

**Mandates of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on extrajudicial, summary or arbitrary executions**

Ref.: AL ISR 3/2026

(Please use this reference in your reply)

18 March 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and Special Rapporteur on extrajudicial, summary or arbitrary executions, pursuant to Human Rights Council resolutions 52/7 and 53/4.

We would like to express our profound relief at the release of all remaining hostages held by Hamas and Palestinian armed groups and the return of the last bodies of those who were killed in captivity, so their families may lay them to rest with dignity. We welcome your Excellency Government's continued commitment to providing medical, psychological and other support to former hostages, their families, and those who lost loved ones or were injured in those unlawful and devastating attacks.

**It is in this spirit of concern for human dignity and the protection of all persons affected by this conflict – as well as the substantially changed circumstances arising from the last hostage-prisoner exchanges – that we write to bring to the attention of your Excellency's Government additional information received concerning deeply troubling allegations of torture and other cruel, inhuman or degrading treatment or punishment of Palestinians deprived of their liberty, torture-linked custodial deaths, and inhumane and degrading conditions of detention. If substantiated, these allegations would amount to serious violations of Israel's obligations under international human rights and humanitarian law.**

**Taken together, the information outlined in this letter suggests either a pattern of grave neglect by Israeli authorities of their duty to treat all persons deprived of their liberty with humanity and without discrimination, and to investigate all credible complaints of torture and ill-treatment, or, more concerningly, a de facto policy that encourages, condones and institutionalizes the use of torture and other cruel, inhuman or degrading treatment or punishment of Palestinians in Israeli custody, backed by ministerial and functional authorities.**

**We are further concerned that the limited number of investigations into these allegations, combined with the continued refusal to grant regular access to detention facilities to independent international monitors, including the International Committee of the Red Cross, reinforces an impression that Israel is operating a closed system that ignores and hides violations and in doing so, fosters a culture of impunity.**

**We respectfully call on your Excellency's Government to reassess its legal and policy positions, to take immediate steps to bring detention practices and conditions fully into line with applicable human rights and humanitarian**

**standards, and to allow investigations to proceed into these serious complaints effectively, transparently and free from political interference.**

The information presented reflects the period since 7 October 2023 until the present, and provides information about the treatment of Palestinian detainees from Gaza, the West Bank and East Jerusalem, as well as Israeli Arabs.

Since previous communication [ISR 10/2024](#) of 16 May 2024 presenting a range of serious allegations of torture and other cruel, inhuman or degrading treatment or punishment and inhumane conditions of detention of Palestinian detainees from Gaza, the Westbank and East Jerusalem, we have received and collected further and additional particulars. We are requesting that these new allegations be investigated promptly, transparently and effectively, in accordance with international standards and pursuant to your Excellency's Government's international obligations to prohibit and prevent torture and other cruel, inhuman or degrading treatment or punishment.

We thank the Government of Israel for its [response](#) of 18 December 2024. That response addressed detention facilities under the authority of the Israeli Defence Forces ("IDF") and in connection with Israel's Gaza operation, such as the Sde Tieman and Ofer facilities, but regrettably did not specifically comment on detention facilities under the auspices of the Israel Prison Services ("IPS"), where the majority of Palestinian detainees are transferred and detained. That response further reported that the security situation since 7 October 2023 had exponentially increased the number of "security detainees" from Gaza and administrative detainees from the West Bank.

We also refer your Excellency to additional joint communications : [ISR 23/2025](#) (death penalty legislation), [ISR 12/2025](#) (enforced disappearance and arbitrary detention of essential healthcare workers in Gaza), [ISR 17/2025](#) (killings and torture of civilian medical and emergency personnel), and [ISR 17/2024](#) (torture and sexual violence against child detainees). No responses have been received to these communications. In connection with [ISR 10/2024](#), on 16 August 2024, the Special Rapporteur on torture issued a [public statement](#) calling for investigation and accountability regarding an allegation of sexual torture of a Palestinian detainee by Israeli soldiers.

According to the information received and obtained:

#### *Number and locations of Palestinian Detainees*

While the exact number of detainees held by Israel is in regular fluctuation owing to releases and hostage-detainee exchanges, Israel's response to AL 10/2024 informed that over 6,500 security detainees from both the Gaza Strip and West Bank had been added to an already overcrowded prison population, increasing the number of total inmates to 23,000 in IPS facilities as at December 2024.

