel's holding of Palestinian bodies violates int'l law](#), 21 February 2018 and [Supreme Court holds additional hearing on Israel's practice of withholding bodies of deceased Palestinians](#) 18 July 2018

<sup>35</sup> See [HCJFH 10190/17 Military Commander v. Alian et al.](#) (decision delivered 9 September 2019) (English summary). See also Adalah Press Release: [Israeli Supreme Court reverses earlier ruling, authorizes Israel to hold bodies of Palestinians as bargaining chips](#) 9 September 2019

<sup>36</sup> See Adalah Press Release: [Israeli cabinet declares: We won't return bodies of Palestinians to their families for burial](#), 2 September 2020.

18 August 2021	The SCT issued its final decision, 2-to-1, rejecting Adalah's petition and allowing Israel to continue to hold Erekat's body. The SCT ruled that the military has the authority under the 1945 Emergency Regulations to withhold the body, even without any decision of the Cabinet. <sup>37</sup>
31 October 2021	Adalah files a request for a second hearing (HCJ 7324/21), which was subsequently rejected on 31 January 2022.
<b><u>The case of Walid Daqqa</u></b>	
8 April 2024	Walid Daqqa, a PCI, was imprisoned for decades and died of cancer while in Israeli custody. Convicted in 1987 for his alleged involvement in the 1984 kidnapping and murder of an Israeli soldier (charges he consistently denied), Daqqa was scheduled for release in March 2025.
16 April 2024	Adalah <a href="#">filed</a> a petition to the Supreme Court on behalf of the Daqqa family, demanding the immediate release of Walid Daqqa's body for burial.
21 April 2024	The State Attorney's Office <a href="#">issued</a> a preliminary response to the petition, clarifying that the authorities intend to withhold the body of Walid Daqqa until at least 5 May 2024 to allow them to reconsider and potentially change their overarching policy of not withholding of the bodies of deceased PCI.
9 June 2024	The Israeli Security Cabinet ratified the Defense Minister's decision to continue withholding the body of Walid Daqqa. In its response to the court on 11 June, the State stated that although the decision was based on an "extremely exceptional case" warranting a deviation from the general policy of not holding the bodies of Israeli citizens, the Cabinet also decided to continue withholding the bodies of all PCI alleged to have carried out attacks, pending a government decision on the overarching policy.
June – August 2024	The SCT held two hearings on the case, much of which relied on secret evidence reviewed behind closed doors, denying the family a fair chance to challenge the state's decision.

<sup>37</sup> See [HCJ 4462/20 \*Mustafa Erekat v. The Military Commander for Judea and Samaria \(the West Bank\) and the Minister of Defense\*](#) (decision delivered 18 August 2021) (English translation). See Adalah Press Release, 18 August 2021, available at: <https://www.adalah.org/en/content/view/10392>

30 September 2024	The SCT <a href="#">rejected the petition</a> , acknowledging that withholding Daqqa's body undermines the rights of the deceased and his family, but justifying it by the competing value of returning Israeli hostages, grounding its ruling, <i>inter alia</i> , in the Basic Law: Israel – The Nation-State of the Jewish People.
<p><b><u><a href="#">The Case of Mohammed Abu Ghanimeh and others</a></u></b></p> <p>The case concerns the withholding of the bodies of six PCI. Five of the deceased were killed by Israeli forces after or while allegedly carrying out attacks, while the sixth died in an Israeli prison while classified as a security prisoner. Six petitions were filed in July and November 2024, five of them by Adalah, challenging the prolonged withholding of the bodies, in one case, since March 2024. The Supreme Court subsequently consolidated the proceedings.</p>	
1 September 2024	The Israeli Security Cabinet decided to withhold Palestinian citizens' bodies as long as Israeli captives remained held in Gaza. The decision was extended for an additional three months on 5 December 2024.
2 January 2025	After a hearing on 30 December 2024, the Court issued its decision, rejecting the petitions. It held that, under emergency regulations, the State may withhold the bodies of Palestinian citizens of Israel for negotiation purposes, even in the absence of individual assessments as to whether the body would contribute to negotiations.

*Adalah urges the Committee to call on Israel to immediately return the bodies of deceased Palestinians to their families for a respectful burial, in line with their traditions and customs, and to rescind its Cabinet decisions and policies of withholding bodies as bargaining tools. Israel must also lift all restrictions on the funerals of Palestinian families, in Israel and the OPT.*