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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2024]

* Issued as received, in the language of submission only.



Torture and Deaths of Palestinian Detainees in Israeli Custody Post October 7, 2023

Introduction

Since the escalation of conflict on October 7, 2023, there has been a significant increase in reports of severe human rights abuses against Palestinian detainees held in Israeli prisons. Multiple human rights organizations, including B'Tselem, Amnesty International, and the UN Office of the High Commissioner for Human Rights (OHCHR), have documented a range of violations that include torture, inhumane treatment, and the deaths of detainees under questionable circumstances.

This report provides a detailed account of these abuses and calls for urgent international intervention to address these violations of international law.

Torture and Inhumane Treatment

The treatment of Palestinian detainees since October 7, 2023, has been characterized by systematic torture and degrading conditions. Reports indicate that detainees have been subjected to various forms of physical and psychological abuse. Testimonies gathered by B'Tselem reveal that detainees, including women and minors, have been beaten, deprived of sleep, denied food and water,⁽²⁾ and subjected to electric shocks.⁽¹⁾ Sexual violence and the use of dogs to intimidate detainees have also been reported.⁽³⁾ The conditions in which detainees are held often involve overcrowded cells, lack of ventilation, and insufficient access to basic necessities such as medical care and hygiene facilities.⁽¹⁾

The UN OHCHR has highlighted specific instances of torture, including waterboarding and prolonged blindfolding, which were inflicted on detainees, including those with no direct connection to the conflict.⁽³⁾ The Israeli military has reportedly established makeshift detention centers, particularly in the Negev desert, where detainees are held incommunicado, further exacerbating their vulnerability to abuse. The lack of transparency and denial of access to legal representation has been a critical issue, with many detainees being held without charge or trial.⁽⁴⁾

Deaths in Custody

Since the beginning of the conflict, at least 53 Palestinian detainees have died in Israeli custody, according to multiple reports.⁽⁴⁾ The circumstances surrounding these deaths remain unclear, with allegations that many of these detainees were subjected to torture or denied necessary medical treatment.⁽⁵⁾ Despite these reports, the Israeli authorities have provided limited information regarding these deaths, and there has been a lack of impartial investigations.

Human rights organizations have raised concerns that these deaths may constitute extrajudicial killings, particularly given the severe conditions of detention and the widespread use of torture. The International Committee of the Red Cross (ICRC) has also been denied access to many of the facilities where these deaths have occurred, further complicating efforts to ascertain the truth and hold perpetrators accountable.⁽³⁾

Legal Implications and International Law

The documented abuses constitute clear violations of international humanitarian law, particularly the prohibition of torture and inhumane treatment under the Geneva Conventions.⁽³⁾ The transfer of Palestinian detainees from the occupied territories to prisons inside Israel also violates international law, as it amounts to forcible transfer.⁽⁶⁾ The systematic nature of these abuses suggests that they are not isolated incidents but rather part of a broader policy aimed at suppressing Palestinian resistance through terror and intimidation.⁽⁴⁾

The UN and international human rights organizations have called for immediate and independent investigations into these abuses, with the possibility of holding Israeli authorities accountable for war crimes.⁽³⁾ The current situation requires urgent international attention to prevent further deterioration and ensure that the rights and dignity of Palestinian detainees are protected.

Recommendations

1. Immediate and unrestricted access for international observers, including the ICRC, to all detention facilities holding Palestinian detainees.
2. Independent investigations into all allegations of torture, ill-treatment, and deaths in custody, with accountability measures for those found responsible.
3. An urgent review of Israel's detention practices in line with international humanitarian law, including the prohibition of torture and the protection of detainees' rights.
4. The immediate release of all detainees held without charge or trial, particularly those held incommunicado or under conditions amounting to torture.
5. International pressure on Israel to halt the transfer of detainees from occupied territories and to respect the legal protections afforded to all prisoners under international law.

Conclusion

The situation of Palestinian detainees in Israeli custody since October 7, 2023, represents a grave violation of international human rights and humanitarian law. The international community, and the United Nations in particular, must act decisively to address these abuses, ensure accountability, and protect the fundamental rights of those detained.

This report is submitted to urge the United Nations to take immediate and effective action to end these human rights violations and to ensure the protection and dignity of Palestinian detainees.

(2) <https://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/>

(3) <https://news.un.org/en/story/2024/07/1152681>

(4) <https://www.timesofisrael.com/torture-abuse-unfit-conditions-the-allegations-over-sde-teiman-and-its-guards/>

(5) <https://news.un.org/en/story/2024/07/1152681>

(6) <https://www.amnesty.org/en/latest/news/2024/07/israel-must-end-mass-incommunicado-detention-and-torture-of-palestinians-from-gaza/>