In late May 2025, it was estimated that approximately 11,000 Palestinians were being held in detention by Israeli authorities, including some 2,780 Gaza residents. Of these, an estimated 660 detainees were being held in military detention camps. In December 2025, it was reported that the IPS was holding

9,183 Palestinians detainees – 1,220 as unlawful combatants and 3,350 under administrative detention. According to reports, approximately 350 Palestinian children were in custody and 48 women.

In February 2026, it has been reported that of the 9,245 inmates still being held overall, 40 per cent are being held in administrative detention, of which 3,200 are Palestinians from the West Bank and 1,300 Gazans held as “unlawful combatants”. An estimated 2,200 inmates are held as convicted prisoners.

The prison facilities where Palestinian detainees are held include: Sde Teiman, Negev Prison (Ketziot), Megiddo, Gilboa, Etzion Camp, Nafha, Kishon, Ramla, Ashkelon, Ofer, Damun, Ramon, Anatot, Be’er Sheva, Hasharon, and Russian Compound. It has also been reported that detainees are held in the underground Rakefet complex.

*Allegations of torture and cruel, inhuman or degrading treatment or punishment*

The following information documents allegations of physical and psychological torture and ill-treatment of Palestinian detainees during apprehensions and/or arrests, transfers, and in custody:

- a) Twenty-three (23) allegations of **beatings with weapons or other objects, kicking, and punching**. One reported a leg infection as a result of beatings that resulted in amputation. One reported being punched in his torso until blood came out of his mouth. One reported suffering broken ribs and other bodily injuries. One reported losing consciousness from being kicked in the head and waking up to being covered in blood. One reported his tooth filling falling out from a beating. One reported being forced to lie on the ground while soldiers stepped on his head with their military boots. Multiple detainees reported being struck by metal batons, iron rods, butts of weapons, and metal skewers.
- b) Four (4) allegations of male detainees in **prolonged kneeling** for more than six hours or all day. One detainee reported that kneeling for 25 consecutive days from 04.00 a.m. to 11.00 p.m. Another detainee reported being forced to kneel all day and was only permitted to sleep from 00.00 a.m. to 04.30 a.m. Two reported being forced to kneel on gravel ground.
- c) Six (6) allegations of male detainees being held in **Shabh suspension position** where the person’s full weight is suspended by tied hands. Three detainees reported being hung from their hands which were tied to a barbed-wire fence. Three reported being strung up for four, five, and six hours respectively.
- d) Three (3) allegations (1 male detainee and 2 female detainees) of **excessive and unnecessary shackling or zip-tying** of hands and/or feet with tight restraints, causing injury or amputation. One detainee reported his foot was amputated due to foot cuffs

being too tight that his foot became infected. Another detainee reported her wrist handcuffs were tight and created wounds. Another reported her leg being steel cuffed to another detainee's leg and that it was tight and painful as if her leg would be cut off.

- e) Five (5) allegations (4 males and 1 female) of being **electrocuted** by electric batons or stick devices. One reported being shocked on the hand. One reported that the electricity was so powerful that his vision went blurry. One reported being shocked in the head and feet. One reported an electric shock on her neck that pushed her a distance of two meters.
- f) Two (2) allegations of male detainees **being exposed to extremely loud music** in an interrogation room known as the "DISCO" room. One detainee was kept in the room for a week. One detainee was kept there for four days, and it caused **bleeding to his ear**.
- g) Six (6) allegations (5 males and 1 female) of **sleep deprivation** caused by the deliberate use of a loudspeaker or constant lights. One detainee reported three hours of sleep per night with Arabic music played to keep them from falling asleep. Two reported loudspeakers that played shouting, cursing, the Israeli national anthem, and other noises and lights being kept on. One reported hearing audio recordings of screaming for three hours when trying to sleep. One reported being punished if they fell asleep while kneeling. One reported kneeling all day and only being permitted to sleep from 00.00 a.m. to 04.30 a.m.
- h) Three (3) allegations of male **detainees with disabilities being denied mobility aids** in prisons. One detainee reported not having his wheelchair in prison, needing diapers and only being provided with a wheelchair during torture, interrogation and beatings. One detainee reported witnessing soldiers take away another detainee's prosthetic limb. There was a report of a detainee bargaining his food in exchange for help with moving to and from the courtyard.

UN reports also gathered testimonies, among others, of detainees reporting being subjected to "violence and humiliations" including repeated and serious physical assaults, setting dogs on detainees, some leading to attacks and bites, widespread threats and insults, handcuffing and blindfolding for extended periods, shackling to beds and feeding through straws.<sup>1</sup> They further reported prolonged blindfolding, the prolonged deprivation of food, sleep deprivation, water and medical attention, prolonged exposure to the cold, being forced to kneel on gravel, deliberate humiliation, blackmailing, electric shocks, being

---

<sup>1</sup> OHCHR, Thematic Report: Detention in the context of escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, para. 38, and these allegations were repeated without updated information in A/HRC/58/28, 13 February 2025, paras. 43-45; and expanded upon in A/HRC/61/26, paras. 8, 26, 39-45.

burnt with cigarettes, and being given hallucinogenic pills.<sup>2</sup>

*Allegations of Sexual Torture and Other Sexualized Cruel, Inhuman or Degrading Treatment or Punishment*

The following information documents allegations of sexual torture and other sexualized cruel, inhuman or degrading treatment or punishment of Palestinian detainees:

- a) Nine (9) allegations (6 males and 3 females) of **rape (sexual and object-based rape), attempted rape, and threats of rape**. One detainee reported anal and repeated vaginal rape. One reported insertion of a stick into the buttocks and being forced to sit on a cone. One reported the threat of insertion of a stick into their rectum. One reported the attempt to shove a carrot into his anus. Five (3 male, 2 female) reported threats of rape.
- b) Eleven (11) allegations by male detainees reported **beatings, grabbing, electrocution, or mauling by dogs of their genitals**. Eight reported beatings or grabbing of the genitals. One reported witnessing a male detainee being raped by a dog. One reported witnessing a dog maul a detainee's genitals and reported that the detainee died as a consequence. One reported electrocution to the testicles.
- c) Seven (7) allegations (4 males and 3 female detainees) of **humiliating or degrading strip searches**. One female detainee reported being strip searched while having her legs tied and a male soldier staring, laughing, insulting and making sexually suggestive movements. One reported being ordered to strip naked and having his genitals grabbed. One reported being ordered to take off his clothes while a soldier mocked him and took videos. One male detainee reported being stripped completely in a room of female soldiers and being touched on his genitals. One female reported being photographed while naked, which the officer denied. One female was ordered to undress and jump naked and urinate in front of officers. One male reported being stripped naked during interrogation.
- d) Five (5) allegations by female detainees of being **sexually harassed and subjected to sexual slurs**. Four reported being insulted with the words "bitch", "whore", or "slut". One reported being insulted with genitalia-related swear words and sexually suggestive movements.

---

<sup>2</sup> Ibid., OHCHR Detention, para. 40.

The Committee against Torture's (CAT) concluding observation<sup>3</sup> and OHCHR's latest report<sup>4</sup> similarly found evidence of sexual abuse of male and female Palestinian detainees for the purposes of degrading, humiliating and intimidating them.

In addition to the above allegations, we are deeply troubled by the Military Advocate General's decision on 12 March 2026 to cancel the indictments against five soldiers suspected of sexually assaulting and raping by object a Palestinian detainee from Gaza at the Sde Teiman military detention center in July 2024. The Special Rapporteur on torture had previously expressed her alarm about this case in a [public statement](#), and called for independent and impartial investigations. We are concerned by the justifications for closing the case, including (i) evidential complexity; (ii) evidentiary implications owing to the release of the victim to Gaza, without apparently his testimony having been taken; (iii) using a "defence of justice" argument offering exceptions for "exceptional and unprecedented circumstances"; and (iv) procedural difficulties concerning transfer of files from police.

*Deaths in custody associated with torture and/or inhumane detention conditions*

It has been reported that there have been 94 deaths of Palestinians in custody from October 2023 to 31 August 2025: 42 in IPS custody and 52 in IDF custody (though reports differ on the number of deaths). A lack of transparency into the cause of these deaths makes it unclear which deaths are attributed to natural causes or unlawful conduct. However, there are concerning reports that attribute at least some deaths to severe violence, extreme malnutrition, or denial of life saving care.

A review of ten (10) post-mortem examinations of Palestinians who have died in IPS custody indicate that in five (5) cases, signs of physical assault were present, and in two (2) cases, bruising consistent with beatings and use of restraints were identified. Findings also included multiple rib fractures, haemorrhages on the skin and near internal organs, and lacerations of intra-abdominal organs. One (1) case documented intracranial haemorrhage resulting from a head injury apparently sustained during arrest. Medical neglect has been alleged to be present in six (6) of the ten (10) cases, including severe malnutrition, untreated haematological malignancy, and untreated diabetes due to withholding of insulin. Information on deaths in military custody is limited due to the IDF's refusal to provide updated or comprehensive information on deaths in custody since May 2024.

Additionally, in March 2025, it was reported that a 17-year-old Palestinian minor died in custody with autopsy findings revealing that his death was the result of starvation, dehydration, and untreated infections compounded by prolonged malnutrition and systematic medical neglect. As at August 2025, it

---

<sup>3</sup> CAT/C/ISR/CO/6, 22 December 2025, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FISR%2FCO%2F6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FISR%2FCO%2F6&Lang=en) See, also, OHCHR, Thematic Report: Detention in the context of escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, para. 41-44.

<sup>4</sup> A/HRC/61/26, para. 42.

was reported that at least six Palestinians died during ISA (Shin Bet) interrogations.

The Committee against Torture's concluding observations expressed concern that it had not received information from Israel on the number of deaths in custody but there have been credible reports that at least 75 Palestinian detainees have died since 7 October 2023 which coincide with the marked deterioration in detention conditions. The Committee took note of similar reports of autopsies showing signs of torture, denial of medical care, and extreme malnutrition, families not being notified in time to ensure independent medical presence despite court orders, and the absence of accountability for any of the suspicious deaths.<sup>5</sup>

### *Reports of inhumane and degrading detention conditions*

On 4 December 2025, Israel's Public Defender's Office released its 2023-2024 prisons conditions report.<sup>6</sup> The report covered ISP facilities, police detention facilities and courthouse detention facilities. After 7 October 2023, a temporary order was enacted to allow IPS to deviate from the legal provisions regarding the living space allocated to prisoner and the obligation to provide beds. It was reported that more than one-third of criminal prisoners were held in living space of less than three square meters per person, and approximately 1,300 criminal prisoners were not provided with beds.

The High Court of Justice ruled in September 2025 that the Government had intentionally deprived thousands of Palestinians prisoners of enough food and unanimously asserted the Israeli government had a legal duty to provide Palestinian prisoners with three meals a day to ensure "a basic level of existence" and ordered authorities to fulfil that obligation. The Court further found that this deprivation had caused Palestinians to suffer malnutrition and starvation.

The PDO report concluded there was severe overcrowding, lack of ventilation leading to overheating, deterioration in basic sanitary conditions, bed bugs, and the spread of scabies. The food menu for security prisoners was poorer in quality and quantity to criminal prisoners, leading to symptoms of malnutrition and acute weight loss with many prisoners appearing very thin. There were reports of food unfit for consumption. Some prisoners reported restricted access to drinking water. Conditions that contributed to the spread of disease included poor sanitation in the cells, the extreme overcrowding of prisoners confined to their cells for 23 hours a day, without access to a toilet, and the lack of adequate medical care. There was a significant limitation of cleaning and hygiene supplies. Prisoner also reported severe and systematic violence such as beating from IPS staff that was not incident to specific events.

---

<sup>5</sup> CAT/C/ISR/CO/6, 22 December 2025, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FISR%2FCO%2F6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FISR%2FCO%2F6&Lang=en)

<sup>6</sup> [https://www.gov.il/he/departments/dynamiccollectors/detention\\_and\\_imprisonment\\_conditions\\_reports\\_db?skip=0](https://www.gov.il/he/departments/dynamiccollectors/detention_and_imprisonment_conditions_reports_db?skip=0)

The information contained in the Public Defender's Office report is repeated in other reports received and obtained by the Special Rapporteur, which document:

- a) Twenty (20) distinct allegations of **scabies spreading and infecting detainees**.
- b) Thirteen (13) allegations (13 males and 1 female) of **food deprivation and starvation, weight loss and lack of potable water**. One male reported losing 30 kgs in 8 months. Two males (1 minor) reported losing 20 kgs in 7 months. One male reported losing 36 kgs over two years. One male reported losing 27 kgs. One reported losing 10 kgs. One male reported having to drink from toilet taps because there was no potable water. One male reported the drinking water was contaminated and unpotable. One male reported being given one meal per day of some rice, half a tomato, half a cucumber and three slices of bread. One male reported being given rotten eggs and yogurt. One male report the amount of food for 12 inmates was equivalent to two people. One male reported that breakfast was two teaspoons of labneh and slices of bread and dinner was a small amount of cooked legumes, a small plate of rice and a piece of sausage. One female reported being given mouldy bread, undercooked chicken breast, inedible rice, and blue and smelly eggs. One male reported being given spoiled food which led to food poisoning and he had to be taken to the hospital.
- c) Six (6) allegations (3 males and 3 unknown) of **lack of or inadequate medical care or treatment**. One male reported not being provided with medicine or treatments for pre-existing conditions. One male reported not being permitted to take the medication he had with him. Three (sex unclear) reported that staff advised they were not permitted to provide treatment and/or medication unless it was for certain conditions. One male reported an infection for nine days before being taken to see a doctor which led to his leg being amputated.
- d) Three (3) allegations by male detainees of **overcrowding in cells**. One male reported that his cell increased from six prisoners to 14 with new detainees sleeping on the floor. One male reported he was in a cell with 12 to 14 inmates with some detainees sleeping on the floor on thin mattresses without blankets and the toilet in the cell stank. One male reported 30 prisoners in a cell. Israel itself has acknowledged severe overcrowding.
- e) Two (2) male allegations of **lack of sunlight and ventilation**. One male reported his overcrowded cell smelled damp, with mould on the walls and no sunlight or clean air. One male reported he was forbidden from seeing the sun in many days.

- f) Five (5) male allegations that there **inadequate attention to hygiene**, reporting no soap for washing and/or infrequent showers and lack of time to do so.

Particular concern is expressed regarding the conditions at Rakefet Wing in Ayalon (Ramla) prison, which is entirely underground.

In addition to the above information, the CAT, following its interactive dialogue with the State of Israel, expressed similar and additional concerns about the “critically poor detention conditions” including: severe overcrowding despite efforts to expand infrastructure; confinement up to 23 hours per day, sometimes for consecutive days; excessive use of restraints while detained; lack of access to meaningful educational, vocational, and recreational activities and no access to books, television, or media; restricted family visits in IPS facilities with all in-person visits prohibited and heavy restriction on phone calls; insufficient measures to provide adequate nutrition; and denial of medical care and unethical medical practices with reports of patient detainees blindfolded at all times, shackled and handcuffed to beds, fed through a straw and forced to wear incontinence garments. For women, the Committee found among others, inadequate access to feminine hygiene products and gynaecological care. The Committee also raised concerns regarding Palestinian children being held in administrative detention. For persons with disabilities, the Committee raised concern regarding that some were left without mobility aids, and denied medication, prosthetic limbs, hearing aids, and oxygen therapy.<sup>7</sup>

There are also reports of detainees being held incommunicado for long periods owing to a refusal to allow communications and visits with family, with many individuals having been disconnected from their family for up to 2 years. After 7 October 2023, the IPS’ pilot project that allowed phone calls to minors and others was suspended.

Temporary measures that were put in place since 7 October which permitted judicial review of detention via video and were explained by the Israeli government as being necessary owing to the exponential growth in the prison population, have now expired. This is welcomed, however reports state that they remain in place for those designated as “unlawful combatants”. Video reviews do not permit judges to view the physical condition of detainees, nor receive complaints of torture or other ill-treatment, and are problematic for these reasons.

*Failure to investigate allegations of torture and other cruel, inhuman or degrading treatment or punishment and related deaths*

Complaints regarding soldiers are handled by National Unit for Operational Affairs of the Military Police Criminal Investigation Division (“MPCID”). Your Excellency’s response of 18 December 2024 to ISR 10/2024 detailed that since

---

<sup>7</sup> CAT/C/ISR/CO/6, 22 December 2025, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2F6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2F6&Lang=en) See, also, OHCHR, Thematic Report: Detention in the context of escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024.

7 October 2023, the MPCID launched 52 criminal investigations over the treatment of Gazan detainees, of which the vast majority of investigations are ongoing, and one resulted in a criminal indictment filed against an Israeli soldier for violence while transporting detainees. In July 2024, ten reserve soldiers were arrested in a separate case. It has been reported that indictments were filed against five of the soldiers. It was also reported that on a different occasion one soldier was convicted of abusing detainees and sentenced to 7 months imprisonment, a penalty described by the UN Committee against Torture as not matching the gravity of his offences.

According to information received, there have been 1,680 complaints of torture filed against the Israel Security Agency, but none has led to indictment. Similarly no IPS personnel has been indicted for torture, sexual violence, or death of a Palestinian detainee in IPS facilities since 7 October 2023. The number of complaints since 7 October is not known.

Questions regarding independence of criminal processes into allegations of abuses linked to interrogations and detention have also not been adequately addressed. Some of these investigations have become highly politicized and instrumentalized, impeding fair and efficient justice for victims and those accused.

Without prejudging the accuracy of the information received and reviewed, the scale and severity of the allegations of torture and ill-treatment, inhumane and degrading detention conditions, and torture-related deaths of Palestinians in Israeli custody, over the period of more than two years since 7 October 2023, are alarming. It is our view that they suggest either a pattern of grave neglect by Israeli authorities of their duty to treat all persons deprived of their liberty with humanity and without discrimination, and to investigate all credible complaints of torture and ill-treatment, or, more concerningly, a de facto policy that encourages, condones and institutionalizes the use of torture and other cruel, inhuman or degrading treatment or punishment of Palestinians in Israeli custody, backed by ministerial and functional authorities.

If established, the various allegations (individually or cumulatively) would violate Israel's customary international law and human rights treaty obligations, notably in respect of rights to life and against torture and other cruel, inhuman or degrading treatment or punishment, pursuant to articles 6, 7 and 10, read alone and in conjunction with article 2(3) of the International Covenant on Civil and Political Rights, ratified by Israel on 3 October 1991; and at least, articles 1, 2, 12, 13, 15 and 16 of the United Nations Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, ratified also by Israel on 3 October 1991. No state of war or other emergency permits derogation from obligations in CAT (article 2(2)). Such acts would also amount to violations of the laws of war and grave violations of the Geneva Conventions (most notably common article 3); and for those committed against civilians as part of a widespread or systematic attack, they could amount to crimes against humanity.

Each of the allegations detailed in this letter, including physical and psychological torture and other ill-treatment, such as beatings with weapons or other objects, kicking, and punching, electrocutions, rapes and threats of sexual violence,

injuries to genitals, food deprivation and starvation, sensory torture, humiliating and degrading treatment, incommunicado detention, and other unlawful conditions of detention and punishment, must be investigated without delay and urgent measures put in place to stop such violations and prevent further violations. We take the opportunity to remind officials at every level that individual criminal responsibility for the crime of torture cannot be defended by reliance on superior orders or the position of a public authority (article 2(3), CAT). There should never be pressure on officials to engage in criminal conduct.

We further take this opportunity to remind your Excellency's Government of the over-arching obligation in the CAT to prevent torture and other ill-treatment, the most effective means is by providing independent inspections of places where persons are deprived of their liberty. While it is recognised that some access to detention facilities has been provided to a Knesset visiting committee, we have concerns that their mandate does not satisfy the requirements of independence and transparency. Because of this, the non-reciprocal obligation to allow the ICRC to access detention facilities which means that it applies irrespective of the fact that Hamas and other armed groups had denied access to the ICRC to visit all hostages held in Gaza, should now be reinstated.

The above-mentioned allegations raise additional concerns regarding enforced disappearances, arbitrary arrests and detention, and violations of the right to health, most notably in conflict with articles 6, 7, 9,10 and 16, read alone and in conjunction with article 2.3, of the ICCPR; as well as the right to highest standards of the right to health in article 12 of International Covenant on Economic, Social and Cultural Rights, ratified by Israel on 3 October 1991 and the equivalence of care standard of those in detention, pursuant to the United Nations Standard Minimum Rules on the Treatment of Prisoners (Mandela Rules, especially rule 24).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed and updated data on the total number and locations of Palestinians held in Israeli custody, disaggregated by gender/sex, age, legal grounds for their detention, and other relevant demographics.
3. Please provide latest information regarding detention conditions and the protections and standards required under international human rights and humanitarian law, including with regard to access to legal assistance, medical care, food and nutrition, water and sanitation, bedding and clothing and general conditions, and contacts with their families. Please

compare your standards against the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules), and provide explanations for any variations and measures being taken or previewed to meet those standards.

4. Please provide detailed and updated information on the number and status of investigations of Israeli officials in respect of allegations of torture and/or other ill-treatment against Palestinian individuals deprived of liberty, including deaths in custody, opened since the attacks of 7 October 2023, disaggregated by gender/sex, age and other relevant demographics. Please provide information as to the numbers of individuals arrested, their charges, and the number of cases that have progressed to prosecution. In respect of closed cases, please provide a breakdown of the outcomes of those cases (e.g. number of total complaints filed, closed investigations, indictments, prosecutions, sentences for persons convicted). If no investigation has been carried out, please explain why.
5. Please explain whether investigations into torture and other ill-treatment are being or were conducted in accordance with international standards, including the Istanbul Protocol (Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2022 edition).
6. Please provide detailed information about the legal framework to allow complaints and to protect individuals from reprisals, investigations into torture and any limitations, including the criminalization of torture and jurisdictional matters and rules regarding the exclusion of evidence obtained by torture.
7. In relation to the Military Advocate General's decision on 12 March 2026 to cancel the indictments (and therefore the investigation) into the alleged sexual assault and rape of a Palestinian male detainee from Gaza in July 2024. Please explain how the "defence of justice" rationale is compatible with article 2 of the Convention against Torture, which does not permit any defences of superior orders, nor does it allow situations of war or armed conflict or any other exceptional emergency to excuse torture.
8. In relation to alleged deaths in detention related to torture and/or conditions of detention or failure to provide life-saving medical assistance, please provide information on whether any investigation is being or was conducted and how the investigations complied with international standards including the Minnesota Protocol on the Investigation of Potentially Unlawful Death and the results of those investigations. Please also provide the number of total Palestinian deaths in custody since 7 October 2023, disaggregated by gender/sex, age, status as fighter/unlawful combatant or civilian, and other relevant demographics. Please also provide the total number of autopsies or post-

mortem examinations conducted and advise the outcome of those examinations as it relates to evidence of torture, ill-treatment, and/or conditions of detention being a cause or contributor to death. Please provide information regarding the policy and practice of returning human remains to family members.

9. Please provide an explanation why detention facilities have not allowed access of the International Committee of the Red Cross, and other international independent observers, to inspect and visit with detainees. Please advise what, if any steps, have been taken to improve monitoring and access to outside observers.
10. Please provide specific updates on the conditions and capacity at the Sde Tiemen and Ofer detention facilities, and the Rakefet Wing in Ayalon (Ramla) prison.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We wish to reiterate to your Excellency's Government of our availability to provide expert advice to all relevant authorities of Israel, as may be considered appropriate.

Given the seriousness of these allegations, we may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a copy of this letter will be sent to the Permanent Observer Mission of the State of Palestine to the United Nations for their information.

Please accept, Excellency, the assurances of our highest consideration.

Alice Jill Edwards  
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Morris Tidball-Binz  
Special Rapporteur on extrajudicial, summary or arbitrary executions

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to the following:

*Absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment*

Article 5 of the Universal Declaration of Human Rights (UDHR); article 7 of the International Covenant on Civil and Political Rights (ICCPR); article 37(b) of the Convention on the Rights of the Child; and at least articles 1, 2 and 16 of the United Nations Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Convention against Torture) prohibit torture and other cruel, inhuman or degrading treatment or punishment. The prohibition on torture has attained the status of a peremptory norm of international law for which no exceptions or derogations are permissible.

States parties to the Convention against Torture have explicit treaty duties to establish all acts of torture as offences under domestic law (art. 4), to exercise jurisdiction over said offences (art. 5), to receive complaints and examine them promptly and impartially (art. 13), to investigate those allegations promptly and impartially (art. 12), to provide remedies and rehabilitation (art. 14).

Defendants cannot rely on orders of a superior or public authority, or states of emergency, to exonerate their actions (art. 2 (3) and 2(2)), while any legal mechanisms which interfere with that obligation, such as statutes of limitations, immunities or amnesties, are considered contrary to the non-derogable nature of the prohibition (art. 2(2)). Amnesties provided at domestic law do not remove criminal liability pursuant to international tribunals or universal jurisdiction. Prosecutors and courts have a duty to refuse evidence obtained, or suspected of having been obtained, through torture or other illicit means (art. 15).

Victims are to be protected from reprisals or intimidation during said investigations (art. 13) and they have an enforceable right to fair and adequate compensation including the means for as full rehabilitation as possible (art. 14).

States parties to Convention against Torture have overarching obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment via effective legislative, administrative, judicial and other measures (arts. 2 and 16), to educate and train relevant personnel including military officials on the prohibition (art. 10) and to keep all rules, instructions, methods and practices relating to interrogation, custody and treatment under systematic review (art. 11).

Reference is made to the Special Rapporteur on torture's thematic report, "Good practices in national criminalization, investigation, prosecution and sentencing for offences of torture" ([A/HRC/52/30](#)).

Under international humanitarian law, torture and other inhumane acts are likewise absolutely prohibited and as a grave breach of each of the four Geneva Conventions of 1949, the High Contracting Parties are obliged: to enact legislation to provide penal sanctions for persons committing, or ordering to be committed, torture and inhuman treatment; to search for such persons in order to bring them to justice; and to prosecute suspects of acts of torture as grave breaches under universal jurisdiction, which is considered obligatory. States may discharge their obligation to investigate war crimes and prosecute the suspects by setting up international or mixed tribunals.

Customary law has also established that soldiers have a duty to disobey orders of a superior for grave breaches and that there is no relief for following superior orders. Also considered customary norms are the rules against amnesties and statutes of limitation.

#### *Absolute prohibition of sexual torture*

Sexual torture – like all other forms of torture – is strictly prohibited under international law. The obligations and rights mentioned above must also be applied to cases of sexual torture. The Special Rapporteur on torture considers that there is an overwhelming consensus which crystallizes rape and other forms of sexual aggression of comparable gravity into prohibited forms of torture as *jus cogens*.

Sexual torture and similar outrages upon human dignity include such acts as forced nudity, verbal abuse and threats of a sexual nature, forced masturbation or urination, physical trauma, electrocuting, mutilating or targeting of genitalia, reproductive organs or breasts, rape (involving digital, object or penile penetration), enslavement, mock or real castrations and forced abortions, pregnancies or sterilizations. These violations are intended to cause maximum humiliation and cruelty. In extreme cases sexual torture may be part of political and/or military strategies. Sexual assaults committed by warring parties are almost always torture.

Reference is made to the Special Rapporteur on torture’s thematic report on “Investigating, prosecuting and preventing wartime sexual torture, and providing rehabilitation to victims and survivors”, [A/79/181](#).

#### *Right to life*

The right to life is a supreme right from which no derogation is permitted, even in situations of armed conflict and other public emergencies that threaten the life of the nation. The right to life has crucial importance both for individuals and for society as a whole. It is most precious for its own sake as a right that inheres in every human being, but it also constitutes a fundamental right, the effective protection of which is the prerequisite for the enjoyment of all other human rights and the content of which can be informed by other human rights (general comment No. 36).

Article 6 of the ICCPR is included in the list of non-derogable rights in article 4(2) of the Covenant. Hence, the guarantees against arbitrary deprivation of life contained in article 6 continue to apply in all circumstances, including in situations of armed conflict and other public emergencies.

In its general comment No. 36, the Human Rights Committee provided that “States parties also have a heightened duty of care to take any necessary measures to protect the lives of individuals deprived of their liberty by the State, since by arresting, detaining, imprisoning or otherwise depriving individuals of their liberty, States parties assume the responsibility to care for their life and bodily integrity, and they may not rely on lack of financial resources or other logistical problems to reduce this responsibility. The same heightened duty of care attaches to individuals held in private incarceration facilities operating pursuant to an authorization by the State. The duty to protect the life of all detained individuals includes providing them with the necessary medical care and appropriately regular monitoring of their health.”

The obligation to respect and to ensure the right to life extends to reasonably foreseeable threats and life-threatening situations that can result in loss of life even if such threats and situations do not result in loss of life (See Human Rights Committee, General comment No. 36, article 6: right to life (CCPR/C/GC/36).

Loss of life occurring in custody, in unnatural circumstances, creates a presumption of arbitrary deprivation of life by State authorities, which can only be rebutted on the basis of a proper investigation that establishes the State’s compliance with its obligations under article 6.1. Investigations and prosecutions of potentially unlawful deprivations of life should be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death, and must be aimed at ensuring that those responsible are brought to justice, at promoting accountability and preventing impunity, at avoiding denial of justice and at drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations (Human Rights Committee, general comment 36).

#### *Violations on the right to health*

Article 10 of the ICCPR requires that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. The UN Standard Minimum Rules for the Treatment of Prisoners adopted by the General Assembly on 17 December 2015 (the Mandela Rules) established relevant rules concerning health – namely rules 1, 13, 18, 19, 22, and 24-35, concerning the respect due to the inherent dignity and value of all prisoners as human beings, prison administration’s obligation to provide every prisoner with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served, as well as a number of obligations concerning healthcare services and personal hygiene.

See also article 6 ICCPR; and article 12 of International Covenant on Economic, Social and Cultural Rights, ratified by Israel on 3 October 1991.